

2026 URBAN LIMIT LINE RENEWAL FINAL EIR: CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING THE FINAL ENVIRONMENTAL IMPACT REPORT

County of Contra Costa

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CEQA FINDINGS OF FACT
REGARDING THE
FINAL ENVIRONMENTAL IMPACT REPORT AND
STATEMENT OF OVERRIDING CONSIDERATIONS
FOR THE 2026 CONTRA COSTA COUNTY
URBAN LIMIT LINE RENEWAL
STATE CLEARINGHOUSE NO. 2023090467

Exhibit A

I. INTRODUCTION

The California Environmental Quality Act (CEQA) requires that written findings be made by the lead agency in connection with certification of an environmental impact report (EIR) prior to approval of the project pursuant to Sections 15091 and 15093 of the CEQA Guidelines and Section 21081 of the Public Resources Code. This document provides the findings required by CEQA for the proposed 2026 Urban Limit Line Renewal.

Contra Costa County (“Lead Agency”) prepared and circulated an Initial Study for the proposed 2026 Urban Limit Line Renewal Project (proposed project). CEQA Guidelines Section 15153 (14 Ca. Code Regs §15153) allows a lead agency to use an EIR prepared in connection with an earlier project to apply to a later project if the circumstances of the projects are essentially the same. In this instance the earlier project was the adoption of the Contra Costa County 2045 General Plan and Climate Action and Adaptation Plan 2024 Update (2045 General Plan and 2024 CAAP Update) for which an Environmental Impact Report (GPEIR) was certified. The potential environmental effects of the 2045 General Plan and 2024 CAAP Update were analyzed in a Draft GPEIR (State Clearinghouse [SCH] 2023090467) dated February 2024. A Final EIR, Findings of Fact and Statement of Overriding Consideration, and Mitigation Monitoring and Reporting Program for the 2045 General Plan and 2024 CAAP Update were released in November 2024. While the ULL is included in the General Plan, it was adopted by voter approval and not established by the General Plan.

The Initial Study for the 2026 Urban Limit Line Renewal compared the proposed project to the impacts disclosed in the GPEIR under criteria in Section 15153 to determine whether the GPEIR for the 2045 General Plan and 2024 CAAP Update adequately evaluated the impacts associated with the proposed project in sufficient detail to serve as the environmental document for the proposed project. The Initial Study concluded that the 2024 GPEIR adequately evaluates the impacts associated with the proposed project and is sufficient to serve as the environmental documents for the proposed project. Accordingly, Contra Costa County used the GPEIR as the Draft EIR for the 2026 Urban Limit Line Renewal.

This document provides the findings required by CEQA for approval of the proposed project. The Initial Study concluded that the GPEIR is adequate to serve as the EIR for the proposed project; therefore, these findings reflect conclusions made pursuant to Section 15153 in the Initial Study, in addition to the findings required under Section 15901 of the CEQA Guidelines. It is important to understand that the proposed project does not change any land use designation or policy in the General Plan, and based on the Initial Study, the adoption of a new ULL by the voters would not result in any

new significant environmental effects or a substantial increase in the severity of previously identified significant effects as detailed in the GPEIR.

A. Statutory Requirements for Use of an EIR from an Earlier Project

The proposed project has been studied in accordance with the procedure outlined under Ca. Code Regs. Tit. 14, § 15153 (referred to as “Section 15153”) of the State CEQA Guidelines (Guidelines) (14 Ca. Code Regs §§ 15000, *et seq.*). Section 15153 provides the following:

- (a) The lead agency may employ a single EIR to describe more than one project, if such projects are essentially the same in terms of environmental impact. Further, the lead agency may use an earlier EIR prepared in connection with an earlier project to apply to a later project, if the circumstances of the projects are essentially the same.
- (b) When a lead agency proposes to use an EIR from an earlier project as the EIR for a separate, later project, the lead agency shall use the following procedures:
 - 1) The lead agency shall review the proposed project with an initial study, using incorporation by reference if necessary, to determine whether the EIR would adequately describe:
 - (A) The general environmental setting of the project,
 - (B) The significant environmental impacts of the project, and
 - (C) Alternatives and mitigation measures related to each significant effect.
 - 2) If the lead agency believes that the EIR would meet the requirements of subdivision (1), it shall provide public review as provided in Section 15087 stating that it plans to use the previously prepared EIR as the draft EIR for this project. The notice shall include as a minimum:
 - (A) An identification of the project with a brief description;
 - (B) A statement that the agency plans to use a certain EIR prepared for a previous project as the EIR for this project;
 - (C) A listing of places where copies of the EIR may be examined; and
 - (D) A statement that the key issues involving the EIR are whether the EIR should be used for this project and whether there are any additional, reasonable alternatives or mitigation measures that should be considered as ways of avoiding or reducing the significant effects of the project.
 - 3) The lead agency shall prepare responses to comments received during the review period.
 - 4) Before approving the project, the decisionmaker in the lead agency shall:

- (A) Consider the information in the EIR including comments received during the review period and responses to those comments,
 - (B) Decide either on its own or on a staff recommendation whether the EIR is adequate for the project at hand, and
 - (C) Make or require certification to be made as described in Section 15090.
 - (D) Make findings as provided in Sections 15091 and 15093 as necessary.
- 5) After making a decision on the project, the lead agency shall file a notice of determination.
- (c) An EIR prepared for an earlier project may also be used as part of an initial study to document a finding that a later project will not have a significant effect. In this situation a negative declaration will be prepared.
 - (d) An EIR prepared for an earlier project shall not be used as the EIR for a later project if any of the conditions described in Section 15162 would require preparation of a subsequent or supplemental EIR.

Further, the requirements of Ca. Code Regs. Tit. 14, § 15162 (referred to as “Section 15162”) are as follows:

- (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
 - 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

As concluded in the Initial Study for the proposed project, the requirements of Sections 15153 and 15162 of the CEQA Guidelines have been met and the GPEIR may be used as the Draft EIR for the proposed project.

B. Statutory Requirements for Findings

CEQA (Pub. Res. Code §§ 21000, *et seq.*) and the State CEQA Guidelines (Guidelines) (14 Ca. Code Regs §§ 15000, *et seq.*) promulgated thereunder require the environmental impacts of a project be examined before a project is approved. Specifically, regarding findings, Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in

subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

The “changes or alterations” referred to in Section 15091(a)(1) above that are required in, or incorporated into, the project to mitigate or avoid its significant environmental effects may include a wide variety of measures or actions as set forth in Guidelines Section 15370, including:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.

Regarding a Statement of Overriding Considerations, Guidelines Section 15093 provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

C. Certification

Having received, reviewed, and considered the Final EIR for the 2026 Urban Limit Line Renewal, as well as other information in the record of proceedings on this matter, the Contra Costa County Board of Supervisors adopts the following Findings of Fact (Findings) in its capacity as the legislative body for Contra Costa County (County), which is the CEQA Lead Agency. The Findings set forth the environmental and other bases for current and subsequent discretionary actions to be undertaken by the County and responsible agencies for implementation of the proposed project.

In addition, pursuant to State CEQA Guidelines Section 15090, the Contra Costa County Board of Supervisors hereby certifies that:

- (1) The Final EIR has been completed in compliance with CEQA.
- (2) The Final EIR was reviewed and considered by the Board of Supervisors prior to project approval.
- (3) The Final EIR reflects the County's independent analysis and judgement.

The findings required under California Public Resources Code Section 21081 and State CEQA Guidelines Section 15091 are set forth in Section III below.

D. Project Environmental Report and Discretionary Actions

The Final EIR addresses the direct, indirect, and cumulative environmental effects associated with the proposed project. The Final EIR provides the environmental information necessary for the County to make a final decision on the requested discretionary actions. The Final EIR is also intended to support discretionary reviews and decisions by other responsible agencies.

II. PROCEDURAL COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT

The County published the Initial Study for the proposed project on August 25, 2025. It was circulated for public review over a 45-day review period and complied with the noticing procedures under Section 15153. As concluded in the Initial Study, the GPEIR is able to serve as the Draft EIR for the proposed project; therefore, the GPEIR was made available for public review along with the Initial Study. The Final EIR for the proposed project has been prepared in accordance with CEQA and the CEQA

Guidelines, as amended. As authorized in State CEQA Guidelines Section 15084(d)(2), the County retained a consultant to assist with preparation of the environmental documents. County staff from multiple departments, representing the Lead Agency, have directed, reviewed, and modified where appropriate all material prepared by the consultant. The Final EIR reflects the County's independent analysis and judgement. The key milestones associated with the proposed project are summarized below.

A. Public Notification and Outreach

In conformance with CEQA, the State CEQA Guidelines, and the Contra Costa County CEQA Guidelines, the County conducted an extensive environmental review of the proposed project.

- The Initial Study and GPEIR for the proposed project were released for a 45-day comment period starting on August 25, 2025, and ending on October 9, 2025. The Notice of Availability for the CEQA documents associated with the proposed project was sent to interested persons and organizations, sent to the State Clearinghouse for distribution to public agencies, posted on the County's website, and published in the East Bay Times on August 25, 2025. The NOA was posted at the Contra Costa County Clerk's office on August 25, 2025. Tribal consultation pursuant to AB 52 was conducted starting on August 22, 2025. Five tribes responded to the solicitation of consultation and consultation proceedings were concluded on November 20, 2025.
- A public hearing to receive written and oral comments on the Initial Study was held by the County Zoning Administrator on September 15, 2025.
- The Final EIR for the proposed project was released 10 days prior to certification of the Final EIR.

In summary, the County conducted all required noticing and scoping for the proposed project in accordance with Section 15153 of the CEQA Guidelines.

B. Final Environmental Impact Report and Proceedings

The County prepared a Final EIR, including Responses to Comments on the Initial Study. The Final EIR/Response to Comments contains comments on the Initial Study, responses to those comments, and revisions to the Initial Study. A total of four comment letters were received. Of the four comment letters, three letters were from public agencies and one letter was from an interested party. Public comments on the proposed project were also heard during the September 15, 2025, public hearing for the proposed project. Revisions in response to these comments were incorporated within Section 4, *Initial Study Revisions*, of the Final EIR.

The public can view searchable agendas for scheduled Board of Supervisors meetings and access agenda-related County information and services directly on the following website: <https://contra-costa.legistar.com/Calendar.aspx>.

The Final EIR document will be posted for viewing and download along with the previous environmental documents relevant to the proposed project prior to the County's consideration of the Final EIR and proposed project recommendations on the County's website.

A date for consideration of the Final EIR and proposed project recommendations at the Board of Supervisors was set and notice of the meeting was provided consistent with the Brown Act

(Government Code Sections 54950 et seq.). The Board of Supervisors will take testimony on the proposed project and may continue on its calendar to a subsequent meeting date in its discretion.

C. Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed project consists of the following documents and other evidence, at a minimum:

- The NOA and all other public notices issued by the County in conjunction with the proposed project.
- The GPEIR, Initial Study, and Final EIR for the proposed project.
- All written comments submitted by agencies or members of the public during the public review comment period on the Initial Study.
- All responses to written comments submitted by agencies or members of the public during the public review comment period on the Initial Study.
- All written and verbal public testimony presented during noticed public hearings for the proposed project.
- The Mitigation Monitoring and Reporting Program.
- The reports and technical memoranda included or referenced in the Final EIR.
- All documents, studies, EIRs, or other materials incorporated by reference in the Initial Study and Final EIR.
- The Resolutions adopted by the County in connection with the proposed project and all documents incorporated by reference therein, including comments received after the close of the comment period and responses thereto.
- Matters of common knowledge to the County, including but not limited to federal, State, and local laws and regulations.
- Any documents expressly cited in these Findings.
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

D. Custodian and Location of Records

The documents and other materials that constitute the administrative record for the County's actions related to the proposed project are at the Contra Costa County Department of Conservation and Development (DCD) (30 Muir Road, Martinez, CA 94553). The Contra Costa County DCD is the custodian of the administrative record for the proposed project. Copies of these documents, which constitute the record of proceedings, are and at all relevant times have been and will be available upon request of the Contra Costa County DCD. The documents are available online at:

<https://envisioncontracosta2040.org/documents/>. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and Guidelines Section 15091(e).

E. Project Location

Contra Costa County is in the East Bay subregion of the San Francisco Bay Area. It borders Alameda County to the south, San Joaquin County to the east, Solano and Sacramento Counties to the north, and San Francisco County to the west. North-to-south regional access is provided through Interstate (I-) 80, I-680, and State Route (SR-) 242; east to west regional access is provided through I-580, SR-4, and SR-24.

While the proposed project involves all lands within the unincorporated county, of specific focus to the proposed project is the County's Urban Limit Line (ULL). The ULL extends across Contra Costa County and, as described below, is intended to delineate a boundary between land that is suitable for urban development in the unincorporated county and land that should be preserved from urban development.

F. Project Description

Project Background

On November 6, 1990, Contra Costa County voters approved Measure C (Measure C-1990), the 65/35 Contra Costa County Land Preservation Plan (the 65/35 Plan), which established various mechanisms aimed at containing urban sprawl and protecting resources like agricultural land and scenic ridges. The most significant and impactful of these mechanisms are the 65/35 Land Preservation Standard (the 65/35 Standard) and ULL. Pursuant to the 65/35 Standard, no more than 35 percent of the land within the county may be designated for urban uses (residential, commercial, industrial, etc.) in the General Plans of the County and the 19 incorporated cities within the county, and at least 65 percent must be designated for nonurban uses such as agriculture, open space, and parks. Meanwhile, the ULL establishes a boundary beyond which no land may be designated for urban land uses. Operating together, the 65/35 Standard and ULL limit the geographic extent of urban development in the county.

On November 7, 2006, county voters approved Measure L (Measure L-2006), which carried forward most of the elements of Measure C-1990 while also extending the term of the 65/35 Ordinance to December 31, 2026; requiring a four-fifths vote of the County Board of Supervisors and voter approval to expand the ULL by more than 30 acres; requiring periodic reviews of the ULL by the Board of Supervisors; and adopting a new ULL Map.

Proposed Project

The proposed project is a 2026 ballot measure asking Contra Costa County voters to amend the Land Use Element of the 2045 General Plan and the 65/35 Contra Costa Land Preservation Plan Ordinance (Chapter 82-1 of the County Ordinance Code) to:

1. Extend the term of the 65/35 Land Preservation Plan Ordinance (Chapter 82-1 of the County Ordinance Code) and the County's Urban Limit Line through December 31, 2051.

2. Modify the periodic ULL review requirements of the 65/35 Land Preservation Plan Ordinance (Chapter 82-1 of the County Ordinance Code) to require review of the ULL boundary concurrently with State-mandated Housing Element update cycles.
3. Modify the criteria and factors enumerated in the 65/35 Land Preservation Plan Ordinance (Chapter 82-1 of the County Ordinance Code) for determining whether land should be considered for placement outside the ULL, to include:
 - a. Lands which qualify for rating as Class I or Class II in the Soil Conservation Service Land Use Capability Classification.
 - b. Lands designated as High or Very High Fire Hazard Severity Zones on maps published by the California Department of Forestry and Fire Protection.
 - c. Lands with slopes of 26 percent or greater.
 - d. Lands at risk from substantial inundation due to flooding or anticipated sea level rise.
 - e. Lands with recorded development restrictions such as agricultural, conservation, or scenic easements or deeded development rights.
 - f. Open space, parks, and other recreation areas.
 - g. Wetlands and undevelopable islands.
 - h. Areas with inadequate water, sewer, and roadway infrastructure.
 - i. Other areas not appropriate for urban growth because of separation from existing development, unstable geologic conditions, likelihood of substantial environmental damage or substantial injury to fish or wildlife or their habitat, and other similar factors rendering the land physically unsuitable for intense development.
4. Retain, during the extended term of the 65/35 Land Preservation Plan Ordinance (Chapter 82-1 of the County Ordinance Code) and the County's Urban Limit Line, the requirement for voter approval to expand the County's Urban Limit Line by more than 30 acres, except as specifically authorized in the 65/35 Land Preservation Plan Ordinance, and approved by the voters in this ballot measure, namely:
 - a. The Board of Supervisors may, without subsequent voter approval, expand the ULL by any acreage within the boundaries of the Byron Airport Potential ULL Expansion illustrated on General Plan Land Use Element Figure LU-2, Urban Limit Line, after holding a public hearing at which the Board adopts the General Plan amendment for the expansion, a four-fifths vote, after making each of the following findings based on substantial evidence in the record:
 - i. The expansion is necessary to further the economic viability of Byron Airport and attain the County's goals related to economic development.

- ii. The expanded ULL area will accommodate uses directly linked to aeronautics, such as aviation research and development, aircraft manufacturing/assembly, and aeronautical schools/training facilities.
 - iii. The expanded ULL area will not accommodate residential development, logistics/distributions centers, lodging, or any other use not directly linked to aeronautics except for minor ancillary uses necessary to support the airport workforce.
 - iv. The expansion will not induce sprawl.
- 5. Retain in both the General Plan and County Ordinance Code the requirement that a four-fifths vote of the Board of Supervisors is necessary to place a measure on the election ballot to expand the ULL boundary by more than 30 acres through the year 2051.
- 6. Retain in both the General Plan and County Ordinance Code the existing procedure for any change to the County's ULL under 30 acres based on a four-fifths vote of the Board of Supervisors after holding a public hearing and making at least one of seven findings, as proscribed in both the General Plan and County Ordinance Code, based on substantial evidence in the record.
- 7. Modify the enumerated findings proscribed in both the General Plan and County Ordinance Code required for a change to the County's ULL under 30 acres to reflect the modified periodic ULL reviews and to make other non-substantive changes.
- 8. Retain the 65/35 standard for land preservation in Contra Costa County, whereby at least 65 percent of the overall county land area will be retained for non-urban uses through the year 2051.
- 9. Retain the protections for the county's prime agricultural land, specifically the area designated in the General Plan as the Agricultural Core, by maintaining the 40-acre minimum parcel size.
- 10. Approve a new ULL Map for the General Plan (Figure LU-2 in the 2045 General Plan Land Use Element), which reflects the following changes:
 - a. Moves 3,487 acres with significant development restrictions, such as ownership by government agencies or encumbrance with conservation or agricultural easements, outside the ULL.
 - b. Moves 1,488 acres of buffer lands around subdivisions, cemeteries, and industrial facilities, outside the ULL.
 - c. Moves 4,403 acres with significant development constraints, such as high fire hazards, steep slopes, and flood hazards, outside the ULL.
 - d. Moves 873 acres outside the ULL and 923 acres inside the ULL to align the ULL with city limits.
 - e. Moves 847 acres outside the ULL and 421 acres inside the ULL to simplify and improve understanding of the ULL along the county's shoreline.

The proposed adjustments to the ULL Map are shown in Figure 3, Proposed Urban Limit Line.

11. Update administrative sections of the 65/35 Land Preservation Ordinance to correct outdated text and achieve consistency with the changes described in items 1-10 above.

Project Terms

The following is a list of the relevant terms associated with the proposed project that are referenced throughout this document.

- **2045 General Plan:** The most recent update of Contra Costa County's General Plan. The 2045 General Plan was adopted by the County Board of Supervisors on November 5, 2024, under Resolution No. 2024-380 and has a horizon-year of 2045.
- **2024 CAAP Update.** Refers to the 2024 Climate Action and Adaptation Plan Update that was adopted in November 2024 concurrently with the 2045 General Plan. This document represents the County's strategic approach to reduce greenhouse gas emissions from sources throughout the unincorporated area and adapt to climate impacts. It was also analyzed in the GPEIR.
- **Development Capacity or Development Projection:** The quantity of future residential, commercial, and industrial development in the unincorporated county that was analyzed in the EIR for the 2045 General Plan.
- **Development Scenario:** The physical changes that are anticipated to occur through implementation of the 2045 General Plan and were analyzed in the GPEIR. The Development Scenario includes build-out consistent with the development capacity/projection, construction of public infrastructure and facilities necessary to support projected development, avoidance and mitigation of hazards and impacts, and conservation of resources such as agricultural land and sensitive habitats. The Development Scenario also presumes implementation of General Plan policies and actions that influence physical development and conservation.
- **General Plan Environmental Impact Report (GPEIR):** The Environmental Impact Report that was prepared to assess the environmental impacts of implementing the 2045 General Plan and 2024 Climate Action and Adaptation Plan Update. (State Clearinghouse No. 2023090467). The GPEIR was certified by the County Board of Supervisors on November 5, 2024.
- **EIR Study Area:** Refers to the area studied under the GPEIR. This included all lands in the unincorporated county. Per the conclusions of the Initial Study, the GPEIR adequately describes the setting of the proposed project; therefore, the EIR Study Area is the study area applicable to the proposed project.
- **Section 15153:** Refers to Section 15153 of the CEQA Guidelines (California Code of Regulations Title 14, Section 15153). This section allows lead agencies to use an EIR to describe more than one project if the projects are the same in terms of environmental impact. Further, lead agencies may use an EIR prepared in connection with an earlier project to apply to a later project, if the circumstances of the projects are essentially the same. The lead agency must prepare an initial study that compares the proposed project's consistency with the impacts evaluated in the EIR.
- **Section 15162:** Refers to Section 15162 of the CEQA Guidelines (California Code of Regulations Title 14, Section 15162). This section outlines the conditions that allow for the preparation of a subsequent environmental document. A project is allowed to tier from the analysis of a previous environmental document if none of the conditions described in Section 15162 have occurred.
- **Urban Limit Line (ULL):** The County Urban Limit Line, as described in Ordinance Code Section 82-1.010 and the 2045 General Plan, which establishes a regulatory boundary beyond

which no urban land uses may be designated in the 2045 General Plan. The proposed project includes changes to the ULL approved in accordance with Ordinance Code Chapter 82-1.

III. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

A. Format

Section 15091 of the CEQA Guidelines requires that a Lead Agency make a finding for each significant effect of the proposed project. The proposed project would have the same impacts as the 2045 General Plan, as analyzed in the GPEIR. While the proposed project would result in the same impacts as those identified in the GPEIR, as concluded in the Initial Study, the proposed project would not result in any new or increase the severity of these existing impacts.

The remainder of this section is divided into the following subsections:

Section B, Findings on “No Impact” and “Less Than Significant Impacts,” presents environmental issues, as identified in Chapter 5 of the Draft GPEIR and further discussed in the Initial Study, which would result in no impact or less than significant impacts.

Section C, Findings on Significant Environmental Impacts That Can Be Mitigated to Less Than Significant, presents significant impacts of the proposed project that were identified in Chapter 5 of the Draft GPEIR and further discussed in the Initial Study, the mitigation measures identified in the Mitigation Monitoring Program, and the rationales for the findings.

Section D, Significant and Unavoidable Impacts that Cannot be Mitigated to Below the Level of Significance, presents significant impacts of the proposed project that were identified in the Draft GPEIR and further discussed in the Initial Study, the mitigation measures identified in the Mitigation Monitoring Program, the findings for significant impacts, and the rationales for the findings.

Section IV, Alternatives to the Proposed Project, presents the alternatives included in the GPEIR and evaluates them in relation to the findings set forth in Section 15091(a)(3) of the State CEQA Guidelines, which allows a public agency to approve a project that would result in one or more significant environmental effects if the project alternatives are found to be infeasible because of specific economic, social, or other considerations.

Section V, Statement of Overriding Considerations, presents a description of the proposed project’s significant and unavoidable adverse impacts, which are the same as those under the 2045 General Plan and 2024 CAAP Update, and the justification for adopting a statement of overriding considerations.

Section VI, Findings on Responses to Comments on the Initial Study and Revisions to the Final EIR, presents the County’s findings on the response to comments and revisions to the Final EIR, and decision on whether a recirculated Draft EIR or Initial Study is necessary or not.

Organization of Findings

CEQA Guidelines Section 15091 states that an EIR may not be certified for a project that has one or more significant environmental effects unless one of three findings is made for each significant effect. Pursuant to Section 15091(a)1-3, these findings consist of:

- 1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
- 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- 3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

As described below, findings pursuant to Section 15091 have been made for each category of impact: less than significant/no impacts with no mitigation incorporated, less than significant impacts with mitigation incorporated, and significant and unavoidable impacts. Because the impacts of the proposed project are the same as those identified in the GPEIR, the Section 15091 findings reflect those made for the GPEIR.

Additionally, because the proposed project has been analyzed in accordance with Section 15153 of the CEQA Guidelines, findings for each impact in the following sections are also made in accordance with the conclusions of the Initial Study. These findings reflect the criteria for establishing consistency with Sections 15153 and 15162, as described and substantiated throughout the Initial Study. Therefore, findings pursuant Sections 15091, 15153, and 15162 of the CEQA Guidelines have been made for each category of impact, as shown in Sections III.B through III.D.

Less Than Significant Impact or No Impact, No Mitigation Required

As provided throughout Section III.B, the following are findings applicable to less than significant impacts or no impacts, with no mitigation required. While findings pursuant to Section 15091 are not required for less than significant/no impacts with no mitigation required, a statement is provided noting that no changes or alterations are required to make a finding for this category of impacts:

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required: The proposed project would have less than significant direct, indirect, and cumulative impacts. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant

effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

Less Than Significant Impact with Mitigation Incorporated

As provided throughout Section III.C, the following are findings applicable to less than significant impacts with mitigation incorporated:

Section 15091 Finding for Less than Significant Impacts with Mitigation Incorporated: Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in GPEIR. These changes are identified in the form of mitigation measures identified in the GPEIR. The Contra Costa County Board of Supervisors hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project, in addition to the mitigation measures and alternatives related to each significant effect.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

Significant and Unavoidable Impact

As provided throughout Section III.D, the following are findings applicable to significant and unavoidable impacts that cannot be mitigated to less than significant:

Section 15901 Finding for Significant Unavoidable Impacts: The County finds that there are no mitigation measures or no additional mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would substantially lessen or mitigate this impact to a less-than-significant level.

Finding 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project, in addition to the mitigation measures and alternatives related to each significant effect.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

Summary of Environmental Impacts

As described in the Draft GPEIR and the Initial Study, the following is a summary of the environmental topics considered to have no impact, a less than significant impact, a less than significant impact with incorporation of mitigation measures, or a significant and unavoidable impact.

Less Than Significant Impact or No Impact, No Mitigation Required

- Aesthetics (Impact 5.1-1, Impact 5.1-2, Impact 5.1-3)
- Agriculture and Forestry Resources (Impact 5.2-2, Impact 5.2-3, Impact 5.2-5)
- Air Quality (Impact 5.3-1, Impact 5.3-6)
- Biological Resources (Impact 5.4-1, Impact 5.4-2, Impact 5.4-3, Impact 5.4-5)
- Cultural and Tribal Cultural Resources (Impact 5.5-3)
- Energy (Impact 5.6-1, Impact 5.6-2, Impact 5.6-3)
- Geology and Soils (Impact 5.7-1, Impact 5.7-2, Impact 5.7-3, Impact 5.7-4)
- Greenhouse Gas Emissions (Impact 5.8-1, Impact 5.8-2)
- Hazards and Hazardous Materials (Impact 5.9-1, Impact 5.9-2, Impact 5.9-3, Impact 5.9-4)
- Hydrology and Water Quality (Impact 5.10-1, Impact 5.10-2, Impact 5.10-3, Impact 5.10-4, Impact 5.10-5)
- Land Use and Planning (Impact 5.11-1, Impact 5.11-2)
- Noise (Impact 5.13-4)
- Population and Housing (Impact 5.14-1, Impact 5.14-2)
- Public Services and Recreation (Impact 5.15-1, Impact 5.15-2, Impact 5.15-3, Impact 5.15-4, Impact 5.15-5)
- Transportation (Impact 5.16-1, Impact 5.16-3, Impact 5.16-4)

- Utilities and Service Systems (Impact 5.17-1, Impact 5.17-2, Impact 5.17-3, Impact 5.17-4, Impact 5.17-5, Impact 5.17-6, Impact 5.17-7)
- Wildfire (Impact 5.18-1, Impact 5.18-3, Impact 5.18-4)

Less Than Significant Impact with Mitigation Incorporated

- Air Quality (Impact 5.3-4)
- Biological Resources (Impact 5.4-4)
- Cultural and Tribal Resources (Impact 5.5-2, Impact 5.5-4)
- Geology and Soils (Impact 5.7-5)
- Noise (Impact 5.13-3)

Significant and Unavoidable Impact

- Agriculture and Forestry Resources (Impact 5.2-1, Impact 5.2-4)
- Air Quality (Impact 5.3-2, Impact 5.3-3, Impact 5.3-5)
- Cultural and Tribal Resources (Impact 5.5-1)
- Mineral Resources (Impact 5.12-1)
- Noise (Impact 5.13-1, Impact 5.13-2)
- Transportation (Impact 5.16-2)
- Wildfire (Impact 5.18-2, Impact 5.18-5)

B. Findings on “No Impact” and “Less Than Significant Impacts”

The County determined that the proposed project would have no impact or less than significant impacts, including direct, indirect, and cumulative impacts, for the environmental issues summarized below. The rationale for the conclusion that no significant impact would occur in each of the issue areas is based on the environmental evaluation in the listed topical EIR sections in Chapter 5 of the Draft GPEIR.

CEQA Guidelines Section 15091 states that an EIR may not be certified for a project that has one or more significant environmental effects unless one of three findings is made for each significant effect. Since the following environmental issue areas were determined to have no impact or a less than significant impact, no findings in accordance with Section 15091 are required for these issues. Nonetheless, as described above, findings are made pursuant to Sections 15153 and 15162, and a statement pursuant to Section 15091 is included to state that no significant impacts have been identified.

1. Aesthetics

GPEIR Impact 5.1-1 Development in accordance with the proposed project would not substantially alter or damage scenic vistas or substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway. [Thresholds AE-1 and AE-2]

GPEIR Impact 5.1-2: Development under the proposed project would alter visual appearance in the county but would not substantially degrade its existing visual character or quality. [Threshold AE-3]

GPEIR Impact 5.1-3: The proposed project would not generate substantial light and glare. [Thresholds AE-4]

Impacts Evaluated

Impact 5.1-1: Scenic Resources and Resources within a State Scenic Highway

2045 General Plan

As shown in Figure 5.1-1, *Scenic Resources*, of the GPEIR (here, the Draft EIR), scenic resources are identified throughout the county, including the State-designated scenic route State Route 24 (SR-24) and eligible scenic route State Route 4 (SR-4). The county has vast open spaces, estuary systems, and rolling hills that encompass an outstanding variety of scenic natural vistas, water resources, and landscapes.

The 2045 General Plan includes policies aimed at reducing impacts to identified scenic resources from future development, including:

- **Policy LU-P4.3:** Encourage smooth transitions between new and existing or planned development.
- **Policy LU-P4.4:** Require site and building reconfigurations, setback increases, landscaping enhancements, screening, or other design solutions wherever necessary to minimize potential conflicts between uses.
- **Policy LU-P10.3:** Preserve the rural character of the following areas, which are displayed in Figure LU-5 [of the General Plan] (GPEIR Figure 5.1-2):
 - a) Alhambra Valley/Briones;
 - b) Tassajara Valley;
 - c) Delta Primary Zone;
 - d) Agricultural Core between Brentwood and Discovery Bay;
 - e) Crockett Hills between Crockett and State Route 4;
 - f) Franklin Canyon/State Route 4 corridor between Hercules and Martinez;
 - g) Bollinger Canyon Road corridor between Las Trampas Regional Wilderness and Crow Canyon Road;
 - h) Norris Canyon Road corridor between San Ramon and the Alameda County line;
 - i) Marsh Creek Road corridor between Clayton and Byron Highway;
 - j) Kirker Pass Road corridor;
 - k) Morgan Territory Road corridor;
 - l) Deer Valley Road corridor.

Pay special attention to potential aesthetic impacts in these areas and ensure such impacts are adequately mitigated.

- **Policy COS-P12.2:** Require redesign of project components that negatively impact viewsheds or the visual quality of the area.
- **Policy COS-P12.3:** Prohibit development within 100 vertical feet of the top of designated scenic ridges and within 50 vertical feet of other visually prominent ridgelines. Exceptions may be considered on existing legal lots where no other feasible building sites exist, and for infrastructure that requires high-elevation siting, such as wind turbines, communications towers, and water tanks. When siting buildings or infrastructure on or near ridges is unavoidable, require appropriate measures, such as screening, undergrounding, or camouflaging to mitigate visual impacts.
- **Policy COS-P12.4:** Preserve the scenic qualities of hillsides by encouraging designs that are sensitive to a site's topography and prohibiting unnecessary grading and vegetation removal.
- **Policy COS-P12.5:** Require restoration of natural contours and vegetation after grading and other land disturbances.
- **Policy COS-P12.6:** Prohibit extreme topographic modification, such as filling in canyons or removing prominent hilltops. Exemptions may be considered for landfills, mining operations, and public or semi-public projects that necessitate such modifications.
- **Policy COS-P12.7:** Support preservation and enhancement of natural and human-made features that contribute to the scenic quality of the landscape and viewshed along designated scenic routes and discourage projects that interfere with public views of those features.
- **Policy COS-P12.8:** Require a visual impact analysis for projects with potential to significantly impact public views along designated scenic routes.

Development allowed by the 2045 General Plan and proposed project would be required to comply with development standards in the County Ordinance Code, such as Chapter 814-2, which governs hillside development. Additionally, the ULL limits the extent of urban development, protecting agricultural and open space areas from urbanization, while the 65/35 Standard ensures that urban development is limited to no more than 35 percent of the county's land area, preserving the remaining 65 percent for agriculture, open space, wetlands, parks, and other non-urban uses. The 2045 General Plan would continue to support these standards through Policy LU-P2.1, which directs the County to continue implementing the 65/35 Land Preservation Standard in order to preserve agricultural land, rangeland, natural habitats, watersheds, and open space, while focusing development in urban and suburban communities, and Policy LU-P2.3, which directs the County to limit development outside the ULL to non-urban uses.

Public Resources Code Section 12220(g) 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. Although development allowed by the 2045 General Plan and proposed project would consist mainly of infill and redevelopment, future development could create aesthetic impacts through conversion of forest to non-forest lands. However, Chapter 816-6, *Tree Protection and Preservation*, of the County Ordinance Code requires that a property owner obtain a Tree Permit from the County before trenching, grading, or filling within the

dripline of any protected tree or before cutting down, destroying, trimming by topping, or removal of any protected tree. In addition, the Conservation, Open Space, and Working Lands Element includes policies aimed at preserving and protecting trees from future development. Specifically, Policy COS-P6.1 directs the County to preserve natural woodlands and significant trees, particularly mature native species, intact coastal scrub and chaparral, and grasslands, especially those with native grass and wildflower populations, and Action COS-A6.2 directs the County to establish an Oak Woodland Conservation Program with mitigation ratios and tree replacement and planting standards.

The 2045 General Plan and proposed project would not substantially alter scenic resources, and the urban nature of future development would be similar to existing conditions. Therefore, public vistas and scenic resources from publicly accessible locations in the county would not be adversely impacted. All General Plan policies, ordinances, and development standards would apply to future development, and impacts would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that does not include specific projects that would have a direct, adverse effect on scenic resources. However, the 2024 CAAP Update includes actions that could result in construction of physical improvements and infrastructure in the county that are designed to help meet the emissions targets in the CAAP. Where located in developed areas, these projects are not expected to significantly affect views from scenic vistas or viewsheds because they would be more likely to blend in with surrounding development and would not be likely to create changes to visual quality that would be visible from a scenic vista or that would significantly interrupt views available from scenic vistas. In addition, future projects facilitated by the CAAP would need to comply with the applicable design standards, ordinances, and 2045 General Plan policies discussed previously, which would mitigate potential aesthetic impacts. Therefore, impacts would be less than significant.

Impact 5.1-2: Visual Character and Quality

2045 General Plan

Although new development under the 2045 General Plan and proposed project could alter the visual appearance of the county, much of the area inside the ULL is already developed with urban and suburban uses. Future urban growth allowed by the 2045 General Plan would be inside the ULL and would be anticipated to develop over time. As discussed in Impact 5.1-1, the 2045 General Plan would support the ULL and 65/35 Standard (i.e., through Policy LU-P2.1 and Policy LU-P2.4), which preserve agricultural land, rangeland, natural habitats, watersheds, and open space, while focusing development in urban and suburban communities. The proposed project also supports the intent of these policies.

Adherence to County ordinances regarding development, lighting, and landscaping is required of all development. Compliance with development regulations is verified prior to issuance of a building permit and is therefore not reliant on future CEQA action. Because all projects must comply with design regulations of the County, the 2045 General Plan and proposed project would not substantially degrade the visual character or quality of the county, and impacts are less than significant.

2024 CAAP Update

The 2024 CAAP Update does not include specific projects that could directly result in new or expanded development that could substantially degrade the existing visual character or quality of public views of the area due to their height, bulk, pattern, scale, character, or other features; however, projects facilitated by 2024 CAAP Update strategies and actions could do so. All projects facilitated by the 2024 CAAP Update strategies and actions must be consistent with the General Plan and comply with applicable provisions of the County Ordinance Code, including its regulation of height limits, setbacks, bulk, and other development standards appropriate to each zone. Therefore, the impact would be less than significant.

Impact 5.1-3: Light and Glare

2045 General Plan

The two major causes of light pollution are glare and spill light. Spill light is caused by misdirected light that illuminates outside the intended area. Glare is light that shines directly or is reflected from a surface into a viewer's eyes. Spill light and glare impacts are effects of a project's exterior lighting on adjoining uses and areas.

Sources of light in the county include building lighting (interior and exterior), security lighting, sign illumination, sports fields lighting, and parking area lighting. These sources of light and glare are mostly associated with residential, commercial, and industrial uses, as well as larger community parks. Other sources of nighttime light and glare include streetlights, vehicular traffic along surrounding roadways, and ambient lighting from surrounding communities.

Future development allowed by the 2045 General Plan and proposed project could increase nighttime light and glare, including in areas that are currently undeveloped. However, all new development is required to comply with the lighting standards of the County Ordinance Code in Chapter 76-4, Modifications, which requires that lighting fixtures be installed, controlled, or directed so that the light will not glare or be blinding to pedestrians or vehicular traffic or on adjoining property. Additionally, landscaping, walls, and fences that would be constructed as part of future projects would further reduce light and glare spillover. Furthermore, future development must comply with the most recent CALGreen standards, including 5.106.8, Light Pollution Reduction, which establishes backlight, uplight, and glare ratings to minimize light pollution for nonresidential development. The local building permit process enforces the provisions of CALGreen. Through compliance with the County Ordinance Code and site-planning/design standards pertaining to light and glare, any potential spillover would be minimized, and the impact is considered less than significant.

2024 CAAP Update

The 2024 CAAP Update could result in the introduction of lighting to the environment as a result of development of projects called for in 2024 CAAP Update actions, such as mixed-use or infill development, building retrofits, or solar energy generation facilities. Depending on the location and design of these projects, they have the potential to create shade, shadows, daytime or nighttime glare, or nighttime lighting of buildings or other structures. However, through compliance with the County Ordinance Code and site-planning/design standards pertaining to light and glare, any potential spillover would be minimized, and the impact is considered less than significant.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.1-1 to 5.1-6 of the GPEIR provide the environmental setting specific to the analysis of aesthetics, including regulatory background and existing conditions. The environmental setting includes State, regional, and local regulations affecting the environment's physical form, and is geographically limited to the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment that was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all land and water, which includes all potential development sites, across the unincorporated county. Therefore, the GPEIR adequately describes the setting for the proposed project with respect to aesthetics.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR determined that the 2045 General Plan Development Scenario, as described in more detail in the GPEIR and the Initial Study, would not damage scenic vistas, or scenic resources in the vicinity of a State scenic highway, nor would it degrade existing visual character or quality of its environmental setting, or generate significant light and glare, resulting in impacts to existing development.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. Further, because the proposed project would result in a contraction of land from the ULL, it would support the intent of Policies LU-P2.1 and LU-P2.3. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR concluded that all impacts related to aesthetics would be less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce aesthetic impacts were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to aesthetic resources are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to aesthetics that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to aesthetic resources requiring new impact analysis or verification. There would be no new impacts or increase in the significance of impacts related to aesthetics. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.1-1 Scenic Resources and Resources within a State Scenic Highway.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to scenic vistas or scenic resources within a State scenic highway. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.1-2 Visual Character and Quality.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to visual character or quality. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.1-3 Light and Glare.** The proposed project would have a less than significant direct, indirect, and cumulative impact relating to light and glare. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to aesthetic resources.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

2. Agriculture and Forestry Resources

GPEIR Impact 5.2-2: The proposed project would conflict with Williamson Act contracts. [Threshold AG-2]

GPEIR Impact 5.2-3: The proposed project would not 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)). [Threshold AG-3]

GPEIR Impact 5.2-5: The proposed project could potentially result in other agricultural impacts not related to the above, such as diminishing available water quality and supply for agricultural uses. [Threshold AG-5]

Impacts Evaluated

Impact 5.2-2: Williamson Act Contracts

2045 General Plan

As described in Chapter 3, *Project Description*, of the GPEIR, the 2045 General Plan includes an updated land use map, which includes Agricultural Core (AC), Agricultural Lands (AL), and Resource Conservation (RC) land use designations.

The AL designation includes non-irrigated, rural lands that support grazing and dryland farming. Other types of agricultural, open space, and non-urban uses are also allowed. The maximum density under the 2045 General Plan is 1 unit per 10 acres, which reduces the density allowance in areas designated AL by half compared to the previous General Plan. AC is a designation applied to 11,900 acres between Brentwood and Discovery Bay, where agricultural production is the primary use and limited tourism activities are allowed. The maximum density is 1 unit per 40 acres. The RC designation applies to open space lands for watershed protection and other environmentally sensitive areas – activities can include low intensity agriculture.

As shown in Figure 5.2-3 of the GPEIR, the EIR Study Area contains approximately 40,545 acres of land under Williamson Act contracts, as of 2023. Under the 2045 General Plan, most of this land is designated AC, AL, or RC. There are some parcels with Williamson Act contracts that are designated Water, meaning they are inundated by water, or Parks and Recreation. The areas designated Parks and Recreation are owned by East Bay Regional Park District (EBRPD) and planned for park and open space uses. The 2045 General Plan and proposed project would not change the Williamson Act process that is owner-initiated through a 10-year contract annually renewed. While conversion of agricultural land is addressed in Impact 5.2-1 of the GPEIR and found to be significant and unavoidable, the Williamson Act program is unchanged with adoption of the 2045 General Plan and proposed project, resulting in a less-than-significant impact.

2024 CAAP Update

Projects facilitated by the CAAP would be required to be consistent with the 2045 General Plan; therefore, the 2024 CAAP Update results in a less-than-significant Williamson Act contract impact.

Impact 5.2-3: Forest/Timberland Zoning

2045 General Plan

There are no areas zoned as forest land in unincorporated Contra Costa County. The County Zoning Code and the existing 2045 General Plan do not designate any land for forest or timberland uses. Forest and timber lands defined by the State include both land that is used for timber harvesting and other forested land that has aesthetic, recreational, and biological amenities. The 2045 General Plan

and proposed project would not conflict with existing zoning for, or cause rezoning of forest land, or timberland zoned Timberland Production. Thus, no impact would occur.

See Section 5.1, *Aesthetics*, of this GPEIR regarding consideration of tree aesthetics as defined in Public Resources Code Section 12220(g).

2024 CAAP Update

As described above, there is no timberland in the EIR Study Area; therefore, neither the 2024 CAAP Update nor projects facilitated by the CAAP strategies and actions would result in an adverse impact on timberland, so there is no impact.

Impact 5.2-5: Other Agricultural Impacts

2045 General Plan

Future development under the 2045 General Plan and proposed project would increase water demand, as further described in GPEIR Section 5.17, *Utilities and Service Systems*, which would diminish the available water supply for agricultural uses. Such development would occur throughout the county, which spreads the impact over a large geographic area. Further, most development would require connection to municipal water provider(s). Water connections are regulated by Section 414-4.2 of the County Ordinance Code, the purpose of which is to “...provide protection of the county’s groundwater sources from degradation that could result from inadequately constructed, defective, or improperly abandoned wells, to provide for regulation of small water systems in accordance with federal standards as mandated by the State, and to require submission of tentative subdivision maps and building permit applications to the health officer for him to review the availability of an approved water supply prior to recordation of final maps and issuance of building permits.”

Construction activities can increase urban runoff containing nutrients, sediments, and toxic contaminants, which would pollute nearby water streams and could impact agricultural uses. In addition, future development will bring in more residents and people, which can increase urban runoff. However, existing regulations would help avoid or mitigate potential impacts to agricultural lands. For example, Chapter 74-6.012 of the County Ordinance Code states that a drainage plan for development projects is required to determine methods to reduce runoff. The drainage plan must include provisions to stop erosion of exposed soil into drainages, such as by covering stockpiles, using jute-bales and silt fencing, frequent watering, and replanting to prevent both wind and rain erosion. Through compliance with the County Ordinance Code, sediment and erosion of material would not leave project sites and would not affect available water quality or supply for agricultural uses.

In addition, the 2045 General Plan also includes Policy COS P2.4, which requires new projects adjacent to agriculture to establish appropriate buffers, with consultation with the County Agricultural Commissioner, on their properties as necessary to minimize conflicts and protect agriculture. The General Plan also includes Action COS-A2.4, which would amend County Ordinance Code Title 8 – Zoning to include development standards and design guidelines for urban land uses that interface with agricultural uses, addressing setbacks on urban properties. Therefore, the other agricultural impacts of the 2045 General Plan and proposed project would be less than significant.

2024 CAAP Update

Projects facilitated by the 2024 CAAP Update could result in a beneficial effect on farmland, while other projects could cause other changes in the environment that could result in conversion of farmland to nonagricultural use. However, compliance with the County Ordinance Code and 2045 General Plan policies and actions described above would reduce impacts to a less than significant level.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.2-1 to 5.2-11 of the GPEIR provide the environmental setting specific to the analysis of agriculture and forestry resources, including regulatory background and existing conditions. The environmental setting includes State and local regulations affecting these resources and is geographically limited to agricultural land and forest/timberland in the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment that was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all Important Farmland, as designated by the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP), all forestland that meets the definition of Public Resources Code Section 12220(g), and timberland that meets the definition of Public Resources Code Section 4526, within the unincorporated county. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to agriculture and forestry resources.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR determined that the 2045 General Plan Development Scenario, as described in more detail in the GPEIR and the Initial Study, would result in less than significant impacts with respect to Williamson Act contracts, conflicts with forestland/timberland land uses/zoning, and additional issues regarding agricultural and timberland. The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions.

Alternatives and Mitigation Measures. The GPEIR concluded that impacts related to Williamson Act contracts, conflicts with forestland/timberland land uses/zoning, and additional issues regarding agricultural and timberland would be less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce these impacts were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to agricultural and forestry resources are the same as those evaluated in the GPEIR, with impacts related to conversion of Important Farmland remaining significant and unavoidable. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to agricultural and forestry resources that were not considered in the GPEIR. There are no new circumstances involving new

impacts, and there is no new information related to agricultural and forestry resources requiring new impact analysis or verification. There would be no new impacts and no increase in the significance of impacts related to agricultural and forestry resources. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.2-2 Williamson Act Contracts.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to Williamson Act Contracts. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.2-3 Forest/Timberland Zoning.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to conflicts with forestland/timberland land uses/zoning. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.2-5 Other Agricultural/Forestry Impacts.** The proposed project would have a less than significant direct, indirect, and cumulative impact relating to other agricultural/forestry impacts. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to agricultural/forestry resources.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

3. Air Quality

GPEIR Impact 5.3-1: Implementation of the proposed project would not conflict with or obstruct implementation of the BAAQMD Clean Air Plan. [Threshold AQ-1]

GPEIR Impact 5.3-6: The proposed project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number or people. [Threshold AQ-4]

Impacts Evaluated

Impact 5.3-1: Conflicts with Air Quality Management Plans

2045 General Plan

Bay Area 2017 Clean Air Plan – Criteria Air Pollutants and Precursors

The 2045 General Plan plays an important role in local agency project review by linking local planning and individual projects to the *2017 Clean Air Plan*. It fulfills the CEQA goal of informing decision-makers of the environmental efforts of the project under consideration at an early enough stage to ensure that air quality concerns are fully addressed. It also provides the local agency with ongoing information as to whether they are contributing to clean air goals in the Bay Area.

Bay Area Air Quality Management District (BAAQMD)¹ requires consistency evaluation of long-range plans with current air quality plan (AQP) control measures. To have a less significant impact on air pollutants and precursor impacts, the plan must support primary goals, include applicable control measures, and not disrupt or hinder implementation. Long-range plans must also demonstrate consistency with projected vehicle activity growth rate vehicle miles traveled (VMT) or vehicle trips, ensuring the project's VMT or trip increase is less than or equal to the projected population increase.

Bay Area Air Quality Management District 2017 Clean Air Plan Goals

The primary goals of the 2017 Clean Air Plan are to attain the State and federal AAQS, reduce population exposure and protect public health in the Bay Area, reduce greenhouse gas emissions (GHG) emissions, and protect the climate. Furthermore, the 2017 Clean Air Plan lays the groundwork for reducing GHG emissions in the Bay Area to meet the State's 2030 GHG reduction target and 2050 GHG reduction goal.

Attain Air Quality Standards

BAAQMD's 2017 Clean Air Plan strategy is based on regional population and employment projections in the Bay Area compiled by the Association of Bay Area Governments (ABAG), which are based in part on County's General Plan land use designations. These demographic projections are incorporated into Plan Bay Area. Demographic trends incorporated into Plan Bay Area determine VMT in the Bay

¹ As of January 2025 the Bay Area Air Quality Management District has changed its name to "Bay Area Air District". The acronym "BAAQMD" is used to refer to this agency throughout this document.

Area, which BAAQMD uses to forecast future air quality trends. The San Francisco Bay Area Air Basin (SFBAAB) is currently designated a nonattainment area for O₃, PM_{2.5}, and PM₁₀ (State AAQS only).

As discussed in Chapter 5.14, *Population and Housing*, of the GPEIR, implementation of the 2045 General Plan would exceed current regional projections for housing by 26 percent and population by 18 percent. However, the Land Use Element includes goals, policies, and actions aimed to focus the development in areas where current buildings are aging, vacant, or not maintained and approved/pending projects. Therefore, implementation of the 2045 General Plan and proposed project itself would not introduce a substantial amount of unplanned population in the EIR Study Area and is instead the overriding policy document that plans for such growth.

Thus, the population projections of the 2045 General Plan would be consistent with regional projections. The emissions resulting from potential future development associated with the 2045 General Plan and the proposed project are included in BAAQMD projections, and future development accommodated under the 2045 General Plan and proposed project would not hinder BAAQMD's ability to attain the California or National AAQS. Accordingly, impacts would be less than significant.

Reduce Population Exposure and Protect Public Health

Development under the 2045 General Plan and proposed project could result in new sources of toxic air contaminants (TACs) and PM_{2.5}. Stationary sources, including smaller stationary sources (e.g., emergency generators and boilers) are subject to review by BAAQMD as part of the permitting process. Adherence to BAAQMD permitting regulations would ensure that new stationary sources of TACs do not expose populations to significant health risk. Mobile sources of air toxics (e.g., truck idling) are not regulated directly by BAAQMD. Development associated with the 2045 General Plan and proposed project may generate truck traffic; however, CARB regulates limits on diesel truck and bus idling to 5 minutes. Furthermore, individual development projects would be required to achieve the incremental risk thresholds established by BAAQMD. Thus, implementation of the 2045 General Plan and proposed project would not result in introducing new sources of TACs that on a cumulative basis, could expose sensitive populations to significant health risk. Therefore, impacts would be less than significant.

Reduce GHG Emissions and Protect the Climate

Consistency of the 2045 General Plan and proposed project with State, regional, and local plans adopted for the purpose of reducing GHG emissions is discussed under Impact 5.8-2 in Chapter 5.8, *Greenhouse Gas Emissions*, of the GPEIR. Future development allowed by the 2045 General Plan and proposed project would be required to adhere to statewide measures that have been adopted to achieve the GHG reduction targets of AB 32 and SB 32, and a trajectory consistent with the carbon neutrality targets of AB 1279. The 2045 General Plan and proposed project are consistent with regional strategies for infill development identified in *Plan Bay Area 2050* and the prior Contra Costa County CAP. While Impact GHG 5.8-1 identifies that the 2045 General Plan and proposed project would generate a substantial increase in emissions, Impact GHG 5.8-2 identifies that the 2045 General Plan and proposed project are consistent with State, regional, and local plans to reduce GHG emissions. Therefore, the 2045 General Plan and proposed project are consistent with the goal of the 2017 *Clean Air Plan* to reduce GHG emissions and protect the climate, and the impact would be less than significant.

2017 Clean Air Plan Control Measures

Table 5.3-8, *Control Measures from the BAAQMD 2017 Clean Air Plan*, of the GPEIR identifies the control measures included in the 2017 *Clean Air Plan* that are required by BAAQMD to reduce emissions for a wide range of both stationary and mobile sources. As shown in Table 5.3-8 of the GPEIR, the 2045 General Plan and proposed project would not conflict with the 2017 *Clean Air Plan* and would not hinder BAAQMD from implementing the control measures in the 2017 *Clean Air Plan*. Accordingly, impacts would be less than significant.

Regional Growth Projections for VMT and Population

Future potential development allowed by the 2045 General Plan and proposed project would result in additional sources of criteria air pollutants. Growth accommodated by the 2045 General Plan and proposed project could occur throughout the 2045 planning horizon. BAAQMD's approach to evaluating impacts from criteria air pollutants generated by a plan's long-term growth is done by comparing population estimates to the VMT estimates. This is because BAAQMD's AQMP plans for growth in the SFBAAB are based on regional growth projections identified by ABAG and growth in VMT identified by CCTA. Changes in regional, community-wide emissions in the project area could affect the ability of BAAQMD to achieve the air quality goals in the AQMP. Therefore, air quality impacts for a plan-level analysis are based on consistency with the regional growth projections. Table 5.3-9, *Comparison of the Change in Population and VMT in the Contra Costa County*, of the GPEIR compares the 2045 General Plan growth forecast with the projected increase in total VMT.

BAAQMD's AQMP requires that the VMT increase by less than or equal to the projected population increase from the 2045 General Plan and proposed project (i.e., generate the same or less VMT per population). However, because the 2045 General Plan and proposed project accommodate both residential and nonresidential growth, a better indicator of how efficiently the county is growing can be made by comparing the increase in VMT to the increase in service population (e.g., generate the same or less VMT per service population). This approach is similar to the efficiency metrics for GHG emissions, which consider the total service population when calculating project efficiency.

VMT estimates based on data provided by Fehr & Peers were calculated for Contra Costa County. As shown in Table 5.3-9 of the GPEIR, implementation of the 2045 General Plan would result in an increase of daily VMT by 742,009 vehicle miles per day in the unincorporated county (about a 21-percent increase), but lead to a lower VMT per capita than under existing conditions (approximately a 12-percent decrease) and lower VMT per service population than existing conditions (approximately a 10-percent decrease). Thus, the 2045 General Plan and proposed project would be consistent with the goals of the 2017 *Clean Air Plan* and impacts would be less than significant.

Environmental Justice

BAAQMD's CEQA Air Quality Guidelines also require an analysis of consistency of the 2045 General Plan with applicable Community Emission Reduction Plans (CERPs) and local Environmental Justice policies. Environmentally overburdened, underserved, and economically distressed communities may be subject to a higher risk of pollutant-related health effects than the general population because they may be exposed to higher pollutant concentrations; they may experience a larger health impact at a given pollutant concentration; or they may be adversely affected by lower pollutant concentrations than the general population. The most critical air pollutant affecting health in the Bay Area is PM_{2.5},

which includes DPM. The burden of breathing unhealthy air is often disproportionately borne by low-income communities and communities of color, many of which are situated closer to busy highways, ports, factories, and other pollution sources.

Community Emissions Reduction Plans in Unincorporated Contra Costa County

The Richmond-North Richmond-San Pablo AB 617 community (Richmond Area) is partially within the EIR Study Area. The Draft PTCA Plan (Community Emissions Reduction Plan) for the Richmond Area was released for public review in December 2023. The PTCA Plan includes various strategies and actions to address the needs of people who have been disproportionately harmed by environmental injustice. Implementation of Mobile Strategy 6, *Public Transit, Bike, and Pedestrian Infrastructure*, would help to expand access to shared modes of travel and benefit the people who have been historically burdened with lack of viable transportation alternatives. Land Use Strategy 1, *Land Use*, provides recommended strategies to protect sensitive receptors and residential areas from existing and potential future pollution sources and exposure, with an intended outcome of improving community health for all, especially disproportionately impacted communities. Marine & Rail Strategy 1, *Reduce Cancer and Chronic Health Risk from Rail Operations and Facilities*, would directly benefit overburdened communities living adjacent to rail lines and/or operations, such as the Iron Triangle neighborhood in the City of Richmond. Requirements for cleaner rail equipment would improve the health of those most acutely impacted, as well as for the greater community.

Thus, the PTCA Plan considers measures to reduce emissions and improve community health within Overburdened and AB 617 Communities consistent with BAAQMD's environmental justice goals. The 2045 General Plan integrates goals, policies, and actions that seek to lessen the environmental burden on disadvantaged populations. Thus, the 2045 General Plan and proposed project would be consistent with the draft PTCA Plan and BAAQMD's environmental justice goals, and impacts would be less than significant.

Contra Costa County Environmental Justice Policies

The 2045 General Plan integrates goals, policies, and actions that seek to lessen the environmental burden on disadvantaged populations. The process to develop environmental justice policy guidance involved extensive discussions and many meetings with community members and other stakeholders who live in, work in, or engage with communities that are most impacted by environmental justice issues to ensure the Plan directly responds to the specific needs of Impacted Communities. Engagement included two collaboration meetings with environmental justice stakeholders to identify Impacted Communities and key environmental justice issues, three to four meetings with community members from each Impacted Community in the county, about 15 meetings with community-based organizations who work with Impacted Communities, a three-part meeting series with environmental justice stakeholders to review and refine draft policy guidance, and several meetings with the Board of Supervisors Sustainability Committee and the County's Sustainability Commission and Hazardous Materials Commission to discuss draft policy guidance. The County also conducted a hard copy and online survey to solicit feedback on draft environmental justice policy guidance, working with community partners to distribute hard copies at strategic locations to reach people during the COVID-19 pandemic, including at schools, libraries, farmers markets, food banks, and soup kitchens.

Contra Costa County is home to a high concentration of refineries and other large industrial facilities. To improve the health and safety impacts of these industrial facilities, the County adopted an Industrial Safety Ordinance. This Ordinance requires additional safety measures that go beyond State requirements that protect public health and safety.

In 2022, the County established the Office of Racial Equity and Social Justice to address local racial inequality and social injustice issues. The Office of Racial Equity and Social Justice is envisioned to enact and sustain principles, policies, practices, and investments that are racially just and equitable across all the County's departments and divisions.

State law, enacted through SB 1000, requires that general plans address environmental justice and respond to this inequity by both alleviating pollution and health impacts and compelling cities and counties to include the voices of previously marginalized residents in planning decisions. Therefore, the 2045 General Plan contains certain goals, policies, and actions that help aim to promote environmental justice, especially within Impacted Communities.

Proposed policies within the Stronger Communities and Health and Safety Element would reduce and/or avoid environmental effects on vulnerable populations, include:

- Stronger Communities Element Policies SC-P1.1 through SC-P1.6 and Actions SC-A1.1 through SC-A1.8, which ensure an equitable distribution of resources so that Impacted Communities are not disproportionately burdened by environmental pollution and other hazards.
- Health and Safety Element Policies HS-P1.1 through HS-P1.10 and Actions HS-A1.1 through HS-A1.6, that support community and environmental health.
- Health and Safety Element Policies HS-P2.1 through HS-P2.3 and Actions HS-A2.1 through HS-A2.5 that aim to reduce the disproportionate burden of environmental hazards and health risks in the county.

Thus, the 2045 General Plan considers measures to reduce emissions and improve community health within Overburdened and AB 617 Communities consistent with BAAQMD's environmental justice goals. Therefore, the 2045 General Plan and proposed project would be consistent with BAAQMD's environmental justice goals and impacts would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that provides strategies for reducing GHG emissions and adapting to changing climate conditions. The 2024 CAAP Update includes the "Clean Transportation Network" group of strategies, including Strategy TR-1, which provides actions for reducing VMT and associated transportation related emissions. As discussed under Impact 5.16-1, this strategy supports the County's existing plans to ensure accessibility and safety for alternative transportation options. Thus, implementation of the 2024 CAAP Update results in beneficial impacts to air quality. Because the 2024 CAAP Update does not involve any land uses changes that would result in indirect growth or change in building density and intensity, implementation of the 2024 CAAP Update does not conflict with or obstruct implementation of the 2017 Clean Air Plan and impacts would be less than significant.

Impact 5.3-6: Odors

2045 General Plan

Construction-Related Odors

During construction activities of future development in the county, construction equipment exhaust and application of asphalt and architectural coatings would temporarily generate odors. Any construction-related odor emissions would be temporary and intermittent. Additionally, noxious odors would be confined to the immediate vicinity of the construction equipment. By the time such emissions reach any sensitive receptor sites, they would be diluted to well below any level of air quality concern, and impacts would be less than significant.

Operational-Related Odors

Industrial land uses are the primary types of land uses that have the potential to generate objectionable odors. Future environmental review could be required for industrial projects listed in BAAQMD's CEQA Guidelines Table 4 *Project Screening Trigger Levels for Potential Odor Sources* to ensure that sensitive land uses are not exposed to nuisance odors. Consequently, review of projects using BAAQMD's odor screening distances is necessary to ensure that odor impacts are minimized. Odor impacts could be significant for new projects that have the potential to generate odors within the odor screening distances.

Residential and other nonresidential, nonindustrial land uses that would be accommodated by the 2045 General Plan and proposed project could result in the generation of odors such as exhaust from landscaping equipment and from cooking. Unlike industrial land uses, these are not considered potential generators of odor that could affect a substantial number of people.

Furthermore, nuisance odors are regulated under BAAQMD Regulation 7, Odorous Substances, which requires abatement of any nuisance generating an odor complaint. In addition, odors are also regulated under BAAQMD Regulation 1, Rule 1-301, *Public Nuisance*. Compliance with BAAQMD Regulation 7 would ensure that odor impacts associated with the 2045 General Plan and proposed project are minimized to a less than significant level.

2024 CAAP Update

As discussed under Impact 5.3-2, implementation of the 2024 CAAP Update does not involve any land use changes that would result in indirect growth or change in building density or intensity; therefore, its implementation would not directly result in the generation of odors or other emissions. Thus, implementation of the 2024 CAAP Update would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people, and impacts would be less than significant.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.3-1 to 5.3-28 of the GPEIR provide the environmental setting specific to the analysis of air quality, including regulatory background and existing conditions. The environmental setting is the SFBAAB, which includes all areas regulated by BAAQMD, including the entirety of Contra Costa County. The proposed project is occurring in substantially the same regulatory and geographic/physical environment that was analyzed for the 2045 General Plan.

Specifically, the proposed project encompasses all existing locations that could be at risk from changes to air quality and all potential development sites that could cause air quality impacts within the unincorporated county and the jurisdiction of the BAAQMD. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to air quality.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR determined that the 2045 General Plan Development Scenario, as described in more detail in the GPEIR and the Initial Study, would result in less than significant impacts with respect to air quality management plan consistency and odors. The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions.

Alternatives and Mitigation Measures. The GPEIR concluded that impacts related to air quality management plan consistency and odors would be less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce these impacts were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to air quality are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to air quality that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to air quality requiring new impact analysis or verification. There would be no new impacts and no increase in the significance of impacts related to air quality. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.3-1 Air Quality Management Plan Consistency.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to conflicts with relevant air quality management plans. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.2-6 Odors.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to emissions (such as those leading to odors) adversely affecting a substantial number or people. Accordingly, no changes or alterations to the proposed project were

required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to air quality.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

4. Biological Resources

GPEIR Impact 5.4-1: Implementation of 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 plan, policies, or regulations or by the CDFW or USFWS. [Thresholds B-1]

GPEIR Impact 5.4-2: Implementation of the proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. [Thresholds B-2]

GPEIR Impact 5.4-3: Implementation of the proposed project would not 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. [Thresholds B-3]

GPEIR Impact 5.4-5: The proposed project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan. [Thresholds B-5 and B-6]

Impacts Evaluated

Impact 5.4-1: Candidate, Sensitive, or Special-Status Species

2045 General Plan

Tables 5.4-2, *Special-Status and Covered Plant Species in Contra Costa County*, and 5.4-3, *Special-Status and Covered Wildlife Species in Contra Costa County*, of the GPEIR, list all the special-status plant and wildlife species in the county (including the EIR Study Area) that have been documented in the California Natural Diversity Database (CNDDB) and California Native Plant Society (CNPS). The county contains 66 special-status plant species that are found across the diverse and, in some cases, specialized habitats in the county. Special-status plants are more abundant in the eastern portions of the EIR Study Area, which retains a rural development pattern that is compatible with the habitat needs of many of the special-status plant species. A total of 59 special-status wildlife species are known to occur in the EIR Study Area. Similar to its benefits for special-status plant species, the rural eastern portion of the county provides some of the best remaining undeveloped habitat for special-status wildlife species. Often, these special-status wildlife species occur in protected areas, such as Mount Diablo State Park or Los Vaqueros Reservoir, or in various East Bay regional parks.

As detailed in Tables 5.4-2 and 5.4-3 of the GPEIR, critical habitat occurs in the county (including the EIR Study Area) for five plant and five wildlife species. Impacts on special-status species would include the direct loss of individuals or localized populations, elimination or degradation of habitat, and isolation of subpopulations due to habitat fragmentation. The conversion of existing natural habitat to urban development, roadways, or other infrastructure could result in the elimination of populations of special-status species where present within the limits of development. Indirect impacts could include disruption of critical functions, affecting reproductive success; degradation of habitat quality to such an extent that occupied habitat would no longer be suitable for individual survival; and other influences. Indirect impacts on special-status species could also occur because of increases in stormwater runoff, erosion and downstream sedimentation, and the use of pesticides for agriculture and landscaping. However, given that most development under the 2045 General Plan and proposed project is anticipated to occur within the ULL, which would be contracted under the proposed project, specific impacts may be lessened through implementation of the goals, policies, and actions of the 2045 General Plan.

As detailed in Section 5.4.1.1 in the GPEIR, there are a number of federal and State regulations in place to protect biological resources, including special-status species and their habitat, within the EIR Study Area. In addition, the 2045 General Plan policies take a comprehensive approach to the protection of biological resources, including special-status species and their habitats. The Conservation, Open Space, and Working Lands Element of the 2045 General Plan includes policies and actions that would mitigate potential impacts on special-status species and their habitats, including policies and actions associated with goals that aim to preserve and enhance ecological resources and wildlife habitat (Goal COS-4); protect and restore natural watercourses, riparian corridors, and wetland areas (Goal COS-5); preserve and enhance native upland habitat (Goal COS-6); and protect, preserve, and enhance natural resources of the San Francisco Bay/Sacramento-San Joaquin Delta estuary system and shoreline (Goal COS-9).

The goals, policies, and actions in the 2045 General Plan, in combination with existing policies and regulations under the Federal Endangered Species Act (FESA), Migratory Bird Treaty Act (MBTA), California Endangered Species Act (CESA), California Fish and Game Code, Clean Water Act (CWA), and Native Plant Protection Act (NPPA), as well as consistency with the East Contra Costa County HCP/NCCP, would ensure that the potential impacts of the 2045 General Plan and proposed project on special-status species would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that does not include specific projects. However, projects that would implement the 2024 CAAP Update strategies and actions could result in the construction of physical improvements and infrastructure in the county that is designed to help meet the emissions targets in the CAAP, which could potentially impact special-status species. Projects that would implement the 2024 CAAP Update strategies and actions would be required to be consistent with the 2045 General Plan, applicable provisions of the Contra Costa County Ordinance Code, the East Contra Costa County HCP/NCCP, and existing policies and regulations under the FESA, MBTA, CESA, California Fish and Game Code, CWA, and NPPA. Compliance with the aforementioned policies and regulations would reduce potential impacts of the 2024 CAAP Update on special-status species to a less-than-significant level.

Impact 5.4-2: Riparian Habitat and Sensitive Natural Communities

2045 General Plan

As explained in Appendix 5.4-2, *California Department of Fish and Wildlife: RareFind Report, Contra Costa County*, of the GPEIR, riparian habitat (i.e., riparian woodland) makes up only 0.16 percent of the county, which includes the EIR Study Area. Most creeks and streams in the EIR Study Area are disconnected from their historic floodplains by levees and channelization. Many of these streams are maintained as flood control channels, which support little or no riparian vegetation, and most drainages outside the urbanized areas are ephemeral or intermittent, generally supporting narrow floodplains with limited riparian habitat. Additional sensitive natural communities in the EIR Study Area include shrublands, woodlands, conifer forests, wetlands and ponds, and baylands. Altogether, nine sensitive natural communities are mapped in the CNDDB as occurring within the county, which includes the EIR Study Area. All but two of these communities are aquatic; thus, most of the sensitive natural communities mapped in the CNDDB are located along the edge of the Delta and/or San Francisco Bay. The eastern portion of the EIR Study Area, in the vicinity of the Los Vaqueros Watershed and Bryon Hills/Vasco Caves, is also a hot spot for sensitive habitats. It contains one of the upland vegetation communities, valley needlegrass grassland. The other upland community, serpentine bunchgrass, is found on the Contra Costa-Alameda County boundary, southwest of the cities in vicinity of Oakland.

Construction activities could have direct and indirect impacts on riparian habitat and other sensitive natural communities. Construction projects in the EIR Study Area could also affect sensitive natural communities by spreading or introducing invasive plant species to currently uninfected areas. Invasive species spread aggressively and crowd out native species, potentially altering the species composition of natural communities. A predominance of invasive species reduces the overall habitat quality for native plants and wildlife. However, given that most development under the 2045 General Plan and

proposed project is anticipated to occur within the ULL, which would be contracted under the proposed project, specific impacts may be lessened through implementation of the goals, policies, and actions of the 2045 General Plan. The Conservation, Open Space, and Working Lands Element of the 2045 General Plan includes policies and actions that would mitigate potential impacts on riparian habitat or other sensitive natural communities, including policies and actions associated with goals that aim to preserve open space for environmental protection (Goal COS-1); preserve and enhance ecological resources and wildlife habitat (Goal COS-4); protect and restore natural watercourses, riparian corridors, and wetland areas (Goal COS-5); preserve and enhance native upland habitat (Goal COS-6); protect water quality (Goal COS-8); and protect, preserve, and enhance natural resources of the San Francisco Bay/Sacramento-San Joaquin Delta estuary system and shoreline (Goal COS-9).

Furthermore, any disturbance or alteration of streams, lakes, or non-federally protected (non-jurisdictional) wetlands would require a permit with conditions that would protect sensitive natural communities. A Section 1602 Streambed Alteration Agreement (SAA) would be needed from the California Department of Fish and Wildlife (CDFW) prior to initiation of project construction activities that would divert, obstruct, or change the natural flow of a river, stream, or lake or use material from a streambed. Non-jurisdictional wetlands include wetland features that are not hydrologically connected to navigable waters in rivers and are not under Corps jurisdiction. These wetlands would still be considered waters of the State and would be regulated according to the waste discharge requirements that would be issued by the Regional Water Quality Control Board (RWQCB).

Implementation of 2045 General Plan goals, policies, and actions, including conditions associated with SAAs and waste discharge requirements, would ensure that the potential impacts of the 2045 General Plan and proposed project on riparian corridors and other sensitive natural communities would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that does not include specific projects. However, projects that would implement the 2024 CAAP Update strategies and actions could result in the construction of physical improvements and infrastructure in the county that is designed to help meet the emissions targets in the CAAP, which could potentially impact riparian corridors and other sensitive natural communities. Projects that would implement the 2024 CAAP Update strategies and actions would be required to be consistent with the 2045 General Plan as well as conditions associated with SAAs and waste discharge requirements. Compliance with the aforementioned policies and regulations would reduce potential impacts of the 2024 CAAP Update on riparian corridors and other sensitive natural communities to a less-than-significant level.

Impact 5.4-3: Wetlands

2045 General Plan

The EIR Study Area contains waters of the United States, which include jurisdictional wetlands and other waters. Construction activities could have direct and indirect impacts on waters of the United States. However, given that most development under the 2045 General Plan and proposed project is anticipated to occur within the ULL, which would be contracted under the proposed project, specific impacts may be lessened through implementation of the goals, policies, and actions of the 2045 General Plan. The Conservation, Open Space, and Working Lands Element of the 2045 General Plan includes

policies and actions that would mitigate potential impacts on wetlands, including policies and actions associated with goals that aim to protect and restore natural watercourses, riparian corridors, wetland areas (Goal COS-5) and water quality (Goal COS-8).

Implementation of the 2045 General Plan goals, policies, and actions, including conditions associated with Section 404 permits and Section 401 water quality certifications, would ensure that the potential impacts of the 2045 General Plan and proposed project on State and federally protected wetlands would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that does not include specific projects. However, projects that would implement the 2024 CAAP Update strategies and actions could result in the construction of physical improvements and infrastructure in the county that is designed to help meet the emissions targets in the CAAP, which could potentially impact federally protected wetlands. Projects that would implement the 2024 CAAP Update strategies and actions would be required to be consistent with the 2045 General Plan, conditions associated with Section 404 permits and Section 401 water quality certifications, as well as additional mitigation protection for wetlands during construction activities. Compliance with the aforementioned policies and regulations would reduce potential impacts of the 2024 CAAP Update on federally protected wetlands to a less-than-significant level.

Impact 5.4-5: Local Policies or Ordinances Protecting Biological Resources/Habitat Conservation Plan

2045 General Plan

The policies in the 2045 General Plan would not conflict with existing County ordinances, including County Ordinance Code Chapter 12.45, *Trees on Private Property*, which requires the preservation of significant trees and permitting for impacts on, or removal of, such trees for the protection of biological resources. The 2045 General Plan and proposed project instead expand on them to address issues regarding sensitive biological resources. Policy LU-P2.1 requires continued implementation of the 65/35 land preservation standard, using the County ULL to focus development while preserving agricultural land, rangeland, natural habitats, watersheds, and open space; Policy LU-P2.2 enhances the ULL's effectiveness by supporting efforts to acquire and permanently protect land along the ULL boundary; and Policy LU-P2.3 limits development outside the ULL to non-urban uses. The proposed project also furthers the intent of these policies by proposing contractions to land in the ULL.

Regarding County Ordinance Code Chapter 12.45, Policy COS-P6.1 requires the preservation of natural woodlands and significant trees, particularly mature native species, intact coastal scrub and chaparral, and grasslands, especially those with native grass and wildflower populations; Policy COS-P6.3 supports the protection of native trees, especially oaks, in foothill woodlands and agricultural areas by encouraging the voluntary installation of fencing around individuals or clusters of trees to prevent grazing and promoting the replanting of native species. Action COS-A6.1 directs the County to update County Ordinance Code Chapter 816-6 to enhance the protection of specified native trees and strengthen mitigation requirements for removal commensurate with the benefits the tree provides; Action COS-A6.2 directs the County to develop an Oak Woodland Conservation Program that establishes special mitigation ratios for the removal of oak trees, along with specific tree replacement

and planting standards to ensure long-term growth and survival and amendments to the County Ordinance Code as needed to implement the program.

The 2045 General Plan also includes policies supporting the East Contra Costa County HCP/NCCP. For example, Policy COS-P4.2 supports preservation of HCP/NCCP conservation areas and the Priority Conservation Areas mapped by the Association of Bay Area Governments. Additional policies for the protection of biological resources are also consistent with the HCP/NCCP, including Policy COS-P4.3, which requires a biological resources assessment, prepared according to State and federal protocols, for projects with the potential to affect rare, threatened, endangered, or special-status species or their habitat and implementation of appropriate mitigation for identified impacts, preferably near the impact and within the county; Policy COS-P4.4, which protects wildlife migration corridors including natural and channelized creeks providing habitat in urban settings; Policy COS-P4.5, which requires floristic and vegetation surveys, prepared according to State and federal protocols, when development is proposed on land with potentially suitable habitat for special-status plant species, sensitive natural plant communities, or locally rare plants, including areas mapped by CNPS as Botanical Priority Protection Areas; and Policy COS-P5.1, which supports the protection, restoration, and enhancement of wetlands, marshes, sloughs, tidelands, natural watercourses, and riparian corridors.

Implementation of 2045 General Plan goals, policies, and actions, as well as conditions associated with County Ordinance Code Chapters 82-1 and 816-6, would ensure that the potential impacts of the 2045 General Plan and proposed project related to local policies or ordinances for the protection of biological resources or an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that does not include specific projects. However, projects that would implement the 2024 CAAP Update strategies and actions could result in the construction of physical improvements and infrastructure in the county that is designed to help meet the emissions targets in the CAAP, which could potentially conflict with local policies or ordinances for the protection of biological resources or an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan. Projects that would implement the 2024 CAAP Update strategies and actions would be required to be consistent with the 2045 General Plan as well as conditions associated with County Ordinance Code Chapters 82-1 and 816-6. Compliance with the aforementioned policies and regulations would reduce potential conflicts of the 2024 CAAP Update with local policies or ordinances for the protection of biological resources or an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan to a less-than-significant level.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.4-1 to 5.4-18 of the GPEIR provide the environmental setting specific to the analysis of biological resources, including regulatory background and existing conditions. The environmental setting includes federal, State, and local regulations affecting these resources and is geographically limited to all land and water within Contra Costa County containing protected biological resources, including habitats and species, that could be impacted by development

in the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment that was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all potential development sites, habitats, and wildlife movement corridors within the unincorporated county and the jurisdictions of the agencies that regulate impacts to biological resources, including but not limited to the U.S. Army Corps of Engineers and California Department of Fish and Wildlife. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to biological resources.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR determined that the 2045 General Plan Development Scenario, as described in more detail in the GPEIR and the Initial Study, would result in less than significant impacts with respect to candidate, sensitive, or special-status species; riparian habitat or other sensitive natural communities; wetlands; or local policies, ordinances, or habitat conservation plans protecting biological resources. The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions.

Alternatives and Mitigation Measures. The GPEIR concluded that impacts related to candidate, sensitive, or special-status species; riparian habitat or other sensitive natural communities; wetlands; or local policies, ordinances, or habitat conservation plans protecting biological resources would be less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce these impacts were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to biological resources, including potential conflicts with plans, policies, or ordinances adopted for the purpose of protecting biological resources, are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to biological resources that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to biological resources requiring new impact analysis or verification. There would be no new impacts and no increase in the significance of impacts related to biological resources. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.4-1 Candidate, Sensitive, or Special-Status Species.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to candidate, sensitive, or special-status species. Accordingly, no changes or alterations to the proposed project were

required to avoid or substantially lessen any significant environmental impacts under those thresholds.

- **Impact 5.4-2 Riparian Habitat and Sensitive Natural Communities.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to riparian habitat or other sensitive natural communities. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.4-3 Wetlands.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to wetlands. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.4-5 Local Policies or Ordinances Protecting Biological Resources/Habitat Conservation Plan.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to local policies, ordinances, or habitat conservation plans protecting biological resources. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to biological resources.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

5. Cultural Resources

GPEIR Impact 5.5-3: Implementation of the proposed project would not disturb any human remains, including those interred outside of dedicated cemeteries.
[Threshold C-3]

Impacts Evaluated

Impact 5.5-3: Human Remains

2045 General Plan

The EIR Study Area has been long inhabited by Native Americans. Therefore, Native American burials may be found in the future on sites where no record of such burials exists. Buried human remains that were not identified during previous research and field studies could be inadvertently unearthed during ground-disturbing activities, possibly resulting in damage to the remains. Accordingly, implementation of the 2045 General Plan and proposed project could potentially damage or destroy human remains in the EIR Study Area.

In the event that human remains are discovered during grading or construction activities, compliance with California Health and Safety Code Section 7050.5, which includes specific provisions for the protection of human remains in the event of discovery, would be required. The treatment of Native American human remains is regulated by Public Resources Code Section 5097.98, as amended by AB 2641, which addresses the disposition of Native American burials, protects remains, and appoints the NAHC to resolve disputes. In addition, California Health and Safety Code Section 7052 makes the willful mutilation, disinterment, or removal of human remains a felony. The Health and Safety Code is applicable to any project where ground disturbance would occur. The Conservation, Open Space, and Working Lands Element includes policies and actions that would mitigate potential impacts on human remains. Specifically, in the event of the discovery of a burial, human remains, or suspected human remains, Policy POS-P11.11 requires excavation and grading activities to halt immediately, protection of the area surrounding the find, notification of the County Coroner, and compliance with California Health and Safety Code Section 7050.5.

The 2045 General Plan policy guidance, in combination with existing federal and State regulations in place to protect human remains within the EIR Study Area, would ensure that the potential impacts of the 2045 General Plan and proposed project on human remains would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that does not include specific projects. However, projects that would implement the 2024 CAAP Update strategies and actions could result in the construction of physical improvements and infrastructure in the county that is designed to help meet the emissions targets in the CAAP, which could potentially impact human remains in the EIR Study Area. Projects that would implement the 2024 CAAP Update strategies and actions would be required to be consistent with the 2045 General Plan, California Health and Safety Code Section 7050.5, and Public Resources Code Section 5097.98. Compliance with the aforementioned policies and regulations would reduce potential impacts of the 2024 CAAP Update on human remains to a less-than-significant level.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.5-1 to 5.5-7 of the GPEIR provide the environmental setting specific to the analysis of cultural resources (historic resources, archaeological resources, and human remains), including regulatory background and existing conditions. The environmental setting

includes federal, State, and local regulations affecting these resources and is geographically limited to cultural resources in the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all designated cultural resources and resources eligible for designation, along with all undiscovered cultural resources, within the unincorporated county. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to cultural resources.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR determined that the 2045 General Plan Development Scenario, as described in more detail in the GPEIR and the Initial Study, would result in less than significant impacts with respect to disturbance of human remains. The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions.

Alternatives and Mitigation Measures. The GPEIR concluded that impacts related to disturbance of human remains would be less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce this impact were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to historical resources, archaeological resources, or resources listed or eligible for listing in the California Register of Historical Resources or local register, are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to these resources that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to these resources requiring new impact analysis or verification. There would be no new impacts and no increase in the significance of impacts related to cultural resources. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.5-3 Human Remains.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to disturbance of human remains. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to cultural resources.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

6. Energy

GPEIR Impact 5.6-1: Implementation of the proposed project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

GPEIR Impact 5.6-2: Implementation of the proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

GPEIR Impact 5.6-3: Implementation of the proposed project would not require or result in the relocation or construction of new or expanded energy facilities, the construction or relocation of which could cause significant environmental effects.

Impacts Evaluated

Impact 5.6-1: Energy Consumption

2045 General Plan

Short-Term Construction Impacts

Development projects constructed under the 2045 General Plan and proposed project would create temporary demands for electricity. Natural gas is not generally required to power construction equipment, and therefore is not anticipated during construction phases. Electricity use would fluctuate according to the phase of construction. Additionally, it is anticipated that most electric-powered

construction equipment would be hand tools (e.g., power drills, table saws, compressors) and lighting, which would result in minimal electricity usage during construction activities.

Construction of development projects facilitated by the 2045 General Plan and proposed project would also temporarily increase demands for energy associated with transportation. Transportation energy use depends on the type and number of trips, VMT, fuel efficiency of vehicles, and travel mode. Energy use during construction would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel or gasoline. The use of energy resources by these vehicles would fluctuate according to the phase of construction and would be temporary. It is anticipated that most off-road construction equipment, such as those used during demolition and grading, would be gas or diesel powered. In addition, all operation of construction equipment would cease upon completion of project construction.

Furthermore, the construction contractors would be required to minimize nonessential idling of construction equipment during construction in accordance with the California Code of Regulations Title 13, Chapter 9, Article 4.8, Section 2449. Such required practices would limit wasteful and unnecessary energy consumption. Also, future projects within the EIR Study Area would be similar to projects currently in development within Contra Costa County. Overall, there would be no unusual project characteristics anticipated that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in other parts of California. Therefore, short-term construction activities that occur as a result of implementation of the 2045 General Plan and proposed project would not result in inefficient, wasteful, or unnecessary fuel consumption.

Long-Term Impacts During Operation

Operation of potential future development accommodated under the 2045 General Plan and proposed project would create additional demands for electricity and natural gas compared to existing conditions. Operational use of electricity and natural gas would include heating, cooling, and ventilation of buildings; water heating; operation of electrical systems; use of on-site equipment and appliances; lighting; and charging electric vehicles. Land uses accommodated under the 2045 General Plan and proposed project would also result in additional demands for transportation fuels (e.g., gasoline, diesel, compressed natural gas, and electricity) associated with on-road vehicles.

Decreasing Overall per Capita Energy Consumption

Building Electricity

Electrical service to the county is provided by Pacific Gas and Electric (PG&E) and Marin Clean Energy (MCE) through connections to existing off-site electrical lines and new on-site infrastructure. As shown in Table 5.6-4, *Year 2045 Forecast Electricity Consumption*, in the GPEIR, by horizon year 2045, electricity use in the EIR Study Area is estimated to increase by 47,697,580 kWh/year, or approximately 9 percent, from existing conditions. As a result, the per service population electricity consumption is estimated to decrease from 4,319 kWh per person per year in existing baseline to 1,982 kWh per person per year in 2045, or a reduction of approximately 474 kWh per person annually.

As previously discussed, all new development facilitated by the 2045 General Plan and proposed project would be required to demonstrate compliance with the current Energy Code and California

Green Building Code (CALGreen) standards in effect at the time the individual development applications are submitted and can therefore be expected to be more energy-efficient than the use being replaced, resulting in reductions in electricity consumption on a per dwelling unit and per square foot basis when compared to existing development. It should be noted that it is unknown how much more energy-efficient future iterations of the Energy Code and CALGreen standards would be in 2045 compared to existing conditions as those code updates are released on a 3-year cycle.

Moreover, the 2045 General Plan Policies COS-P7.6, COS-P14.7, COS-P14.8, HS-P1.8, and HS-P3.2 would serve to improve energy efficiency and reduce energy consumption in new development facilitated by the 2045 General Plan and proposed project. As a result of compliance with Title 24 energy efficiency standards and implementation of the above 2045 General Plan policies and actions, per service population building electricity consumption is expected to decrease in 2045 compared to existing conditions.

Building Natural Gas and Propane

As shown in Table 5.6-5, *Year 2045 Forecast Natural Gas and Propane Consumption*, in the GPEIR, existing natural gas use and propane use in the EIR Study Area totals 43,885,050 therms and 92,942 million British thermal units (MMBTU) annually. By 2045, natural gas use in the EIR Study Area would increase by 6,972,060 therms annually, or approximately 16 percent, from existing conditions to a total of 50,857,110 therms per year. Future development is unlikely to require propane in more rural areas of the county, especially due to the County's all-electric requirements for new construction. Therefore, the propane use in the EIR Study Area is anticipated to remain the same, for a total of 92,942 MMBTU per year.

As a result, the per service population natural gas consumption is estimated to decrease from 206 therms per person per year in existing baseline to 177 therms per person per year in 2045. Propane is also estimated to decrease from 0.44 MMBTU per person per year to 0.32 MMBTU per person per year in 2045.

Similar to electricity consumption, all new development facilitated by the 2045 General Plan and proposed project would be required to demonstrate compliance with the current CBSC and CALGreen and would result in reductions in heating fuel (i.e., natural gas or propane) consumption on a per dwelling unit and per square foot basis when compared to existing development in the county. As stated above, the 2045 General Plan Policies COS-P7.6, COS-P14.7, COS-P14.8, HS-P1.8, and HS-P3.2 would serve to improve energy efficiency and reduce energy consumption in new development facilitated by the 2045 General Plan and proposed project. As a result, per service population heating fuel consumption is expected to decrease in 2045 compared to existing baseline conditions.

Transportation Energy

The growth accommodated under the 2045 General Plan and proposed project would consume transportation energy from the use of motor vehicles (e.g., gasoline, diesel, compressed natural gas, and electricity). Table 5.6-6, *Operation-Related Annual Fuel Usage: Net Change from Existing*, in the GPEIR shows the net change in VMT, fuel usage, and fuel efficiency under forecast year 2045 General Plan conditions from existing baseline year conditions.

As shown in Table 5.6-6, when compared to existing baseline year conditions, the 2045 General Plan and CAAP would result in a decrease in fuel usage for gasoline-, compressed natural gas-, and diesel-powered vehicles, but not for electric-powered vehicles. The decrease in fuel usage for gasoline-powered vehicles and large increase in VMT and fuel usage for electric-powered vehicles are primarily based on the assumption in EMFAC that a greater mix of light-duty automobiles would be electric-powered in future years based on regulatory (e.g., Advanced Clean Cars) and consumer trends. Furthermore, per service population VMT generation would decrease by an estimated 722 VMT/SP from baseline conditions.

The overall VMT as shown in the table would be primarily attributable to the overall growth associated with the 2045 General Plan and proposed project compared to existing conditions. As discussed in Section 5.14, *Population and Housing*, in the GPEIR, implementation of the 2045 General Plan would exceed current regional projections for housing by 26 percent and population by 18 percent. However, it is important to note that regional projections used were from *Plan Bay Area 2040* and not the updated *Plan Bay Area 2050*, which does not differentiate between Contra Costa County as a whole and only the unincorporated portion of the county.

As identified in Section 5.16, *Transportation*, of the GPEIR, the 2045 General Plan Land Use Element includes goals, policies, and actions to minimize VMT and therefore reduce emissions from automobiles. Additionally, fuel efficiency of vehicles under year 2045 conditions would improve compared to existing baseline year conditions. The improvement in fuel efficiency would be attributable to regulatory compliance (e.g., Corporate Average Fuel Economy standards), resulting in new cars that are more fuel efficient and the attrition of older, less fuel-efficient vehicles. The CAFE standards are not directly applicable to residents or land use development projects, but to car manufacturers. Thus, Contra Costa County and its residents do not have direct control in determining the fuel efficiency of vehicles manufactured and that are made available. However, compliance with the CAFE standards by car manufacturers would ensure that vehicles produced in future years have greater fuel efficiency and would generally result in an overall benefit of reducing fuel usage by providing the population of the county more fuel-efficient vehicle options.

While the demand in electricity would increase under the 2045 General Plan and proposed project, in conjunction with the regulatory (i.e., Renewables Portfolio Standard, SB 350, and SB 100) and general trend toward increasing the supply and production of energy from renewable sources, it is anticipated that a greater share of electricity used to power electric vehicles would be from renewable sources in future years (e.g., individual photovoltaic systems, purchased electricity from PG&E, and/or purchased electricity from MCE that is generated from renewable sources). In addition to regulatory compliance that would contribute to more fuel-efficient vehicles and less demand in fuels, the 2045 General Plan includes policies that will contribute to minimizing overall VMT, and thus associated fuel usage. In combination with improvements in fuel economy standards through 2045, the 2045 General Plan and proposed project would result in a decrease in transportation energy consumption. As a result, the 2045 General Plan and proposed project would result in an overall decrease in energy consumption through 2045.

Decreasing Reliance on Fossil Fuels

The 2045 General Plan and proposed project would be considered to conflict with this criterion if they did not take steps to decrease the reliance on fossil fuels. As discussed in Section 5.8 of the GPEIR,

Greenhouse Gas Emissions, individual development projects accommodated by the 2045 General Plan and proposed project would be required to comply with the California Building Standards Code (CBSC) that is current at the time of their building application submittal. As the current CBSC is the 2022 CBSC, individual development projects going through the application process today would result in greater energy efficiency than the current performance of existing structures in the EIR Study Area. In addition, the 2022 CBSC currently includes provisions for development projects to include rooftop photovoltaic systems and BES infrastructure or demonstrate energy efficiency performance equivalent to including photovoltaic and BES features.

In addition to improvements in energy efficiency and on-site renewable energy generation and energy storage requirements, SB 100 requires that Load Serving Entities (LSEs) incrementally increase their energy procurement sources to include eligible renewable and carbon-free sources. By January 1, 2046, all LSEs in California are required to source 100 percent of their in-state electricity sales from renewable and carbon-free sources. As a result, individual development projects accommodated by the 2045 General Plan and proposed project would improve their energy efficiency through compliance with the CBSC current at the time of their building application submittal and LSEs would supply electricity that is increasingly sourced from carbon-free sources.

Moreover, consistent with Executive Order N-79-20 and CARB's Advanced Clean Cars II Regulation, which require that 100 percent of new passenger vehicles sold in-state are ZE (i.e., battery electric, hybrid plug-in electric, and fuel cell electric vehicles) by 2035, vehicles utilized by future residents and employees accommodated by the 2045 General Plan and proposed project are expected to consist more of EVs than what is experienced under existing conditions. In addition, the 2045 General Plan includes policies that are intended to reduce the use of nonrenewable energy. Specifically, Policies COS-P14.7, COS-P14.8, HS-P1.8, and HS-P3.2 encourage the reduction of nonrenewable energy use and the utilization of new energy sources and building electrification. As a result, the 2045 General Plan and proposed project would incrementally decrease reliance on fossil fuel energy resources through 2045.

Increasing Reliance on Renewable Energy

As previously discussed, the 2022 CBSC currently requires a variety of development projects that don't meet specific exceptions or exemptions to include rooftop photovoltaic systems and Battery Energy Storage (BES) infrastructure or otherwise match or exceed the energy efficiency performance experienced by including photovoltaic and BES systems, as applicable. In addition, it is anticipated that each new Code cycle for the CBSC will improve on the last one by requiring higher performance for energy efficiency and incorporating additional requirements for on-site renewable energy and EV charging infrastructure. Future development projects accommodated by the 2045 General Plan and proposed project would therefore result in a net increase from existing conditions in on-site photovoltaic electricity generation and EV charging stations and associated infrastructure, further supporting and accelerating the adoption of EVs and the use of renewable energy in future years.

Similarly, LSEs that serve future development projects accommodated by the 2045 General Plan and proposed project, such as PG&E and MCE, would be required to incrementally increase their energy procurement sources to include eligible renewable and carbon-free sources through 2045 under SB 100. As a result, electricity consumed by individual development projects under the 2045 General Plan

and proposed project, as well as existing structures in the county, would rely more on renewable and carbon-free sources for electricity in future years than is experienced under existing conditions.

Moreover, the 2045 General Plan includes various policies that are intended to support the use of renewable energy beyond compliance with the CBSC, including creating a walkable urban environment to encourage future residents and employees in the county to use active modes of transportation instead of motorized vehicles.

Summary

Compliance with federal, State, and local regulations (e.g., Energy Code, CALGreen, Renewables Portfolio Standard, and CAFE standards) would increase building energy efficiency and vehicle fuel efficiency. Compliance would also reduce building energy demand and transportation-related fuel usage in the future. Additionally, the 2045 General Plan includes policies related to land use and transportation planning, energy efficiency, promotion of housing near public and active transit, and renewable energy generation that will contribute to minimizing building and transportation-related energy demands overall. As stated, development that could occur under the 2045 General Plan and proposed project would reduce the per capita transportation energy consumption, decrease reliance on fossil fuels, and increase reliance on renewable energy sources.

Implementation of policies under the 2045 General Plan, in conjunction with and complementary to regulatory requirements, would ensure that energy demand associated with growth under the 2045 General Plan and proposed project would decrease overall energy consumption, decrease reliance on fossil fuels, and increase reliance on renewable energy. As such, the energy consumption under the 2045 General Plan and proposed project would not be considered inefficient, wasteful, or unnecessary. Therefore, energy impacts associated with implementation and operation of land uses accommodated under the 2045 General Plan and proposed project would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that provides strategies for reducing GHG emissions and adapting to changing climate conditions; it does not involve any land use changes that would result in indirect growth or change in building density or intensity. Because there is no specific land use component associated with the 2024 CAAP Update, its implementation would not directly result in energy impacts.

Furthermore, the 2024 CAAP Update helps reduce GHG emissions and energy demand generated by existing and proposed land uses in the EIR Study Area. For example, 2024 CAAP Update transportation strategies that reduce VMT (e.g., Strategy TR-1) would result in a reduction in transportation-related fuel usage. Likewise, the 2024 CAAP Update also promotes building energy-efficiency improvements (e.g., Strategies BE-1 and BE-2), increasing water efficiency (e.g., Strategy DR-1 and DR-2), and reducing energy demand through renewable energy sources (e.g., Strategy BE-3) to minimize energy sector emissions. In addition, the 2024 CAAP Update supports the East Bay Energy Watch, which is a partnership between PG&E and local governments in the East Bay region to conduct energy efficiency outreach to residents and businesses, retrofit existing government facilities to improve energy efficiency, and provide training to agency staff. Thus, implementation of the 2024 CAAP Update results in beneficial impacts to energy consumption. Overall, implementation of the 2024 CAAP Update does not result in a potentially significant environmental impact due to wasteful,

inefficient, or unnecessary consumption of energy resources during project construction or operation and impacts would be less than significant.

Impact 5.6-2: Energy Plans

2045 General Plan

The state's electricity grid is transitioning to renewable energy under California's Renewable Portfolio Standard (RPS) Program. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. In general, California has RPS requirements of 33 percent renewable energy by 2020 (SB X1-2), 40 percent by 2024 (SB 350), 50 percent by 2026 (SB 100), 60 percent by 2030 (SB 100), and 100 percent by 2045 (SB 100). SB 100 also establishes RPS requirements for publicly owned utilities that consist of 44 percent renewable energy by 2024, 52 percent by 2027, and 60 percent by 2030. Additionally, SB 1020 requires all State agencies to procure 100 percent of electricity from renewable energy and zero-carbon resources by 2035.

The statewide RPS requirements do not directly apply to individual development projects, but to utilities and energy providers such as PG&E and MCE, whose compliance with RPS requirements would contribute to the State's objective of transitioning to renewable energy. In addition, the County Board of Supervisors voted to go Deep Green 100 percent renewable (i.e., all power which customers buy comes from 100 percent non-polluting wind and solar power) with MCE for the majority of the County's accounts. Even if customers in the county were to opt-out of the Deep Green program, and therefore receive all their electricity from PG&E, 33 percent of PG&E's electricity has been generated from renewable energy since 2017. By 2030, PG&E is set to meet the State's new 60 percent renewable energy mandate set forth in SB 100.

The land uses accommodated under the 2045 General Plan and proposed project would be required to comply with the current and future iterations of the Building Energy Efficiency Standards and CALGreen. Furthermore, as described for Impact Discussion 5.6-1, the 2045 General Plan includes policies that would support the statewide goal of transitioning the electricity grid to renewable sources. The net increase in energy demand associated with implementation of the 2045 General Plan and proposed project would be within the service capabilities of MCE and PG&E and would not impede their ability to implement California's renewable energy goals. Therefore, implementation of the 2045 General Plan and proposed project would not conflict with or obstruct implementation of California's Renewables Portfolio Standard program, and the impact would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that provides strategies for reducing GHG emissions and adapting to changing climate conditions; it does not involve any land use changes that would result in indirect growth or change in building density or intensity. As discussed under Impact Discussion 5.6-1, the 2024 CAAP Update transportation strategies would reduce VMT (e.g., Strategy TR-1) to aid in the reduction in transportation-related fuel usage. Likewise, the 2024 CAAP Update also promotes building energy-efficiency improvements (e.g., Strategies BE-1 and BE-2), increasing water efficiency (e.g., Strategy DR-1 and DR-2), and reducing energy demand through renewable energy sources (e.g., Strategy BE-3) to minimize energy sector emissions. Furthermore, the 2024 CAAP Update supports the East Bay Energy Watch, which is a partnership between PG&E and local governments in the East Bay region to conduct energy efficiency outreach to residents and businesses, retrofit existing

government facilities to improve energy efficiency, and provide training to agency staff. Therefore, the 2024 CAAP Update complements the statewide goal of transitioning the electricity grid to renewable sources. Implementation of the 2024 CAAP Update does not conflict with or obstruct a State or local plan for renewable energy or energy efficiency and impacts would be less than significant.

Impact 5.6-1: Energy Infrastructure

2045 General Plan

The 2045 General Plan and proposed project would accommodate future growth in the EIR Study Area that would require new or expanded energy facilities; however, the 2045 General Plan and proposed project would not directly result in the construction of new or expanded energy facilities that would not otherwise be reviewed and mitigated to reduce potentially significant environmental effects. As discussed in Section 5.6.1.1, *Regulatory Background*, of the GPEIR, the Integrated Resource Plan (IRP) is the principal planning document that identifies California Independent System Operator (CAISO's) forecasts for electricity demand, supply, and transmission needs over a 20-year planning horizon, as well as its strategies for integrating renewable energy resources and other grid services to meet those needs. These forecasts consider the expected growth in population and development in corresponding LSE's service areas, such as the population and development envisioned under the 2045 General Plan and proposed project within PG&E and MCE's service area.

The IRP is developed in collaboration with LSEs, regulators, and other stakeholders, and is updated periodically to reflect changes in the energy landscape and evolving policy goals. Overall, the IRP plays a critical role in ensuring the reliability and resilience of California's electricity grid as the state continues to transition to a cleaner and more sustainable energy system. When an LSE identifies that new or expanded energy facilities are needed to accommodate the population and development growth in its service area, those proposed improvements are reviewed to identify consistency with local, State, and federal regulatory compliance as well as potential environmental effects that may result. For on-site systems, such as rooftop solar, the review would be conducted by the applicable lead agency as part of that individual development project. For energy infrastructure improvements that involve the construction of new or expansion of existing transmission lines, generation systems, or BES facilities separate from an individual development project, the review would be conducted by the California Public Utilities Commission (CPUC) and/or California Energy Commission (CEC) depending on the type of facility. The CEC typically acts as a CEQA lead or responsible agency for energy infrastructure improvements involving generation or BES systems, whereas the CPUC typically acts as a CEQA lead or responsible agency for improvements involving transmission lines or other distribution infrastructure.

Once the new or expanded energy facility is reviewed and approved, incorporating any necessary and appropriate mitigation, it is assigned a point of interconnection on the grid, and its output is added to the IRP as a resource that can provide electricity and other grid services, such as frequency regulation or ramping support. The facility is then dispatched by CAISO based on its bids into the day-ahead and real-time electricity markets, and its output is used to help balance supply and demand on the grid in real-time. CAISO operates a wholesale electricity market in which LSEs can participate by offering to buy or sell electricity and other grid services, such as demand response or energy storage. This market helps to ensure that the electricity system operates efficiently and reliably by providing economic incentives for electricity providers to use their resources effectively.

In addition to the IRP, which principally governs the planning efforts for new and expanded electricity and natural gas facilities, the CPUC in December 2022 adopted a new framework to comprehensively review utility natural gas infrastructure investments in order to help the State transition away from natural-gas fueled technologies and avoid stranded assets in the gas system. The new framework requires utilities to seek CPUC approval of natural gas infrastructure projects of \$75 million or more or those with significant air quality impacts. The new framework is intended to capture natural gas projects likely to have the most substantial community and environmental impacts and to require demonstration of project compliance with CEQA. Therefore, while the 2045 General Plan and proposed project may result in increased energy resource demand by facilitating population and development growth in the EIR Study Area, and subsequently in PG&E and MCE's service area, any new or expanded facilities needed as a result of meeting that increased demand would undergo its own review to mitigate potentially significant environmental effects and demonstrate compliance with regulatory requirements. As such, the 2045 General Plan and proposed project would not result in new or expanded energy facilities which may cause significant environmental effects. This impact would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that provides strategies for reducing GHG emissions and adapting to changing climate conditions; it does not involve any land use changes that would result in indirect growth or change in building density or intensity. Because there is no specific land use component associated with the 2024 CAAP Update, its implementation would not directly result in relocation or construction of new or expanded energy facilities.

As discussed under Impact 5.6-1, the 2024 CAAP Update promotes building energy-efficiency improvements (e.g., Strategies BE-1 through BE-2) and reducing energy demand through renewable energy sources (e.g., Strategy BE-3) to minimize energy sector emissions. Furthermore, the 2024 CAAP Update supports the East Bay Energy Watch, which is a partnership between PG&E and local governments in the East Bay region to conduct energy efficiency outreach to residents and businesses, retrofit existing government facilities to improve energy efficiency, and provide training to agency staff. Therefore, implementation of the 2024 CAAP Update does not directly result in new or expanded energy facilities which may cause significant environmental effects and impacts would be less than significant.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.6-1 to 5.6-16 of the GPEIR provide the environmental setting specific to the analysis of energy, including regulatory background and existing conditions. The environmental setting includes federal, State, regional, and local regulations affecting energy and is geographically limited to sources of energy generation and consumption in the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all major sources of generation and consumption of electricity, natural gas, propane, and transportation fuels within the service areas of Pacific Gas and Electric Company and MCE (formerly Marin Clean Energy) within the unincorporated county. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to energy.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that while development under the 2045 General Plan Development Scenario would result in a net energy consumption increase, compliance with federal, State, and local regulations would gradually increase building energy efficiency and vehicle fuel efficiency in addition to reducing building energy demand and transportation-related fuel usage over time. Implementation of policies and actions in the 2045 General Plan would also contribute to minimizing building and transportation-related energy demands, resulting in a reduction in per capita energy consumption at the horizon year of the 2045 General Plan. The GPEIR also concluded that the 2045 General Plan would comply with all applicable energy plans and regulations and would not require relocation or construction of new energy infrastructure that would result in significant environmental impacts.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions.

Alternatives and Mitigation Measures. The GPEIR concluded that impacts related to energy are less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce this impact were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to energy are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts related to energy that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to energy requiring new impact analysis or verification. There would be no new impacts and no increase in the significance of impacts related to energy. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.6-1 Energy Consumption.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to energy consumption. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.6-2 Energy Plans.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to conflicts with energy plans. Accordingly, no changes or

alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

- **Impact 5.6-3: Energy Infrastructure.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to new or expanded energy infrastructure. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to energy.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

7. Geology and Soils

GPEIR Impact 5.7-1: The proposed project would not 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; or iv) Landslides, mudslides, or other similar hazards. [Threshold G-1i, G-1ii, G-1iii and G-1iv]).

GPEIR Impact 5.7-2: Development under the proposed project would not result in substantial soil erosion or the loss of topsoil. [Threshold G-2]

GPEIR Impact 5.7-3: Development under the proposed project would not subject people or structures to hazards from unstable soil conditions. [Thresholds G-3 and G-4]

GPEIR Impact 5.7-4: Development under the proposed project would connect to existing sewer lines or comply with State and local regulations for on-site septic tanks or alternative wastewater disposal systems. [Threshold G-5].

Impacts Evaluated

Impact 5.7-1: Seismic Hazards

2045 General Plan

Surface Rupture of a Fault

As shown in Figure 5.7-1, *Regional Fault Map*, of the GPEIR, there are five major faults that run through Contra Costa County including the Calaveras (North Central), Concord-Green Valley, Greenville, Hayward, and Mount Diablo Faults. The EIR Study Area also includes Alquist-Priolo Fault Zones. Future development within the EIR Study Area could have potential impacts in regard to seismic activities at or from nearby faults. However as required by the Alquist-Priolo Act Fault Zoning Act, the approval of projects within Earthquake Fault Zones must be in accordance with the policies and criteria established by the Surface Mining and Geology Board (SMGB). SMGB regulations require that fault investigation reports be prepared by a professional geologist registered in the State of California. Additionally, the Seismic Hazards Mapping Act requires projects for human-occupancy that are within mapped fault zones to obtain a site-specific geotechnical report prior to the issuance of individual grading permits, and each new development would be required to retain a licensed geotechnical engineer to design new structures to withstand probable seismically induced ground shaking.

The 2045 General Plan Health and Safety Element includes policies aimed at reducing potential impacts from development in and near areas with known faults. In particular, Policy HS-P4.3 discourages new below-market-rate housing in Alquist-Priolo Fault Zones; Policy HS-P11.1 requires appropriately detailed engineering geologic or geotechnical investigations for projects in Alquist-Priolo Earthquake Fault Zones or Seismic Hazard Zones delineated by the California Geological Survey, as well as any other areas of steep slopes or areas of suspected ground failure known to the county; Policy HS-P11.2 prohibits the construction of buildings for human occupancy in areas where seismic and other geologic hazards cannot be adequately mitigated; and Policy HS-P11.3 discourages construction of critical facilities and buildings in Alquist-Priolo Fault Zones, encourages earthquake retrofitting, and requires critical facilities and buildings to be sited, designed, and constructed to withstand seismic stresses.

Furthermore, all new development in California is subject to the seismic design criteria of the CBC, which requires that all improvements be constructed to withstand anticipated ground shaking from regional fault sources. The CBC standards require all new developments to be designed consistent with a site specific, design-level geotechnical report, which would be fully compliant with the seismic recommendations of a California-registered professional geotechnical engineer. Adherence to the applicable CBC requirements, Alquist-Priolo Fault Zoning Act, Seismic Hazards Mapping Act, and 2045 General Plan policies would ensure that implementation of the 2045 General Plan and proposed project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. Compliance with State and local regulations would therefore mitigate impacts due to rupture of a known fault to a less than significant level.

Ground Shaking

Due to the location and underlying geology of Contra Costa County, all future development in the EIR Study Area would likely be subject to strong seismic ground shaking. Several policies in the Health and Safety Element help to mitigate impacts from ground shaking. Policy HS-P11.2 prohibits construction of buildings for human occupancy in areas where seismic and geologic hazards cannot be mitigated. Policy HS-P11.3 discourages construction of critical facilities and buildings in Alquist-Priolo Fault Zones, encourages earthquake retrofitting, and if there are no feasible alternatives to siting critical facilities and buildings intended for human occupancy in the Fault Zones, requires buildings to be sited, designed, and constructed to withstand seismic stresses. Additionally, all future residential development would be required to conform to CBC requirements and standards established to prevent significant damage due to ground shaking during seismic events. Adhering to these requirements would make impacts associated with ground shaking less than significant.

Liquefaction

As shown in Figure 5.7-2, *Liquefaction Hazard Zones*, of the GPEIR, several areas of the county are susceptible to liquefaction hazards. Therefore, future development under the 2045 General Plan and proposed project has the potential to be subject to liquefaction hazards. However, the 2045 General Plan Health and Safety Element includes policies that address development in areas prone to liquefaction hazards and help to mitigate the risks posed by liquefaction. Policy HS-P11.1 requires appropriately detailed engineering geologic or geotechnical investigations for projects in Alquist-Priolo Earthquake Fault Zones or Seismic Hazard Zones delineated by the California Geological Survey, as well as any other areas of steep slopes or areas of suspected ground failure known to the county and requires that these reports include recommended means of mitigation of any adverse condition representing a hazard to improvements and recommendations to assure proper implementation of mitigation measures during construction. In addition, Policy HS-P11.2 prohibits construction of buildings intended for human occupancy in areas where geologic hazards, such as liquefaction, cannot be adequately mitigated.

Additionally, all future development would be required to conform to CBC requirements and standards established to prevent significant damage due to ground shaking during seismic events. Therefore, impacts associated with liquefaction would be considered less than significant.

Landslides

As shown on Figure 5.7-3, *Landslide Hazards*, of the GPEIR, large areas of the EIR Study Area with hill terrain are susceptible to landslides. The County restricts development on open hillsides and ridgelines and generally prohibits development on hillsides above a 26 percent grade, as referenced in Section 82-1.016, *Hillside Protection*, of the County Ordinance Code. Compliance with CBC requirements, including implementation of recommendations provided in site-specific geotechnical reports would reduce or avoid impacts related to landslides. In addition, the 2045 General Plan Health and Safety Element includes policies that help to mitigate impacts related to landslides and unstable geologic conditions. For example, Policy HS-P11.5 discourages development on slopes exceeding 15 percent and prohibits development on slopes of 26 percent or greater to avoid instability, unnecessary grading, and extensive land disturbance and facilitate long-term control of erosion and sedimentation, and Policy HS-P11.6 prohibits road dedications or private road construction in unstable hillside and landslide hazard areas unless potential hazards have been mitigated to the County's satisfaction.

Based on the existing and proposed County regulations, policies, and actions, combined with CBC requirements, implementation of the 2045 General Plan and proposed project would not directly or indirectly result in adverse effects related to landslides, and the impact would be less than significant.

Summary

Overall, implementation of the above proposed policies and actions, as well as compliance with State, regional, and local regulations pertaining to structural safety regarding fault rupture, ground shaking, liquefaction, and landslides, would ensure that potential future development that results from implementation of the 2045 General Plan and proposed project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death. Therefore, impacts would be less than significant.

2024 CAAP Update

The 2024 CAAP Update aims to reduce GHG emissions from activities in the county. The 2024 CAAP Update is a policy document that does not include specific projects that could cause potential substantial adverse impacts, including the risk of loss, injury, or death involving 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 active fault trace, or involving seismic ground shaking, liquefaction, or landslides. In addition, the 2024 CAAP Update includes actions under Strategy CE-1 and Strategy NI-6 that require new housing for low-income households to be outside of hazard-prone areas, including for landslides. Therefore, the impact is less than significant.

Impact 5.7-2: Erosion

2045 General Plan

Future development facilitated by the 2045 General Plan and proposed project would involve soil disturbance, construction, and operation of developed land uses that could be subject to unstable soils conditions. However, the 2045 General Plan and proposed project are a policy-level document and ballot measure which do not include any development proposals or development entitlements that would directly result in the construction or expansion of any new development.

As described further in Section 5.10, *Hydrology and Water Quality*, of the GPEIR, any new development that would require the disturbance of one or more acres during construction would be subject to the requirements of the National Pollutant Discharge and Elimination System (NPDES) General Permit for Stormwater Discharge Associated with Construction and Land Disturbance Activities (Construction General Permit). The NPDES permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP), which would include Best Management Practices (BMPs) designed to control and reduce soil erosion. The BMPs may include dewatering procedures, storm water runoff quality control measures, watering for dust control, and the construction of silt fences, as needed. In addition, County Ordinance Code Section 716-4.202 requires standard erosion control practices to be implemented for all construction. These State and local regulations would effectively mitigate construction stormwater runoff impacts from development under the 2045 General Plan and proposed project.

Furthermore, the 2045 General Plan also includes policies aimed at mitigating soil erosion. The Health and Safety Element includes Policy HS-P11.5, which discourages development on slopes exceeding 15 percent to avoid excessive grading. The Conservation, Open Space, and Working Lands Element includes Policy COS-P8.4, which requires new development to retain vegetation and topography and use BMPs to minimize erosion. The Public Facilities and Services Element includes Policy PFS-P7.10, which requires that new landfills provide an approved erosion control and drainage plan.

Implementation of these State and local requirements, as well as policies in the 2045 General Plan, would effectively ensure that future projects would not result in substantial soil erosion or the loss of topsoil from construction activities, and impacts would be less than significant.

2024 CAAP Update

The 2024 CAAP Update aims to reduce GHG emissions from activities in the county. Although the 2024 CAAP Update is a policy document that does not include specific projects, projects could be facilitated by 2024 CAAP Update actions that involve construction activity and soil disturbance, creating the potential for soil erosion. However, such projects would be subject to the same State and local requirements and 2045 General Plan policies described above for the discussion of 2045 General Plan impacts. Therefore, the impact is less than significant.

Impact 5.7-3: Soil Hazards

2045 General Plan

Development on unstable or expansive soils could create substantial risks to life or property and result in adverse impacts such as on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse. As shown in Figures 5.7-1, *Regional Fault Map*, 5.7-2, *Liquefaction Hazard Zone*, and 5.7-3, *Landslide Hazards*, of the GPEIR, there are seismic and geologic hazards throughout the EIR Study Area. In addition, as mentioned in Section 5.7.1.2, *Existing Conditions*, of the GPEIR, the three classified soils in the county have expansive capabilities; therefore, future development within the EIR Study could have potentially significant impacts if located in these hazardous areas.

However, the 2045 General Plan policies listed in Impact Discussion 5.7-1 would ensure geologic hazards such as unstable soils, liquefaction, subsidence, and other potential geologic or soil stability issues be addressed and mitigated. In addition, the County Ordinance Code Section 94-4.420 requires the preparation of a preliminary soil report to accompany a tentative parcel for a subdivision, and Section 716-2.418 requires a soil investigation for all development identified to have the potential for hazards related to soil conditions such as expansive soils, so the project can mitigate impacts through site-specific design. In addition, all new projects within the EIR Study Area must comply with the CBC, which contains provisions for soil preparation and conditioning to minimize geologic hazards such as unstable soils, liquefaction, subsidence, and other potential geologic or soil stability issues. Therefore, this impact is less than significant.

2024 CAAP Update

The 2024 CAAP Update aims to reduce GHG emissions from activities within the county. Although the 2024 CAAP Update is a policy document that does not include specific projects, projects could be facilitated by 2024 CAAP Update actions that would place structures on a geologic unit or soil that is unstable. However, such projects would be subject to the same State and local requirements and 2045

General Plan policies described above for the discussion of 2045 General Plan impacts. Therefore, the impact is less than significant.

Impact 5.7-4: Septic Systems

2045 General Plan

Most new development would connect to existing sewer lines, and on-site septic tanks and alternative wastewater disposal systems would be limited to rural areas. Any new development within the EIR Study Area that would include the utilization of a septic tank or alternative wastewater disposal system would be regulated by the Contra Costa Health Services Environmental Health Division. Obtaining a permit would be required prior to the construction of any septic tank or alternative wastewater disposal system, and each system would be constructed within the parameters of the State Water Resources Control Board (SWRCB) Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems, as well as the Contra Costa County Health Officer Regulations for Sewage Collection and Disposal. As this procedure would be required prior to construction of any and all septic tanks and alternative wastewater disposal systems, all new development under the 2045 General Plan and proposed project would be subject to these State and local requirements. Proper soils are essential for installation and maintenance of septic tank and alternative wastewater disposal systems; compliance with these State and local requirements would ensure that impacts related to adequate soils for supporting such systems are less than significant.

2024 CAAP Update

The 2024 CAAP Update aims to reduce GHG emissions from activities within the county. Although the 2024 CAAP Update is a policy document that does not include specific projects, projects could be facilitated by 2024 CAAP Update actions that include structures that connect to existing sewer lines, on-site septic tanks, and/or alternative wastewater disposal systems. In the event that a septic tank or alternative wastewater disposal system installation is proposed, a testing and permitting process would be completed before installation based on individual project-level review, as described above for the discussion of 2045 General Plan impacts.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.7-1 to 5.7-13 of the GPEIR provide the environmental setting specific to the analysis of geology and soils, including regulatory background and existing conditions. The environmental setting includes State and local regulations affecting these resources and is geographically limited to the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all potential development within the unincorporated county that could be at risk from geologic hazards (such as earthquake or liquefaction) or could cause geologic/soils impacts. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to geology and soils.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that development pursuant to the 2045 General Plan would not result in significant geologic or seismic hazards due to compliance with existing laws and codes, General Plan policies, and mitigation. Potential impacts from soil erosion, unstable soils, and wastewater disposal are also reduced through regulatory

compliance and best practices, resulting in less-than-significant impacts. The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions.

Alternatives and Mitigation Measures. The GPEIR concluded that impacts related to seismicity, geologic instability, soil instability (including erosion or loss), expansive soil, or septic or alternative wastewater disposal systems would be less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce these impacts were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to seismicity, geologic instability, soil instability (including erosion or loss), expansive soil, or septic or alternative wastewater disposal systems are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts with respect to these topics that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to these topics requiring new impact analysis or verification. There would be no new impacts and no increase in the significance of impacts with respect to seismicity, geologic instability, soil instability, expansive soil, or septic or alternative wastewater disposal systems. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.7-1 Seismic Hazards.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to seismic hazards. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.7-2 Erosion.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to erosion. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.7-3 Soil Hazards.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to soil hazards. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.7-4 Septic Systems.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to septic or alternative wastewater disposal systems.

Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to geology and soils.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

8. Greenhouse Gas Emissions

GPEIR Impact 5.8-1: Implementation of the proposed project is not projected to result in emissions that would exceed the unincorporated county's GHG reduction target established under SB 32 and progress toward the State's carbon neutrality goal. [Thresholds GHG-1]

GPEIR Impact 5.8-2: Implementation of the proposed project would not conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions. [Thresholds GHG-2]

Impacts Evaluated

Impact 5.8-1: Significant GHG Emissions

2045 General Plan

Future potential development under the 2045 General Plan and proposed project would contribute to global climate change through direct and indirect emissions of GHGs from land uses within the unincorporated county. However, a general plan is a long-range policy document that does not directly result in development without additional approvals. Before any development can occur in the unincorporated county, it must be analyzed for consistency with the General Plan, zoning requirements, and other applicable local and State requirements; comply with the requirements of CEQA; and obtain all necessary clearances and permits from regulatory agencies.

Horizon Year 2045 Emissions Compared to Existing Conditions

The projected development under the 2045 General Plan and proposed project is not linked to a specific development time frame but is assumed over a 20-year project horizon through 2045. Implementation of the 2045 General Plan and proposed project by the horizon year of 2045 would result in a net increase in service population of 74,969 in the EIR Study Area. Table 5.8-6, *Unincorporated Contra Costa County GHG Emissions Business-as-Usual Forecast*, in the GPEIR, provides a comparison of the change in GHG emissions in the EIR Study Area between the CEQA baseline (2019) and the 2045 General Plan horizon year (2045) conditions.

As shown in Table 5.8-6 of the GPEIR, the increase in residential units and population associated with the 2045 General Plan and proposed project results in an increase in on-road transportation, residential and nonresidential building energy use, solid waste, off-road equipment, water and wastewater, and BART.

After accounting for reductions from State actions, projected development in 2045 that would be accommodated under the 2045 General Plan and proposed project would result in a net decrease of 109,209 MTCO_{2e} GHG emissions from existing conditions. The primary reason for the decrease in overall community-wide GHG emissions, despite an increase in service population, is a result of regulations adopted to reduce GHG emissions and turnover of California's on-road vehicle fleets. Consequently, implementation of the 2045 General Plan and proposed project would not result in a substantial increase in GHG emissions because there would be a decrease in emissions from existing conditions (CEQA baseline). However, without additional local GHG reduction strategies, Contra Costa County would not achieve consistency with the GHG reduction goals of AB 1279 (i.e., 85 percent reduction below 1990 levels by 2045).

Local GHG Reduction Measures

The 2045 General Plan directs implementation of the 2024 CAAP Update. The 2024 CAAP Update draws upon strategies from the 2015 CAAP, with new strategies to address current State regulations and local issues of concern. Contra Costa County has implemented the following GHG reduction measures identified in the 2015 CAAP to reduce GHG emissions in the EIR Study Area:

- To increase the number of carbon neutral buildings, the Board of Supervisors adopted the All-Electric Ordinance (Ordinance No. 2022-02) to require new construction of residential, detached accessory dwelling units (ADU), hotel, office, and retail building types to be all-electric. As of June 2022, 67 single-family or duplex projects and 40 ADU projects received permits in alignment with the all-electric ordinance. Current new construction and major renovations of County facilities include LED lighting and heat pump technology, and the County enrolled in MCE's Strategic Energy Management Program to increase energy efficiency in County facilities. Additionally, 42 projects within the unincorporated area utilized the Bay Area Regional Energy Network program, which provides rebates to single-family homeowners for energy efficiency improvements.
- To replace fossil fuel electricity with renewable electricity, the majority of residential accounts in the unincorporated area are enrolled in MCE for an estimated 43,690 metric tons of CO_{2e} reduced. Around 70 percent of the County's electricity usage is associated with MCE's Deep Green account, which provides electricity from 100 percent renewable energy.

- The County has developed a carbon sequestration feasibility study through a grant from the California Department of Conservation. The study, *Healthy Lands, Healthy People*, will identify strategies to store carbon in various land uses across the county, such as agriculture, parks and open space, conservation lands, and towns and cities.
- The County has also enhanced the accessibility and connectivity of active transportation options with the adoption of the Active Transportation Plan and 2022 Capital Road Improvement & Preservation Program (CRIPP). The CRIPP lays out funded transportation projects in the county that provide safe, efficient, and reliable transportation. Currently, there are 33 actively funded projects.
- The County is working to implement projects at over 25 sites to facilitate the transition to an all-electric County fleet. MCE has also established numerous EV charging ports over the years, including 33 EV charging port installations in year 2022.

The 2024 CAAP Update identifies GHG emissions reductions targets for the EIR Study Area that would ensure consistency with the State GHG reduction goals of AB 1279 and substantial progress toward the State's carbon neutrality goals. In addition, the 2024 CAAP Update includes additional GHG reduction measures to achieve the State's carbon neutrality goals identified in the 2022 Scoping Plan. Table 5.8-7, *2024 CAAP Update Local GHG Reduction Strategies*, of the GPEIR shows the local GHG reduction measures and reductions associated with the local measures in the 2024 CAAP Update in 2045 that would help achieve those reductions.

Table 5.8-8, *Contra Costa County 2045 GHG Emissions Reduction Target Analysis with the 2024 CAAP Update*, in the GPEIR shows that with the additional local measures identified in the 2024 CAAP Update, the unincorporated county would achieve the AB 1279 GHG reduction targets for year 2045. With implementation of the 2024 CAAP Update, Contra Costa County would achieve an 85-percent decrease in GHG emissions in the unincorporated areas of the county by 2045 from 1990 levels and would make substantial progress toward the State's carbon neutrality goals. Therefore, the 2045 General Plan, which includes implementation of the 2024 CAAP Update, would not result in a substantial increase in the magnitude of GHG emissions and would be consistent with the GHG reduction goals identified under AB 1279.

Individual development projects facilitated by the 2045 General Plan and proposed project would experience emission reductions from implementation of State measures and strategies to reduce statewide GHG emissions, such as the Low Carbon Fuel Standard (LCFS) mandate or RPS requirements. 2045 General Plan policies and actions would serve to further support potential GHG reductions for individual development projects facilitated by the 2045 General Plan and proposed project. Furthermore, individual projects would be required to demonstrate consistency with the 2024 CAAP Update by preparing a CAAP Consistency Checklist, identify specific GHG emissions reduction strategies from the 2024 CAAP Update that are applicable to the project, and demonstrate how the project will implement these strategies to ensure that the project's emissions are consistent with the community-wide emissions forecast contained herein.

In summary, implementation of the 2045 General Plan and proposed project would result in a net decrease in emissions from existing conditions. Additionally, with implementation of the 2024 CAAP Update, emissions from existing and planned development in the EIR Study Area would achieve the GHG reduction goals identified under AB 1279 for year 2045, which is consistent with the thresholds

identified by BAAQMD in their CEQA Guidelines. Therefore, growth within the county associated with the 2045 General Plan and proposed project would not have a cumulatively considerable impact on GHG emissions and this impact would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that provides strategies for reducing GHG emissions and adapting to changing climate conditions; it does not involve any land use changes that would result in indirect growth or change in building density or intensity. Because there is no specific land use component associated with the 2024 CAAP Update, its implementation would not directly result in the generation of GHG emissions.

In addition, the 2045 General Plan directs implementation of the 2024 CAAP Update, recognizing that the County's climate action planning efforts must be updated more regularly to be responsive to the changing regulations, guidance, technology, best practices, and science. For instance, the 2024 CAAP Update transportation strategies that reduce VMT (e.g., Strategy TR-1) would result in a reduction in GHG emissions from the transportation sector. Likewise, the 2024 CAAP Update also promotes building energy-efficiency improvements (e.g., Strategies BE-1 and BE-2), increasing water efficiency (e.g., Strategy DR-1 and DR-2) and reducing energy demand through renewable energy sources (e.g., Strategy BE-3) to minimize energy sector emissions. Furthermore, the 2024 CAAP Update supports the East Bay Energy Watch, which is a partnership between PG&E and local governments in the East Bay region to conduct energy efficiency outreach to residents and businesses, retrofit existing government facilities to improve energy efficiency, and provide training to agency staff. Thus, implementation of the 2024 CAAP Update does not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment and impacts would be less than significant.

Impact 5.8-2: GHG Plan Consistency

2045 General Plan

CARB Scoping Plan

The CARB Scoping Plan is applicable to State agencies but is not directly applicable to cities, counties, and individual projects (i.e., the Scoping Plan does not require local jurisdictions to adopt its policies, programs, or regulations to reduce GHG emissions). However, new regulations adopted by the State agencies from the Scoping Plan result in GHG emissions reductions at the local level. So local jurisdictions benefit from reductions in transportation emissions rates, increases in water efficiency in the building and landscape codes, and other statewide actions that affect a local jurisdiction's emissions inventory from the top down. Statewide strategies to reduce GHG emissions include the LCFS and changes in the CAFE standards. Additionally, local jurisdictions are encouraged to prepare local GHG reduction plans to align local GHG reductions with the State GHG reduction targets identified in the Scoping Plan.

Development projects under the 2045 General Plan and proposed project would be required to adhere to the programs and regulations identified by the Scoping Plan and implemented by State, regional, and local agencies to achieve the statewide GHG reduction goals of AB 32, SB 32, and AB 1279. Future development projects would be required to comply with these State GHG emissions reduction

measures because they are statewide strategies. For example, new buildings under the 2045 General Plan and proposed project would be required to meet the CALGreen and Building Energy Efficiency Standards in effect at the time when applying for building permits. Furthermore, the 2045 General Plan includes policies that minimize GHG emissions and therefore help achieve GHG reduction goals.

Moreover, the 2045 General Plan directs implementation of the 2024 CAAP Update. As described under Impact 5.8-2, the 2024 CAAP Update aligns the GHG reduction goals for the unincorporated areas for existing and new development with AB 1279 and the carbon neutrality goals identified in the 2022 Scoping Plan. Therefore, the 2045 General Plan and proposed project would result in a net benefit because implementation of the 2024 CAAP Update aligns future development in the county with the policies and objectives identified by CARB. Implementation of the 2045 General Plan and proposed project would not obstruct implementation of the CARB Scoping Plan, and impacts would be less than significant.

ABAG/MTC's Plan Bay Area

Plan Bay Area 2050 is the Bay Area's regional transportation plan to achieve the passenger vehicle emissions reductions identified under SB 375. Plan Bay Area 2050 is the current SCS for the Bay Area, adopted October 21, 2021. In addition to significant transit and roadway performance investments to encourage focused growth, Plan Bay Area 2050 directs funding to neighborhood active transportation and complete streets projects, climate initiatives, lifeline transportation and access initiatives, safety programs, and PDA planning. In Contra Costa County, a number of PDAs and Transit Priority Areas have been designated in the EIR Study Area, as shown on Figure 5.16-1, *Priority Development Areas and Transit Priority Areas*, in Section 5.16 of the GPEIR.

While Plan Bay Area 2050 does not override local land use control, it provides guidance to the local jurisdictions such as Contra Costa County on how future development can be consistent with the State's GHG and VMT reduction goals. This includes constructing more infill development in downtowns and centers in close proximity to jobs and services.

As further discussed in Section 5.14, *Population and Housing*, of the GPEIR, the 2045 General Plan would exceed current regional projections for housing and population. However, it is important to note that regional projections used were from Plan Bay Area 2040, which does not differentiate between Contra Costa County as a whole and the unincorporated portion of the county. In addition, the 2045 General Plan includes policies and actions that would limit development in certain areas and control the growth within the EIR Study Area. All potential future development would be required to comply with any required site-specific infrastructure improvements and to pay any project-specific impact fees.

The Land Use Element includes policies to encourage high-density, mixed-use development to create shorter commutes and reduced dependency on single-occupant vehicles (see Land Use and Planning Impact 5.11-2). The proposed Growth Management Element also establishes goals, policies, and actions intended to manage and mitigate impacts of future growth within the unincorporated county. Furthermore, future development projects that could result in significant VMT impacts are required to include Transportation Demand Management (TDM) strategies and physical measures to reduce VMT.

Overall, the 2045 General Plan and proposed project would be consistent with the goals of Plan Bay Area 2050 in concentrating new development in locations where there is existing infrastructure and transit. Therefore, the 2045 General Plan and proposed project would not conflict with the land use concept plan in Plan Bay Area 2050 and impacts would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that provides strategies for reducing GHG emissions and adapting to changing climate conditions; it does not involve any land use changes that would result in indirect growth or change in building density or intensity. Furthermore, as discussed under Impact Discussion 5.8-1, implementation of the 2024 CAAP Update results in beneficial GHG emissions impacts by contributing to reducing VMT, increasing energy and water use efficiency, and increasing renewable energy use. Therefore, the 2024 CAAP Update is complementary to statewide and regional plans to reduce GHG and would not interfere with or obstruct the implementation of the CARB Scoping Plan or Plan Bay Area 2050. Implementation of the 2024 CAAP Update does not conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions and impacts would be less than significant.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.8-1 to 5.8-18 of the GPEIR provide the environmental setting specific to the analysis of GHG emissions, including regulatory background and existing conditions. The environmental setting includes State, regional, and local regulations affecting these emissions and is geographically limited to the entire county and state. The proposed project is occurring in substantially the same regulatory and geographic/physical environment that was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all potential sources of GHG emissions in the unincorporated county, which contribute to state and ultimately worldwide GHG levels. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to GHG emissions.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that the 2045 General Plan would achieve local GHG reduction targets that align with GHG reduction regulations established by Senate Bill 32 and Assembly Bill 1279 and contribute toward meeting the State's carbon neutrality targets, mainly due to implementation of the CAAP. In addition, implementation of the 2024 CAAP Update was projected to reduce GHG emissions when compared to existing conditions by the horizon year of the 2045 General Plan despite the anticipated population and employment growth under the 2045 General Plan. The 2045 General Plan was also determined to be consistent with applicable GHG reduction plans including the Statewide Scoping Plan and the Association of Bay Area Government/Metropolitan Transportation Commission (ABAG/MTC) Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) (known as Plan Bay Area 2050).

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future

development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions.

Alternatives and Mitigation Measures. The GPEIR concluded that impacts related to GHG emissions would be less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce these impacts were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to GHG emissions are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts related to GHG emissions that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to GHG emissions requiring new impact analysis or verification. There would be no new impacts and no increase in the significance of impacts related to GHG emissions. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.8-1 Significant GHG Emissions.** The proposed project would have a less than significant direct, indirect, and cumulative impacts related to a substantial increase in GHG emissions. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.8-2 GHG Plan Consistency.** The proposed project would have a less than significant direct, indirect, and cumulative impacts related to conflicts with GHG reduction plans. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to GHG emissions.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found

not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

9. Hazards and Hazardous Materials

GPEIR Impact 5.9-1: Implementation of the proposed project, including construction and operation activities, could involve the transport, use, and/or disposal of hazardous materials; however, compliance with existing local, State, and federal regulations would ensure impacts are minimized. [Thresholds H-1, H-2, and H-3].

GPEIR Impact 5.9-2: Implementation of the proposed project could facilitate development of a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5, but would not create a significant hazard to the public or the environment. [Threshold H-4].

GPEIR Impact 5.9-3: Development under the proposed project would not result in a safety hazard or excessive noise for people residing or working within two miles of an airport. [Threshold H-5].

GPEIR Impact 5.9-4: Development under the proposed project could affect the implementation of an emergency responder or evacuation plan. [Threshold H-6].

Impacts Evaluated

Impact 5.9-1: Hazardous Waste Handling

2045 General Plan

Pipelines

As noted in Section 5.9.1.2, *Existing Conditions*, of the GPEIR, several hundred miles of pipelines transporting natural gas, petroleum, or other hazardous liquids run through the EIR Study Area. The pipelines are monitored by pipeline operators who are responsible for the upkeep of pipelines and the authorization of excavations around pipeline locations. Development under the 2045 General Plan and proposed project would increase the exposure of people and the environment to potential hazards related to pipeline or electrical line rupture. As with all developments in California, development in Contra Costa County would be required to follow the procedural requirements of the Underground Service Alert of Northern California, or USA North 811.

Construction

Construction of future projects would involve the use of substances such as paints, sealants, solvents, greases, adhesives, cleaners, lubricants, and fuels. However, the materials used would not be in such quantities or stored in such a manner as to pose a significant safety hazard to the public or the environment. These activities would also be short term or one time in nature. Project construction workers would be trained in safe handling and hazardous materials use, as required under Occupational

Safety and Health Administration (OSHA) Regulation 29 CFR 1926.62 and CCR Title 8. Project construction contractors would maintain equipment and supplies on construction sites for containing and cleaning up spills. If a hazardous materials release could not be safely contained and cleaned up by on-site personnel, the affected project applicant would notify the applicable fire department immediately.

Additionally, to prevent hazardous conditions, existing local, State, and federal laws and regulations—such as those listed under Section 5.9.1.1, *Regulatory Background*, of the GPEIR—are required to be enforced at construction sites. For known or potential contaminated sites, prior to issuing a grading or building permit, the County would require an assessment of potential hazards. If the development project could pose a human health or environmental risk, the Contra Costa Health Services Hazardous Materials Programs (CCHSHMP) would require that such hazards be managed appropriately. This could include, but would not be limited to, actions such as removal of the contaminants, site controls to reduce exposure, or administrative mechanisms.

Compliance with existing laws and regulations governing the use, storage, transportation, and disposal of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts to occur.

Demolition

Future development projects under the 2045 General Plan and proposed project may involve demolition of existing buildings and structures associated with a specific development site. Some building materials used in the mid and late 1900s are considered hazardous to the environment and harmful to people. Asbestos, for example, was generally not used in building materials by 1980, but was still occasionally used until the late 1980s. Lead-based paint was banned for residential use in 1978 and phased out for commercial structures in 1993.

Due to the age of the buildings and structures in the EIR Study Area (many over 50 years old), it is likely that some contain asbestos-containing materials (ACMs) and lead-based paint (LBP), as well as other building materials containing lead. Demolition could cause encapsulated ACM (if present) to become friable; once airborne, they are considered a carcinogen. Demolition could also cause the release of lead into the air. The USEPA has classified lead and inorganic lead compounds as “probable human carcinogens”, and such releases could pose significant risks to persons living and working in and around a proposed development.

Abatement of all ACM and LBP encountered during any future building demolition activities would be required in accordance with all applicable laws and regulations, including those of the USEPA (which regulates disposal), OSHA, U.S. Department of Housing and Urban Development, the California Division of Occupational Safety and Health (Cal/OSHA, which regulates employee exposure), and BAAQMD.

To further prevent impacts from the potential release of ACM or LBP, an ACM and LBP survey of existing buildings and structures prior to the commencement of any demolition or renovation is required under BAAQMD Regulation 11, Rule 2, *Asbestos Demolition, Renovation, and Manufacturing*. Lead emissions are similarly controlled under Regulation 11, Rule 1, *Lead*. With compliance of existing laws and regulations, hazardous impacts related to the release of ACMs and LBP are not anticipated to

occur. Compliance with these laws, regulations, and mitigation measures would be ensured through the County's development review and building plan check process.

Operation

Industrial uses and some commercial uses utilize greater amounts of hazardous materials than do other uses such as residential uses and schools. The 2045 General Plan and proposed project could facilitate the development of up to 1.2 million square feet of new commercial space and 5 million square feet of new industrial space in the EIR Study Area. Uses of hazardous materials in operations of land uses permitted under the 2045 General Plan and proposed project would be subject to regulations enforced by the same agencies as for uses of hazardous materials in construction.

However, per Chapter 83-63, *Land Use Permits for Development Projects Involving Hazardous Material*, of the County Ordinance Code, the operation or expansion of hazardous waste facilities is required to comply with the County Hazardous Waste Management Plan, which identifies siting criteria, siting principles, and other policies applicable to hazardous waste facilities. Businesses that generate any amount of hazardous waste or handle hazardous materials equal to, or greater than, program threshold quantities are also required to obtain a Hazardous Materials (Certified Unified Program Agency [CUPA]) Permit per Chapter 450-2, *Hazardous Materials Release Response Plans and Inventories*. Under these regulations, businesses would be required to provide workers with training on safe use, handling, and storage of hazardous materials. Businesses would maintain equipment and supplies for containing and cleaning up spills of hazardous materials that could be safely contained and cleaned by onsite workers; and would immediately notify emergency response agencies in the event of a hazardous materials release that could not be safely contained and cleaned up by onsite personnel.

Furthermore, the Health and Safety Element contains goals, policies, and actions that require local planning and development decisions to consider impacts that contribute to the risk of loss, injury, or death as a result of hazardous materials releases. Policy HS-P9.5 would require industrial projects involving use, management, or generation of hazardous materials or waste, particularly those utilizing stationary or fixed storage tanks, in areas at risk from sea-level rise, surface or emergent groundwater flooding, or tsunami to incorporate best management practices to reduce risk and prepare plans for prevention and remediation of hazardous materials/waste releases resulting from inundation. Policy HS-P9.10 specifically prohibits hazardous waste facilities in ecologically sensitive areas or areas at-risk of flood and geologic hazards. Policies HS-P9.10, HS-P9.11, and HS-P9.12 would also help to ensure that hazardous waste facilities are assessed and sited in compliance with SB 673 (Health and Safety Code Sections 25200.21(b) and (c)).

2024 CAAP Update

The 2024 CAAP Update is a policy document that aims to reduce GHG emissions and help the County to adapt to changing climate conditions and is therefore not expected to result in any specific impacts with regard to the use, transport, or disposal of hazardous materials. Strategies and actions included in the 2024 CAAP Update could result in the construction of physical improvements and infrastructure in the county that is designed to help meet the emissions targets in the CAAP. However, future construction of these physical infrastructure improvements and other related development would be unlikely to involve the transport or disposal of hazardous materials. Additionally, all future construction would be subject to the applicable federal, State, and local regulations outlined above.

Furthermore, in addition to including strategies that aim to reduce GHG emissions, the 2024 CAAP Update includes a suite of climate adaptation strategies aimed at responding to the key vulnerabilities identified in the County's vulnerability assessment. As noted in Section 5.9.1.2, *Existing Conditions*, of the GPEIR, this assessment identified several existing industrial and hazardous waste facilities located within areas at risk of climate hazards, including flooding, landslides, and wildfire. Strategies that address these hazards include Strategy NI-1 and its accompanying actions that aim to protect the community against permanent and temporary inundation from rising sea levels and shoreline flooding through green infrastructure, effective building siting and retrofits, and informed land use decisions; Strategy NI-2 and its actions that aim to increase community resilience to the direct and indirect effects of wildfires; and Strategy NI-6 and its actions that include a broader suite of actions aimed at protecting existing and future development from hazards including by considering projected impacts of climate change when siting, designing, and identifying the construction and maintenance costs of capital investment projects. These strategies and actions would help to reduce impacts from climate-related hazards to existing and future development in the county, including facilities and uses that involve the handling of hazardous materials.

Therefore, adoption of the 2024 CAAP Update primarily results in beneficial impacts with regard to hazardous material use, transport, and disposal, and would therefore have less than significant impacts.

Impact 5.9-2: Hazardous Materials Sites

2045 General Plan

As indicated in Table 5.9-1 *Active Hazardous Materials Sites in the EIR Study Area*, and in Figure 5.9-1, *Active Hazardous Material Sites*, of the GPEIR, there are multiple sites identified in the EIR Study Area that are considered active, open, or in need of further review for hazardous material cleanup. Redevelopment of these sites for development under the 2045 General Plan and proposed project could potentially expose future residents and workers to hazards from known hazardous materials releases on and near the sites.

However, development would be conducted in accordance with the 2045 General Plan and the regulations and policies of the agency assigned to the site (i.e., Department of Toxic Substances Control [DTSC], Water Quality Control Board, CUPA, or USEPA). Environmental site assessments by a qualified professional would also be required as applicable to ensure that the relevant projects would not disturb hazardous materials on any of the hazardous materials sites or plumes of hazardous materials diffusing from one of the hazardous materials sites, and that any proposed development, redevelopment, or reuse would not create a substantial hazard to the public or the environment. Phase I Environmental Site Assessments are also required for land purchasers to qualify for the Innocent Landowner Defense under Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and to minimize environmental liability under other laws such as Resource Conservation and Recovery Act (RCRA). Properties contaminated by hazardous substances are also regulated at the local, State, and federal level and are subject to compliance with stringent laws and regulations for investigation and remediation. For example, compliance with the CERCLA, RCRA, California Code of Regulations Title 22, and related requirements would remedy all potential impacts caused by hazardous substance contamination.

Furthermore, requirements for hazardous materials sites are bolstered by various goals, policies, and actions of the 2045 General Plan, including those discussed in Impact 5.9-1. Additional relevant 2045 General Plan policies and actions included under Goal HS-10 specifically address efforts to ensure that future and existing development would not be impacted by historic hazardous material releases. These include Policy HS-P10.2, which requires development of contaminated sites to comply with all cleanup plans, land use covenants, and deed restrictions imposed by the DTSC or RWQCB, and Action HS-A10.2, which directs the County to establish a mechanism to ensure that new or expanded industrial uses involving hazardous materials will fund any needed cleanup of resulting contamination.

Compliance with existing regulations and adherence to 2045 General Plan goals, policies, and actions would ensure that impacts from the proposed project would be less than significant.

2024 CAAP Update

As indicated in the discussion of the 2024 CAAP Update in Impact 5.9-1, this policy document is not expected to result in any specific impacts with regard to hazardous materials, including development on a hazardous material release or cleanup site. The 2024 CAAP Update does not include strategies or actions specific to hazardous materials and contaminated sites; however, as noted above, several CAAP strategies and actions would help to increase the County's ability to adapt to climate change-related hazards and increase resiliency against these hazards. As such, the 2024 CAAP Update has no impact.

Impact 5.9-3: Airport Hazards

2045 General Plan

Airport-related hazards are generally associated with aircraft accidents, particularly during take-off and landing. Airport operation hazards include incompatible land uses, power transmission lines and tall structures that penetrate airspace operational areas, visual distractions, and wildlife hazards (e.g., bird strikes). In accordance with State law, the Contra Costa County Airport Land Use Commission adopted an Airport Land use Compatibility Plan (ALUCP). The ALUCP sets land use compatibility and design criteria applicable to all development, including residential, that is within a certain distance from one of the County's two public airports. The ALUCP was updated in 2022 to implement the Byron Development Program. This effort included updates with new policies and maps specific to Byron Airport that reflect the 2017 Airport Layout Plan for Byron Airport, the 2005 Byron Airport Master Plan, and guidance set forth in the most recent version of the Caltrans California Airport Land Use Planning Handbook.

The 2045 General Plan and proposed project would allow for the development of sites that are within the Safety Zones of the Buchanan Field Airport or Byron Airport, as shown in Figure 5.9-2, *Buchanan Field Airport and Byron Airport Safety Zones*, of the GPEIR. However, all potential development within each airports' Safety Zones would be required to comply with the provisions for development within the ALUCP, which restricts the heights of structures pursuant to FAA Part 77 regulations. The height regulations are also adopted within the County Ordinance Code under Chapter 86.4, Airport Zoning, for the Buchanan Field Airport. Additionally, pursuant to Section 21096 of the Public Resources Code, the County must consider during future environmental review whether the project will result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area. In addition to the provisions of the ALUCP, the FAA and Caltrans Division of Aeronautics provide guidance for land use safety near airports. With adherence to these guidelines, high

concentrations of people will not be exposed to potential airplane accidents along runways or near airports while airplanes are departing and arriving. There are also guidelines on the placement of housing, schools, and other sensitive land uses near airports because of the noise pollution caused by airplanes (see also Section 5.13, *Noise*, of the GPEIR).

The 2045 General Plan also includes several policies under Goal TR-7 of the Transportation Element that would help to ensure that development is compliant with the airport land use requirements. These include Policy TR-P7.4, which directs the County to protect its airports from encroachment by incompatible uses and minimize the public's exposure to safety hazards and excessive noise by ensuring that all future development within each Airport Influence Area is consistent with the Contra Costa County ALUCP. Additionally, Policies TR-P7.5 and TR-P7.6 further reinforce the County's commitment to land use compatibility by directing the County to support existing and planned airport activities consistent with each airport's respective Airport Master Plan and the ALUCP.

With adherence to applicable procedures and requirements described above, future development projects under the proposed project would not contribute to airport-related hazards and the impact would be less than significant.

2024 CAAP Update

As indicated in the discussion of the 2024 CAAP Update in Impact 5.9-1 and Impact 5.9-2, the CAAP is a policy document and is not expected to result in any specific impacts with regard to hazards, including safety and noise hazards associated with development in proximity to an airport. The 2024 CAAP Update does not include any strategies or actions specific to airports or airport-related hazards. Therefore, the 2024 CAAP Update has no impact.

Impact 5.9-4: Emergency Responder/Evacuation Plan

2045 General Plan

As shown in Figure 5.9-4, *Evacuation Routes*, of the GPEIR, major evacuation routes for the county include a large network of interstate freeways, State routes, arterial streets, and minor roads that feed into the higher capacity evacuation routes. However, as shown in Figure 5.9-5, *Single-Access Road Residential Parcels*, of the GPEIR, many residential areas in the EIR Study Area have access to only one viable evacuation route, which presents a significant risk to safe evacuation for existing and future residents of these areas. As discussed in greater detail within Section 5.7, *Geology and Soils*, Section 5.10, *Hydrology and Water Quality*, and Section 5.18, *Wildfire*, of the GPEIR, many areas of the county are vulnerable to hazards including earthquakes, liquefaction, landslides, flooding, and wildfire. Any disasters involving these hazards can cause damage to transportation infrastructure, preventing or impeding access by emergency responders and evacuation by residents. In addition, future development under the 2045 General Plan and proposed project would result in construction activities that could temporarily affect roadways as a result of lane closures or narrowing for roadway and/or utility improvements. This could affect emergency response times or evacuation routes. By increasing the residential and daytime population in the EIR Study Area, traffic congestion may increase in some areas as well. Therefore, in the event of an accident or natural disaster, evacuation plans and routes could be adversely affected by the increased traffic.

To address such impacts, the County has adopted and continually updates a Local Hazard Mitigation Plan (LHMP). The LHMP reduces injury, loss of life, property damage, and loss of services from natural disasters and provides a comprehensive analysis of the natural and human-caused hazards that threaten the county, with a focus on mitigation. This allows the County to remain eligible to receive additional federal and State funding to assist with emergency response and recovery, as permitted by the federal Disaster Mitigation Act of 2000 and California Government Code Sections 8685.9 and 65302.6. In addition to the LHMP, the County implements the EOP and a Community Wildfire Protection Plan (CWPP) to address emergency response and wildfire mitigation planning. Contra Costa County also participates in implementing regional plans, including the Bay Area Multi-Jurisdictional Hazard Mitigation Plan, to provide the framework for responding to major emergencies or disasters.

Additionally, several 2045 General Plan Health and Safety Element policies and actions support the update and implementation of the County's LHMP and other emergency planning efforts, as described in Impact 5.9-4, Section 5.9, *Hazards and Hazardous Materials*, of the GPEIR.

Implementation of these 2045 General Plan policies would ensure that development under the 2045 General Plan and proposed project would not affect the implementation of an emergency responder or evacuation plan, resulting in a less-than-significant impact.

2024 CAAP Update

As indicated in the impact discussions above, the 2024 CAAP Update is a policy document that provides strategies to reduce GHG emissions and improve climate resiliency and adaptation. As such, all strategies and actions within the 2024 CAAP Update inherently support the implementation of emergency responder and evacuation plans, while some directly address County efforts for emergency planning. For example, Strategy NI-3 and its accompanying actions direct the County to establish and maintain community resilience hubs with microgrids, education, training opportunities, and other community-focused resources, in line with the policies and actions included under Health and Safety Element Goal HS-12. Therefore, the 2024 CAAP Update has no impact on emergency response and evacuation plans.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.9-1 to 5.9-28 of the GPEIR provide the environmental setting specific to the analysis of hazards and hazardous materials, including regulatory background and existing conditions. The environmental setting includes federal, State, regional, and local regulations affecting hazards and hazardous materials and is geographically limited to the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment that was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all existing development within the unincorporated county that could be at risk from hazards and all sites whose development could create hazardous situations and impacts. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to hazards and hazardous materials.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR determined that demolition, construction, and operational activities under the 2045 General Plan would involve use of hazardous materials (e.g., fuels, solvents, asbestos, and lead-based paint); however, compliance with

federal, State, and local regulations would minimize associated risks and reduce impacts to less than significant. Additionally, compliance with the ALCUPs would ensure impacts related to airport safety are found to be less than significant. While development under the 2045 General Plan and proposed project could strain on evacuation routes, the 2045 General Plan requires at least two evacuation routes for new development in hazard-prone areas. Furthermore, the County's Local Hazard Mitigation Plan, Emergency Operations Plan, and Community Wildfire Protection Plan would continually be updated to guide emergency response efforts. Therefore, the proposed project would not conflict with emergency response and evacuation plans.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions.

Alternatives and Mitigation Measures. The GPEIR concluded that impacts related to hazards and hazardous materials would be less than significant, with the exception of wildfire exposure risks which are evaluated in Section 5.18, *Wildfire*, of the GPEIR. Therefore, no mitigation measures were adopted and no alternatives to reduce these impacts were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to public hazards, release of hazardous materials into the environment, handling of hazardous materials within one quarter-mile of an existing or proposed school, being located on a hazardous materials site, being located within two miles of an airport, creating a safety hazard for neighbors, and impairment of an adopted emergency plan are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts related to these topics that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to these topics requiring new impact analysis or verification. There would be no new impacts and no increase in the significance of impacts related to these topics. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.9-1 Hazardous Waste Handling.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to public hazards, release of hazardous materials into the environment, and handling of hazardous materials within one quarter-mile of an existing or proposed school. Accordingly, no changes or alterations to the proposed project

were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

- **Impact 5.9-2 Hazardous Materials Sites.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to hazardous materials sites. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.9-3 Airport Hazards:** The proposed project would have a less than significant direct, indirect, and cumulative impact related to hazards associated with airports. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.9-4 Emergency Responder/Evacuation Plan.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to impairment of an adopted emergency plan. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to hazards and hazardous materials.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

10. Hydrology and Water Quality

GPEIR Impact 5.10-1: Implementation of the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. [Threshold HYD-1].

GPEIR Impact 5.10-2: Implementation of the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. [Threshold HYD-2]

GPEIR Impact 5.10-3: Implementation of the proposed project would not substantially alter the existing drainage pattern of the site or 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; or iv) impede or redirect flood flows. [Threshold HYD-3]

GPEIR Impact 5.10-4: Implementation of the proposed project would not risk release of pollutants due to project inundation if in a flood hazard, tsunami, or seiche zones. [Threshold HYD-4].

GPEIR Impact 5.10-5: The proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. [Threshold HYD-5].

Impacts Evaluated

Impact 5.10-1: Water Quality

2045 General Plan

Construction Impacts

Clearing, grading, excavation, and other construction activities have the potential to impact water quality due to soil erosion and increases in the amount of silt and debris carried in runoff. Additionally, the use of construction materials such as fuels, solvents, and paints may present a risk to surface water quality. The refueling and parking of construction vehicles and other equipment on-site during construction may result in oil, grease, or related pollutant leaks and spills that could discharge into the storm drain system.

To minimize these potential impacts, future development that disturbs one acre or more of land would require compliance with the Construction General Permit (CGP) Order WQ 2022-0057-DWQ, which includes the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). A SWPPP requires the incorporation of best management practices (BMPs) to control sediment, erosion, and hazardous materials contamination of runoff during construction and prevent contaminants from reaching receiving water bodies. The CGP also requires that prior to the start of construction activities, the project applicant must file Permit Registration Documents (PRDs) with the State Water Resources Control Board (SWRCB), which includes a Notice of Intent, risk assessment, site map, annual fee, signed certification statement, and SWPPP. The construction contractor is required to maintain a copy of the SWPPP at the site and implement all construction BMPs identified in the SWPPP during construction activities. Prior to the issuance of a grading permit, the project applicant is required to provide proof of filing of the PRDs with the SWRCB and Contra Costa County.

Submittal of the PRDs and implementation of the SWPPP throughout the construction phase of the future development through implementation of the 2045 General Plan and proposed project would

address anticipated and expected pollutants of concern from construction activities. As a result, water quality impacts associated with construction activities would be less than significant.

Operational Impacts

Future development has the potential to generate pollutants, such as nutrients, pesticides, sediment, trash and debris, oxygen demanding substances, oil and grease, and pathogens. These pollutants could eventually end up in stormwater discharged from the site and impact downstream watercourses. However, development under the 2045 General Plan and proposed project would be subject to the MS4 permit issued by the San Francisco Bay RWQCB, which was recently updated and reissued in December 2022. Project applicants would also need to comply with the requirements outlined in the CCCWP's *Stormwater C.3 Guidebook*. The Guidebook is updated periodically to reflect the latest MS4 permit requirements; therefore, future development under the 2045 General Plan and proposed project would need to comply with the latest thresholds listed for the area and the reissuance of the MS4 permit.

These Regulated Projects under the MS4 Permit are required to prepare a Stormwater Control Plan (SCP) that incorporates low impact design (LID) features. The SCP must include site design features that protect natural resources, source control measures that reduce pollutants in stormwater, and stormwater treatment measures that temporarily retain and treat stormwater on-site prior to discharge to the storm drain system. The project applicant must also prepare an Operation and Maintenance Plan that details how the stormwater treatment measures will be inspected and maintained and provide a maintenance agreement that “runs with the land” for perpetuity.

The SCP would demonstrate that runoff from impervious areas is either dispersed to landscape or routed to a properly designed LID treatment facility. LID is an approach to land development (or redevelopment) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features and minimizing impervious surfaces. There are many options for LID features, including bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and directs runoff to natural landscape features. Applied on a broad scale, LID can maintain or restore a watershed's hydrologic and ecological function.

In addition, projects that create and/or replace one acre or more of impervious surfaces must comply with the hydromodification requirements of the MS4 permit, unless exempted. This requires the design and construction of stormwater treatment measures so that post-project runoff rates and durations match the pre-project runoff rates and durations for ten percent of the 2-year peak flow up to the pre-project 10-year peak flow. Since the 2045 General Plan and proposed project do not include specific or detailed development plans, SCPs are not required at this time. New development and redevelopment projects within the EIR Study Area will be required to prepare SCPs consistent with the guidance in the CCCWP Stormwater C.3 Guidebook and the MS4 permit at the time of project application.

As part of the statewide mandate to reduce trash within receiving waters, the County is required to adhere to the requirements of the California Trash Amendments and is also required to adhere to Provision C.10 of the San Francisco Bay MS4 permit. This includes the installation and maintenance

of trash screening devices at all public curb inlets, grate inlets, and catch basin inlets or control measures for full trash capture equivalency. The trash screening devices must be approved by the SWRCB. Additionally, all development that discharges storm water associated with industrial activity must also comply with the requirements of the General Industrial Permit (Order No. 2014-0057-DWQ, last amended in 2018).

As described above in Section 5.10.3.1, *Proposed General Plan Goals, Policies, and Actions*, of the GPEIR, the Conservation, Open Space, and Working Lands and Public Services and Facilities Elements of the 2045 General Plan contain goals, policies, and actions that require local planning and development decisions to consider impacts to water quality. Compliance with and implementation of these 2045 General Plan goals, policies, and actions, in conjunction with the CCCWP and MS4 permit requirements, would ensure that development pursuant to the 2045 General Plan and proposed project would not violate any water quality standards or waste discharge requirements for both construction and operational phases, and impacts would be less than significant.

2024 CAAP Update

The 2024 CAAP Update focuses on the reduction of GHG emissions and helps the County adapt to changing climate conditions. As part of the 2024 CAAP Update's strategies to reduce water use and increase drought resilience (DR), provisions which ensure sustainable and diverse water supply are encouraged. For example, Strategy DR-2 includes actions that encourage the County Environmental Health Division to work with Groundwater Sustainability Agencies (GSAs) to ensure sustainable yield goals are met through hydrogeological evaluations in areas with known water shortages and that discourage new development that may lead to negative groundwater quality impacts. Therefore, implementation of the 2024 CAAP Update has a beneficial impact and would result in a less than significant effect on water quality.

Impact 5.10-2: Groundwater Supplies

2045 General Plan

Groundwater Use

Five of the eight groundwater basins within Contra Costa County are categorized as very low priority basins and there is no groundwater withdrawal from these basins for municipal water supply. East Bay Municipal Utility District (EBMUD) and Contra Costa Water District (CCWD) are the main water purveyors in Contra Costa County. EBMUD's service area is generally in the western portion of the county and CCWD's service area includes most of central and northeastern Contra Costa County.

Although EBMUD does pump groundwater from the Santa Clara Valley – East Bay Plain groundwater basin, most of its water supply is from surface water sources. Because of saltwater intrusion issues, there are no municipal groundwater wells in the northern portion of this groundwater basin that is within the county. Therefore, implementation of the 2045 General Plan and proposed project would not have a significant impact on groundwater supply in this basin. CCWD's water supply is surface water from the Central Valley Project (CVP) and CCWD does not use groundwater to meet its demands.

The Diablo Water District obtains approximately 20 percent of its total water supply from groundwater wells that are located within the San Joaquin Valley-East Contra Costa groundwater basin. This has

been designated as a medium priority basin by DWR and is not in overdraft. The Diablo Water District is one of the GSAs for the East Contra Costa Subbasin Groundwater Sustainability Plan (GSP). The GSP states that there are no signs of over pumping in this groundwater subbasin, and groundwater conditions reflect stability over the past 30 years. In addition, the Diablo Water District passed Regulation No. 10, Groundwater Sustainability and Protection, in 2021, which requires new residential developments and non-residential groundwater wells to install groundwater monitoring wells, connect to a recycled water system (if developed), provide access to groundwater elevation data, and perform regular water quality testing. Although Diablo Water District plans to install additional groundwater wells to supplement its surface water supply with future growth, compliance with the provisions of the GSP and Regulation No. 10 will ensure that there are no substantial decreases in groundwater supplies or interferences with sustainable groundwater management of the basin.

Bay Point, Discovery Bay, and Byron in eastern Contra Costa County have small community systems that rely on groundwater provided by Golden State Water Company and the Town of Discovery Bay Community Services District. These water agencies pump a total of 2,000 and 3,224 acre-feet per year of groundwater. Golden State Water Company pumps groundwater from the Pittsburg Plain Basin, which is a very low priority basin because of minimal groundwater use and the availability of surface water supplies. Therefore, a GSP is not required for this basin. The Town of Discovery Bay Community Services District relies solely on groundwater, but it is a GSA with the East Contra Costa Subbasin GSP. As stated previously, the GSP indicates that the East Contra Costa Subbasin is being operated within its sustainable yield and projected future growth in this area is modest. Therefore, additional development in these areas would not substantially impact groundwater supplies. In addition, the Contra Costa County Ordinance Code 81-56 § 1 states that any property needing water for domestic purposes must demonstrate an approved water supply and obtain written approval from the health officer for such development.

Additionally, future development pursuant to the 2045 General Plan and proposed project would be required to implement the water-efficient requirements specified in the CALGreen and California Plumbing Codes and the Model Water Efficient Landscape Ordinance requirements for water efficient landscaping. As specified in California Water Code Section 10910, future projects subject to CEQA that also meet the criteria under California Water Code Section 10912 would be required to prepare a Water Supply Assessment (WSA) that demonstrates that project water demands would not exceed water supplies. In addition, residential, commercial, and industrial water usage can be expected to decrease in the future as a result of the implementation of water conservation practices.

Groundwater Recharge

Although new projects pursuant to the 2045 General Plan and proposed project would increase the amount of impervious surfaces and could potentially impact groundwater recharge, these projects would be required to implement BMPs and LID measures, which include on-site infiltration, where feasible. The MS4 permit and the CCCWP *Stormwater C.3 Guidebook* require site design measures, source control measures, stormwater treatment measures, and hydromodification measures to be included in a SCP that must be submitted and approved by the County. These measures minimize the impact of impervious surfaces by including permeable pavement, drainage to landscape areas and bioretention areas, and the collection of rooftop runoff in rain barrels or cisterns. These measures would increase the potential for groundwater recharge and have a less than significant impact on groundwater levels.

If construction dewatering is required with future development within the EIR Study Area, a permit would need to be obtained from the County's Environmental Health Division for the construction of dewatering wells. An application and permit fee are required and the water discharge location, whether it is the sewer system or storm drain, must be approved by the local Building Department. The applicant must also evaluate the impact of the dewatering system on neighboring wells or the potential of spreading contamination if near a cleanup site. Construction dewatering could have a temporary effect on the shallow groundwater aquifer, but this effect would be limited in terms of the quantity of water withdrawn and the duration of the withdrawal. Therefore, construction dewatering would not result in a significant impact in terms of groundwater recharge.

Additionally, the Conservation, Open Space, and Working Lands Land Use, and Public Services and Facilities Elements of the 2045 General Plan contains goals, policies, and actions that require local planning and development decisions to consider impacts to water quality and groundwater supply. Compliance with and implementation of these 2045 General Plan goals, policies, and actions would serve to minimize potential adverse impacts on groundwater.

Therefore, the 2045 General Plan and proposed project would not significantly interfere with groundwater recharge and would not substantially deplete groundwater supplies. Thus, impacts would be less than significant.

2024 CAAP Update

The 2024 CAAP Update focuses on strategies to reduce GHG emissions and foster a sustainable community. As part of the CAAP's strategies to reduce water use and increase drought resilience (DR), provisions which ensure sustainable and diverse water supply are encouraged. For example, Strategy DR-2 includes actions that encourage the County Environmental Health Division to work with GSAs to ensure sustainable yield goals are met through hydrogeological evaluations in areas with known water shortages and coordination with GSAs to expand opportunities for groundwater recharge. The CAAP also provides reduction strategies to minimize this increase in GHG emissions through water conservation, water efficient retrofits, water-wise landscaping, and graywater and recycled water programs. Implementation of the 2024 CAAP Update further reduces water demand as compared to the analysis provided above (and provided in Section 5.17 of the GPEIR, *Utilities and Service Systems*). Therefore, impacts to groundwater supply and recharge are less than significant.

Impact 5.10-3: Hydrology

2045 General Plan

Erosion and Siltation

All potential new development pursuant to the 2045 General Plan and proposed project would be required to implement construction-phase BMPs as well as post-construction site design, source control measures, and treatment controls in accordance with the requirements of the CGP, the MS4 Permit, and the CCCWP *Stormwater C.3 Guidebook*. Typical construction BMPs include silt fences, fiber rolls, catch basin inlet protection, water trucks, street sweeping, and stabilization of truck entrances and exits. Each new development or redevelopment project that disturbs one or more acre of land would also be required to prepare and submit a SWPPP to the SWRCB that describes the measures to control discharges from construction sites. The SWPPP must list BMPs that would be implemented

to prevent soil erosion and discharge of other construction-related pollutants that could contaminate nearby water resources.

Once potential future development projects have been constructed, there are C.3 requirements in the MS4 permit for new development or redevelopment projects that must be implemented and include site design measures, source control measures, LID, and stormwater treatment measures that address stormwater runoff and would reduce the potential for erosion and siltation. Site design measures include minimizing impervious surfaces, conserving the natural areas of the site as much as possible, and protecting slopes and channels from erosion. LID measures include the use of permeable pavements, directing runoff to pervious areas, and the construction of bioretention areas. The SCP must also include operation and maintenance procedures and an agreement to maintain any stormwater treatment facilities for perpetuity. Adherence to the streambed alteration agreement process under Sections 1601 to 1606 of the California Fish and Game Code would further reduce erosion and siltation impacts that may occur due to streambed alterations. Projects that create or replace one acre or more of impervious surface and are subject to hydromodification may not increase the erosion potential of the receiving stream over pre-project conditions. Compliance with these regional and local regulatory requirements will ensure that erosion and siltation impacts from implementation of the 2045 General Plan and proposed project would be less than significant.

Flooding On- or Off-Site

New development and/or redevelopment and changes in land uses could result in increases in impervious surfaces, which in turn could result in an increase in stormwater runoff, higher peak discharges to drainage channels, and the potential to cause nuisance flooding in areas without adequate drainage facilities. However, all potential future development must comply with the requirements of the MS4 Permit and the CCCWP *Stormwater C.3 Guidebook*. Regulated projects must implement BMPs, including LID BMPs and site design BMPs, which effectively minimize imperviousness, temporarily detain stormwater on-site, decrease surface water flows, and slow runoff rates. Projects that create and/or replace one acre or more of impervious surface must also adhere to the hydromodification requirements of the CCCWP *Stormwater C.3 Guidebook* to ensure that post project runoff does not exceed pre-project runoff for 10 percent of the pre-project 2-year peak flow rate up to the pre-project 10-year peak flow rate. Adherence to these regulatory requirements would minimize the amount of stormwater runoff from new development and redevelopment within the EIR Study Area. Therefore, the projects pursuant to the 2045 General Plan and proposed project would not result in flooding on- or off-site and impacts would be less than significant.

Stormwater Drainage System Capacity

As stated in the impact discussions above, an increase in impervious surfaces with new development or redevelopment could result in increases in stormwater runoff, which in turn could exceed the capacity of existing or planned stormwater drainage systems. However, municipalities within the county have storm drain master plans, green infrastructure plans, and capital improvement programs that account for future development and expansion of the storm drain system, as needed. Also, the Contra Costa County Flood Control and Water Conservation District (CCCFCWCD) has detailed Flood Control Zone and Drainage Area maps that are used to evaluate future development plans within each zone or area and determine if the existing storm drainage infrastructure is adequate to accommodate the proposed projects.

All potential future development and redevelopment projects would be required to comply with the MS4 permit requirements and follow the CCCWP *Stormwater C.3 Guidebook* when designing on-site stormwater treatment facilities. Hydrology studies and SCPs are subject to County review for projects in the unincorporated areas to verify that the on-site storm drain systems and treatment facilities can accommodate stormwater runoff from the site and would not exceed the capacity of downstream drainage systems at the point of connection. Also, implementation of the C.3 provisions for new development, which include LID design and bioretention areas, would minimize increases in peak flow rates and runoff volumes, thus reducing stormwater runoff to the storm drain system. In addition, the County requires the payment of drainage area fees before filing the final map for new subdivisions or prior to the issuance of a building permit. These fees are paid directly to the CCCFCWCD or via cities per fee collection agreements and the funds are used to construct new storm drain infrastructure and/or maintain or repair existing storm drain infrastructure, as needed. With implementation of these regulatory requirements, there would not be a significant increase in stormwater runoff to the existing storm drain systems.

Also, new development pursuant to the 2045 General Plan and proposed project would not create substantial additional sources of polluted runoff. During the construction phase, projects would be required to prepare SWPPPs, thus limiting the discharge of pollutants from the site. During operation, projects must implement BMPs and LID measures that minimize the amount of stormwater runoff and associated pollutants.

With implementation of these control measures and regulatory provisions to limit runoff from new development sites, the 2045 General Plan and proposed project would not result in significant increases in runoff that would exceed the capacity of existing or planned storm drain facilities, and the impact is less than significant.

Redirecting Flood Flows

The discussion above regarding on- and off-site flooding is also applicable to the analysis of impeding or redirecting flood flows. Since new development projects are required to comply with MS4 permit requirements, implement the procedures in the CCCWP *Stormwater C.3 Guidebook*, and retain stormwater on-site via the use of LID design and bioretention facilities, any flood flows would also be retained for a period of time on-site, which would minimize the potential for flooding impacts. Impact 5.10-4 of the GPEIR discusses the potential for impeding or redirecting flood flows with development in areas within the 100-year floodplain. Based on these discussions, impacts related to impeding or redirecting flood flows would be less than significant.

Additionally, the Conservation, Open Space, and Working Lands, Health and Safety, Land Use, and Public Services and Facilities Elements of the 2045 General Plan contain goals, policies, and actions that require local planning and development decisions to consider impacts of future development and redevelopment on erosion and siltation, surface drainage, and flooding. Compliance with and implementation of these 2045 General Plan goals, policies, and actions, in conjunction with State and local requirements, would not result in substantial erosion or siltation and would not substantially increase the rate of surface runoff that would result in flooding, impede or redirect flood flows, or exceed the capacity of the drainage system. Impacts would be less than significant.

2024 CAAP Update

The 2024 CAAP Update focuses on the reduction of GHG emissions and includes strategies and actions for reducing these emissions in the water and wastewater sectors. As part of the 2024 CAAP Update's strategies related to resilient communities and natural infrastructure (NI), provisions protect against and adapt to changes in sea levels and other shoreline flooding conditions. For example, Strategy NI-1 includes actions that establish requirements for new development to locate habitable areas above the highest expected water level for the lifetime of the project, support natural infrastructure that protects against sea-level rise and shoreline flooding, coordinate with State and regional agencies to prepare for sea-level rise adaptation, and identify opportunities for employing natural area buffers against sea levels. Therefore, implementation of the 2024 CAAP Update has a less than significant effect on erosion or siltation, storm drain capacity, flooding on- or off-site, or impeding or redirecting flood flows.

Impact 5.10-4: Flooding

2045 General Plan

Flood Hazard Zones

Implementation of the 2045 General Plan and proposed project could involve development of some projects in FEMA 100-year flood zones. As shown in Figure 5.10-3, *FEMA 100-Year and 500-Year Flood Zones*, of the GPEIR, large areas around the north and the eastern portion of Contra Costa County are within the 100-year floodplain, as well as inland areas adjacent to creeks and streams.

Future development in these areas would be subject to Contra Costa County's Floodplain Management Ordinance. Prior to the start of construction or development within a Flood Hazard Area (i.e., 100-year floodplain or coastal high hazard area), the County requires project applicants to apply for a Floodplain Permit from the Public Works Department and construct new development in accordance with the standards of construction in Article 82-28.1002. The standards of construction vary depending on where the proposed structure is located, but typically the finished floor must be elevated at least one to two feet above the base flood elevation. Prior to occupancy of any building, proof that a Letter of Map Revision (LOMR) and an elevation certificate have been submitted to FEMA must be provided to the County. Compliance with FEMA's NFIP requirements and the County's floodplain requirements would reduce potential flood hazards and ensure that pollutants are not released during flood inundation.

Sea-Level Rise

Similar to flood hazard zones, implementation of the 2045 General Plan and proposed project could involve development of some projects in areas that will be inundated by sea-level rise and associated coastal flooding. Future development under the 2045 General Plan and proposed project within 100 feet of the San Francisco, San Pablo, or Suisan Bay shoreline would be subject to review and approval by Bay Conservation and Development Commission (BCDC). Future large shoreline projects, including shoreline protection projects, would be required to conduct a sea-level rise risk assessment and be designed to be resilient to a midcentury sea-level rise projection. BCDC requires that, if it is likely that the project will remain in place longer than midcentury, an adaptive management plan be developed to address the long-term impacts that will arise, based on the risk assessment.

Sea-level rise is also expected to raise groundwater levels, inundating areas with contaminated soils. Given that some contaminated sites in the county are located near the shoreline, rising groundwater associated with sea-level rise may cause the release of pollutants. Sea-level rise and associated groundwater rise are considered to be an effect of the environment on the project.

The California Supreme Court has determined that the evaluation of the significance of project impacts under CEQA should focus on the potential impacts of the 2045 General Plan and proposed project on the environment, including whether the 2045 General Plan and proposed project may exacerbate any existing environmental hazards. Sea-level rise is an existing environmental hazard in Contra Costa County. The discussion in this section explains the potential of the 2045 General Plan and proposed project to exacerbate impacts from sea-level rise. However, the effects of sea-level rise on the 2045 General Plan and proposed project are not subject to CEQA review following the *California Building Industry Association vs. Bay Area Air Quality Management District* (CBIA vs. BAAQMD) case. Therefore, this EIR does not make a finding regarding level of impact from sea-level rise.

Dam Inundation

There are several portions of the county that are impacted by dam inundation zones. The probability of dam failure is low and there has never been a reported dam failure in Contra Costa County. In addition, dam owners are required to maintain EAPs that include procedures for damage assessment and emergency warnings. An EAP identifies potential emergency conditions at a dam and specifies preplanned actions to help minimize property damage and loss of life should those conditions occur. The Contra Costa County Office of Emergency Services maintains copies of the most recent dam EAPs and inundation maps and uses this information to notify downstream areas in the event of a dam failure. The likelihood of catastrophic dam failure is very low.

Tsunami and Seiches

Given that Contra Costa County has never been impacted by a tsunami, the risk of flooding and the release of pollutants due to a tsunami event is unlikely. The probability that tsunamis would impact San Francisco Bay and San Pablo Bay is much smaller than areas along the Pacific Coast because the bays are enclosed bodies of water. Due to the infrequent nature of tsunamis and relatively low predicted tsunami wave heights in the area, the county is reasonably safe from tsunami hazards. Also, the County's Floodplain Ordinance includes requirements for development within coastal high-hazard areas, which include tsunami zones. In addition, there are various precautions and warning systems that would be implemented by the County in the event of a tsunami. As discussed previously, seiches are unlikely to occur because tsunamis have frequencies too short to resonate within San Pablo and San Francisco Bay.

Summary

The Conservation, Open Space, and Working Lands, Health and Safety, Land Use, and Public Services and Facilities Elements of the 2045 General Plan contain goals, policies, and actions that require local planning and development decisions to address the potential for flooding, dam inundation, and tsunamis. Compliance with and implementation of these 2045 General Plan goals, policies, and actions, in conjunction with FEMA and County regulatory requirements regarding construction in 100-year floodplains, the potential impact that there would be a release of pollutants from flooding, dam inundation, tsunamis, or seiches would be less than significant.

2024 CAAP Update

The 2024 CAAP Update focuses on the reduction of GHG emissions and includes strategies and actions for reducing these emissions in the water and wastewater sectors. As part of the CAAP's strategies related to resilient communities and natural infrastructure (NI), provisions protect against and adapt to changes in sea levels and other shoreline flooding conditions. For example, Strategy NI-1 includes actions that establish requirements for new development to locate habitable areas above the highest expected water level for the lifetime of the project, support natural infrastructure that protects against sea-level rise and shoreline flooding, coordinate with State and regional agencies to prepare for sea-level rise adaptation, and identify opportunities for employing natural area buffers against sea levels. Therefore, implementation of the 2024 CAAP Update does not result in any issues related to flooding and would have a less than significant impact on flood hazards.

Impact 5.10-5: Water Quality Control/Groundwater Management Plans

2045 General Plan

Adherence to the Construction General Permit, the MS4 permit, and the CCCWP *Stormwater C.3 Guidebook* would ensure that surface and groundwater quality are not adversely impacted during construction and operation of future development pursuant to the 2045 General Plan and proposed project. As a result, site development would not obstruct or conflict with implementation of the San Francisco Bay RWQCB's and the Central Valley RWQCB's Water Quality Control Plans (Basin Plans).

There are three groundwater basins within Contra Costa County that have GSPs. No water agencies are using groundwater from the Santa Clara Valley – East Bay Plain Subbasin as a municipal water supply source. The Livermore Valley Subbasin is managed by the Zone 7 Water Agency, which submitted an Alternative GSP. The groundwater basin is not in critical overdraft condition and the 2021 Alternative GSP demonstrates that the basin has continued to operate within its sustainable yield over a period of at least 10 years. The San Joaquin Valley – East Contra Costa Subbasin is not in critical overdraft and does not show any signs of over-pumping. In addition, the water purveyors within the Contra Costa County service area rely primarily on surface water, which accounts for more than 85 percent of their water supply.

Additionally, the Conservation, Open Space, and Working Lands, Land Use, and Public Services and Facilities Elements of the 2045 General Plan contain goals, policies, and actions that require local planning and development decisions to consider impacts to groundwater supply and groundwater management. Therefore, future development and redevelopment as a result of the 2045 General Plan and proposed project would not obstruct or conflict with any groundwater management plans, and the impact would be less than significant.

2024 CAAP Update

The 2024 CAAP Update focuses on strategies to reduce GHG emissions and foster a sustainable community. It provides reduction strategies to minimize increases in GHG emissions through water conservation, water efficient retrofits, water efficient landscaping, and graywater and recycled water programs. 2024 CAAP Update Strategy DR-2 includes actions that encourage the County Environmental Health Division to work with GSAs to ensure sustainable yield goals are met through hydrogeological evaluations in areas with known water shortages and coordination with GSAs to

expand opportunities for groundwater recharge. The CAAP also provides reduction strategies to minimize this increase in GHG emissions through water conservation, water efficient retrofits, water-wise landscaping, and graywater and recycled water programs. Therefore, implementation of the 2024 CAAP Update does not conflict or obstruct implementation of the Basin Plan or GSP, and impacts are considered less than significant.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.10-1 to 5.10-38 of the GPEIR provide the environmental setting specific to the analysis of hydrology and water quality, including regulatory background and existing conditions. The environmental setting includes federal, State, regional, and local regulations affecting hydrology and water quality and is geographically limited to the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all potential development within the unincorporated county that could be at risk from hydrologic hazards (such as flooding or tsunamis) or cause hydrology and water quality impacts. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to hydrology and water quality.

Impacts Adequately Described. The GPEIR concluded that development under the 2045 General Plan would not violate water quality standards or significantly degrade surface or groundwater quality due to strict adherence to regulatory measures such as SWPPPs, BMPs, and LID techniques. It would also avoid substantial groundwater depletion or interference with recharge, as most of the county's water supply comes from surface water and groundwater basins managed under approved GSPs. Increased impervious surfaces from future development would be mitigated through LID measures like permeable paving and bioretention, while hydromodification controls ensure stormwater flows are managed to prevent erosion and flooding. Development in flood-prone areas would comply with FEMA and County standards, while adaptation strategies such as sea-level rise planning and dam failure protocols further reduce risk. The GPEIR also determined that the 2045 General Plan aligns with regional water quality control plans and groundwater management policies. All impacts were found to be less than significant.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection of the GPEIR. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR concluded that all impacts related to hydrology and water quality would be less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce these impacts were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to hydrology and water quality are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to hydrology and water quality that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to hydrology and water quality requiring new impact analysis or verification. There would be no new impacts and no increase in the significance of impacts related to hydrology and water quality. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.10-1 Water Quality.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to water quality standards or waste discharge requirements. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.10-2 Groundwater Supplies.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to groundwater supplies and groundwater recharge. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.10-3 Hydrology.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to erosion, runoff, and flood flows. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.10-4 Flooding.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to risk release of pollutants due to inundation. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.10-5 Water Quality Control/Groundwater Management Plans.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to obstruction of implementation of a water quality control plan or sustainable groundwater management plan. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to hydrology and water quality.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not

known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

11. Land Use and Planning

GPEIR Impact 5.11-1: Project implementation would not divide an established community.
[Threshold LU-1]

GPEIR Impact 5.11-2: Project implementation would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect.
[Threshold LU-2]

Impacts Evaluated

Impact 5.11-1: Division of Established Community

2045 General Plan

Neither the 2045 General Plan or proposed project propose project-specific development. The 2045 General Plan aims to improve access and mobility for existing and future residents by providing vehicular connections and non-motorized transportation options. The land use pattern proposed in the 2045 General Plan would increase development density and intensity in established community cores. The county provides access through these community cores and throughout the county via major roadways and transit and pedestrian pathways. Overall, the land uses in the 2045 General Plan are largely consistent with existing development patterns.

No aspect of the 2045 General Plan or proposed project would divide existing communities in the county. In addition, the 2045 General Plan includes provisions that directly address land use connectivity, compatibility, and encroachment of new development on existing neighborhoods and land uses, as detailed in Section 5.11, *Land Use and Planning*, of the GPEIR.

Because implementation of the 2045 General Plan and proposed project would not divide established communities and the 2045 General Plan includes policies and a land use plan that improve connectivity, the impact would be less than significant.

2024 CAAP Update

The 2024 CAAP Update aims to reduce GHG emissions and improve resiliency to future climate conditions. The 2024 CAAP Update does not involve any land use changes. As this is a policy document with no land use changes, the 2024 CAAP Update does not have any significant physical environmental effects related to land use and planning. No impact would occur.

Impact 5.11-2: Land Use Plan Consistency

2045 General Plan

Plan Bay Area 2050

Plan Bay Area 2050 is a 30-year plan that charts a course for a Bay Area that is affordable, connected, diverse, healthy, and vibrant for all residents through 2050 and beyond. While Plan Bay Area 2050 does not override local land use control, it provides guidance to local jurisdictions, including Contra Costa County, on how future development can be consistent with the State's GHG and VMT reduction goals. This includes constructing more infill development in downtowns and centers in close proximity to jobs and services.

The Land Use Element of the 2045 General Plan sets the foundation for future growth, change, and preservation in the EIR Study Area. In addition to the policies identified in Impact 5.11-1, 2045 General Plan goals and policies would serve to support the concepts in Plan Bay Area by encouraging infill and limiting the extent of development (Goal LU-2 and associated policies), supporting a sustainable development pattern that places a mix of jobs and housing in close proximity to each other and to transit (Goal LU-3 and associated policies), directing development to where there is already infrastructure and services (Goal LU-5 and associated policies, plus Policy LU-P7.6), and promoting mixed-use development (Goal LU-8 and associated policies).

The 2045 General Plan goals and policies listed above would support the goals of Plan Bay Area. Accordingly, the 2045 General Plan and proposed project would not conflict with or be inconsistent with Plan Bay Area 2050, resulting in a less-than-significant impact.

Airport Land Use Compatibility Plan

Areas within the unincorporated county and several cities are in Buchanan Field and Byron Airports' Safety Compatibility Zones, as shown in Figure 5.9-3, *Buchanan Field Airport and Byron Airport Safety Zones*, in Section 5.9, *Hazards and Hazardous Materials*, in the GPEIR. These zones restrict certain land uses and heights of structures pursuant to Federal Aviation Administration Part 77 Regulations protecting airspace near the airport. All potential development within each airport's Safety Zones would be required to comply with the provisions for development in the ALUCP and FAA Part 77 regulations. In addition, 2045 General Plan Policies TR-P7.4 through TR-P7.6 would serve to minimize impacts from development in close proximity to the airports.

In accordance with these policies, the County will continue to coordinate with agencies and jurisdictions regarding development in close proximity to the airports and ensure that future development is consistent with the ALUCP. Future development within airport influence areas would also be subject to review by the ALUC for a determination of consistency with the ALUCP. Therefore, the 2045 General Plan and proposed project would not conflict with or be inconsistent with the ALUCP, resulting in a less-than-significant impact.

Delta Plan

The Delta Plan is a comprehensive long-term management plan for the Sacramento-San Joaquin River Delta. The Delta Plan includes rules and recommendations that support the State's goals for the Delta to: (1) improve water supply; (2) protect and restore a vibrant and healthy Delta ecosystem; and (3)

preserve, protect, and enhance the unique agricultural, cultural, and recreational characteristic of the Delta. The 2045 General Plan includes goals and policies that support these goals of the Delta Plan:

Policy COS-P7.1 requires new developments to reduce water consumption through the use of water-saving devices, efficient technology, landscaping strategies, and treated recycled water where available. Policy COS-P7.4 requires proof of adequate on-site groundwater during the development review process for projects in areas without a water service provider and compliance with the County's well regulations ensuring the project will not significantly impact the aquifer or negatively affect existing development. Policy COS-P7.5 prohibits new developments that would create or significantly aggravate groundwater overdraft conditions, land subsidence, or other "undesirable results," as defined in Section 354.26 of the California Water Code. Policy COS-P7.6 supports having multipurpose water storage options that incorporate water supply, flood control, surface and groundwater storage, groundwater management, and ecosystem components. Policy COS-P8.1 protects public water supplies by preventing pollution from new sources in groundwater basins and watersheds and supporting efforts to acquire and protect reservoir watersheds. Policy COS-P8.5 requires having groundwater monitoring programs for all large-scale commercial and industrial facilities using wells and prohibits discharge of hazardous materials through injection wells. Policy COS-P9.1 promotes for having increased freshwater flow into, through, and from the Delta into San Francisco Bay, and support other efforts to protect and improve Delta water quality. Policy COS-9.2 supports having continued maintenance and improvement of Delta levees to protect water quality, ecosystems, agricultural land, and at-risk communities. Policy COS-P9.3 opposes all efforts to construct an isolated conveyance (such as a peripheral canal or tunnel) or any other water diversion system that reduces Delta water flows unless and until it can be conclusively demonstrated that such a system would protect, preserve, and enhance water quality and fisheries of the San Francisco Bay/Delta estuary system. Policy COS-P9.4 plans for land uses near shorelines that do not pose a threat to Bay or Delta resources, including water quality and shoreline and marshland habitats.

In addition, Delta Plan Policy DP P1 requires that any new residential, commercial, or industrial development must be limited to areas within the ULL, and also specifies that no new residential, commercial, or industrial development may occur on Bethel Island, even though it is inside the ULL unless it is consistent with the previous General Plan. Although the 2045 General Plan would redistribute some of the previous General Plan development capacity on Bethel Island by expanding commercial uses and reducing residential uses, the 2045 General Plan does not allow a net increase in allowed development on the island. Therefore, the 2045 General Plan is consistent with this key Delta Plan policy.

Furthermore, proposed Policy LU-P6.1 directs the County to ensure that County projects and decisions on private development and land use activities in the Legal Delta are consistent with the Delta Plan. Overall, the 2045 General Plan goals, policies, and land use map support the goals of the Delta Plan, and the impact is less than significant.

Land Use and Resource Management Plan for the Primary Zone of the Delta

As mentioned in Section 5.11.1.1, *Regulatory Background*, of the GPEIR, the Land Use and Resource Management Plan guides local decisions related to agriculture, flood protection, Delta communities, natural resources, recreation, and utilities and infrastructure within the Primary Zone of the Delta. General plans and projects within the Primary Zone must align with the Plan and are subject to review

by the Commission. As shown in Figure 5.11-1, *Sacramento-San Joaquin Delta*, in the GPEIR, the Primary Zone extends into the eastern portion of the county, including the unincorporated areas of Winter Island, Jersey Island, Bradford Island, Web Tract, Quimby Island, Holland Tract, a portion of Knightsen, Veale Tract, Palm Tract, Orwood Tract, and Coney Island. The 2045 General Plan would designate these areas as Public/Semi-Public, Parks and Recreation, Resource Conservation, Agriculture Core, and Agriculture Lands. These designations would maintain the primarily agricultural, natural resource, recreation, and public service uses in these areas, which are consistent with the Land Use and Resource Management Plan. In addition, proposed Policy LU-P6.1 directs the County to ensure that County projects and decisions on private development and land use activities in the Legal Delta are consistent with the Land Use and Resource Management Plan. Therefore, the impact would be less than significant.

San Francisco Bay Plan

The San Francisco Bay Plan provides a formula for developing the Bay and shoreline to their highest potential while protecting the Bay as an irreplaceable natural resource. General plans and projects within the Bay Area must align with the San Francisco Bay Plan. The portions of the EIR Study Area that are covered by the San Francisco Bay Plan include the west and northwest portions of the unincorporated county along Suisun Bay and San Francisco Bay. The 2045 General Plan includes policies aimed at protecting these areas and Bayshore resources. In particular, Policy COS-P9.3 directs the County to oppose all efforts to construct an isolated conveyance or any other water diversion system that reduces Delta water flows unless and until it can be conclusively demonstrated that such a system would protect, preserve, and enhance water quality and fisheries of the San Francisco Bay/Delta estuary system. In addition, Policy COS-P9.4 directs the County to plan for land uses along shorelines that do not pose a threat to Bay or Delta resources, including water quality and shoreline and marshland habitats. Furthermore, Policy LU-P9.4 directs the County to prioritize industrial land along the Bay and Delta for uses requiring deep-water access or large quantities of raw water and discourages the siting of other industrial uses at these locations. This would help to ensure the area along the Bay in the EIR Study Area is developed to its highest potential, as called for in the Bay Plan. Therefore, the 2045 General Plan and proposed project would be consistent with the Bay Plan and the impact would be less than significant.

East Contra Costa HCP/NCCP

As discussed in Section 5.4, *Biological Resources*, in the GPEIR, the East Contra Costa County HCP/NCCP is intended to provide regional conservation and development guidelines to protect natural resources while improving and streamlining the permit process for take of State and federally listed species. The HCP/NCCP was developed by a team of scientists and planners with input from independent panels of reviewers and stakeholders. The 2045 General Plan discourages conversion of land designated Resource Conservation or Parks and Recreation to urban uses and requires mitigation through the replacement of land with equal biologic, scenic, or recreational value if such conversion is to occur, per Policy COS-P1.3. Additionally, Policy COS-P4.2 encourages consistency with the HCP/NCCP by directing the County to support land conservation and restoration consistent with the HCP/NCCP and discourage development in areas where conservation is planned. Policies COS-P1.1 and COS-P1.2 also support the goals of the HCP/NCCP to protect open space and ecologically sensitive areas. As such, the 2045 General Plan and proposed project are consistent with the adopted

HCP/NCCP in terms of land uses and habitat protection. Implementation of the General Plan and proposed project would not conflict with the provisions of the East Contra Costa HCP/NCCP.

Summary

In summary, the 2045 General Plan is the primary planning document for Contra Costa County. The 2045 General Plan is intended in part to ensure consistency between the General Plan and updated State laws. The proposed project is consistent with the 2045 General Plan and proposes no changes that would conflict with the above described plans. As described above, the 2045 General Plan and proposed project would support applicable land use plans adopted for the purpose of avoiding or mitigating an environmental impact. The 2045 General Plan is the overriding planning document for the county, and it would replace the previous General Plan. Therefore, the impact would be less than significant.

2024 CAAP Update

The 2024 CAAP Update aims to reduce GHG emissions and improve resiliency to future climate conditions. The 2024 CAAP Update does not involve any land use changes. As this is a policy document with no land use changes, the 2024 CAAP Update does not have any significant physical environmental effects related to conflicts with land use plans adopted for the purpose of avoiding or mitigating an environmental impact. No impact would occur.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.11-1 to 5.11-6 of the GPEIR provide the environmental setting specific to the analysis of land use and planning, including regulatory background and existing conditions. The environmental setting includes State, regional, and local regulations affecting land use and planning and is geographically limited to the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses the area under the County's land use jurisdiction (the unincorporated county). Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to land use and planning.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that the 2045 General Plan would not divide any established communities. The GPEIR also concluded that the 2045 General Plan is consistent with applicable regional and State plans aimed at protecting the environment and guiding sustainable development. Because the 2045 General Plan adheres to and in many cases enhances existing environmental protection, its impact related to plan consistency is less than significant and no mitigation is required.

The proposed project supports environmental protection goals and regional planning efforts identified in the GPEIR. Specifically, by limiting urban expansion and guiding development toward the most suitable areas of the county through ULL contractions, the project upholds the regional goals of containing sprawl, reducing greenhouse gas emissions, and preserving open space and sensitive habitats. For example:

- The proposed ULL changes are consistent with Plan Bay Area 2050's priority to direct growth toward existing communities.
- By restricting urban development in areas with environmental constraints, the proposed project aligns with the Delta Plan and HCP/NCCP goals of managing risk and protecting ecological resources.
- The shoreline adjustments improve consistency with the San Francisco Bay Plan by clarifying boundaries and removing undevelopable areas from within the ULL.

Overall, the proposed project reinforces the 2045 General Plan's emphasis on sustainable growth and environmental stewardship.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection of the GPEIR. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR concluded that all impacts related to land use and planning would be less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce these impacts were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project involving physical division of an established community and conflicts with applicable plans, policies, and regulations adopted for the purpose of avoiding or mitigating environmental effects would be the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts related to these topics that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to these topics requiring new impact analysis or verification. There would be no new impacts and no increase in the significance of impacts related to these topics. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.11-1 Division of Established Community.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to dividing an established community. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.11-2 Land Use Plan Consistency.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to conflicts with a plan adopted to

mitigate environmental effects. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to land use and planning.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

12. Noise

GPEIR Impact 5.13-4: Implementation of the proposed project would not expose future residents to excessive levels of airport-related noise. [Threshold N-3].

Impacts Evaluated

Impact 5.13-4: Airport Noise

2045 General Plan

Aircraft noise in the county is typically characterized as occasional, and the majority of flights served by the Buchanan Field Airport and Byron Airport are for training or recreational purposes. Pursuant to Section 21096 of the Public Resources Code, the lead agency must consider whether the project will result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area. Future housing development or other sensitive uses could be in areas that exceed the 60 dBA CNEL as a result of implementation of the 2045 General Plan and proposed project. However, several 2045 General Plan policies in the Transportation and Health and Safety Element would reduce impacts to a less than significant impact, as discussed in Impact 5.13-4, Section 5.13, *Noise*, in the GPEIR.

2024 CAAP Update

The 2024 CAAP Update is a policy document that provides strategies for reducing GHG emissions and adapting to changing climate conditions. The 2024 CAAP Update does not directly result in any

new development that would place sensitive receptors near airport noise sources, nor would it facilitate the development of new airstrips or airports. Therefore, impacts would be less than significant.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.13-1 to 5.13-26 of the GPEIR provide the environmental setting specific to the analysis of noise, including noise and vibration fundamentals, regulatory background, and existing conditions. The environmental setting includes federal, State, and local regulations affecting noise and vibration and is geographically limited to the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all areas of the unincorporated county that could be impacted by noise and vibration and all development within the unincorporated county that could cause noise and vibration impacts. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to noise.

Impacts Adequately Described. As described above in *Impacts Evaluated*, The GPEIR concluded that development pursuant to the 2045 General Plan would not result in significant impacts related to airport noise. The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions.

Alternatives and Mitigation Measures. The GPEIR concluded that impacts related to airport noise would be less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce this impact were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to noise and vibration are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts related to noise and vibration that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to noise and vibration requiring new impact analysis or verification. There would be no new impacts and no increase in the significance of impacts related to noise and vibration. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.13-4 Airport Noise.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to exposure of people to excessive levels of airport-related noise. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to noise.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

13. Population and Housing

GPEIR Impact 5.14-1: The proposed project would not induce substantial unplanned population growth in the EIR Study Area. [Threshold P-1].

GPEIR Impact 5.14-2: The proposed project would not result in the displacement of people and/or housing. [Threshold P-2].

Impacts Evaluated

Impact 5.14-1: Population Growth

2045 General Plan

Future development in the EIR Study Area is projected to occur through approved and pending development projects and on vacant and underutilized parcels within unincorporated communities that are designated for a use that allows development. Therefore, the 2045 General Plan and proposed project could induce substantial, unplanned population growth directly or indirectly in any particular location. As of 2020, the EIR Study Area has a population of approximately 174,000 with about 64,000 homes. The 2045 General Plan and proposed project are projected to result in an increase of 23,200 new housing units and 65,600 new residents in the EIR Study Area by 2045. This equates to a 38-percent increase in housing units and a 36-percent increase in total population over the 25-year planning timeframe.

Approximately 33 percent of this residential growth would be required to fulfill the unincorporated county's 2023-2031 Regional Housing Needs Allocation (RHNA) of 7,610 units, which is growth dictated by California Housing Law and not the County. It is anticipated that future RHNA cycles will continue to dictate additional housing growth within the EIR Study Area after 2031 and through the 2045 General Plan's 2045 horizon.

As shown in Table 5.14-6, *Summary of the EIR Area's Projected Growth (5-Year Increments)*, of the GPEIR, regional projections for the EIR Study Area anticipate an approximately 12-percent increase in housing units and a 20-percent increase in population by 2040. The development potential under the 2045 General Plan and proposed project would allow for a 38-percent increase in housing units and population by 2045. Therefore, implementation of the 2045 General Plan and proposed project would exceed current regional projections for housing by 26 percent and population by 18 percent based on these factors alone. However, it is important to note that regional projections used were from Plan Bay Area 2040 and not the updated Plan Bay Area 2050 because the more recent Plan does not differentiate between Contra Costa County as a whole and the unincorporated portion of the county. In addition, Plan Bay Area relies on local general plan growth projections when preparing growth forecasts, so the 2045 General Plan and proposed project would be incorporated into future growth forecasts.

The Land Use Element serves as the blueprint for the development of public and private property in the EIR Study Area and sets the foundation for future growth, change, and preservation. Several Land Use Element policies and actions would serve to minimize potential adverse impacts related to growth, as discussed in Impact 5.14-1 in Section 5.14, *Population and Housing*, of the GPEIR. These policies and actions described would limit development to areas that are planned for urban uses and direct the County to monitor and control growth in the EIR Study Area to ensure it remains within the development projections analyzed in the EIR.

Although the 2045 General Plan and proposed project would accommodate population and housing growth that exceeds the Plan Bay Area 2040 projections, they would not introduce a substantial amount of unplanned population in the EIR Study Area because the 2045 General Plan will become the overriding policy document that plans for such growth. All potential future development would be required to adhere to the policy guidance described above, which limits development to areas that are already planned for urban uses, as well as comply with any required site-specific infrastructure improvements and pay any project-specific impact fees. Therefore, implementation of the 2045 General Plan and proposed project would not induce substantial unplanned population growth either directly or indirectly and the impact is less than significant.

2024 CAAP Update

The 2024 CAAP Update does not include projects that would result in residential development nor an unanticipated increase in density or population growth outside of what was accounted for and projected within the 2045 General Plan. Some CAAP strategies could promote the construction of utility-scale energy projects (e.g., solar, battery storage, substation, and transmission) and water facilities and supplies. However, these types of facilities would not directly serve residential uses such that they would induce population growth in their vicinity. Therefore, impacts would be less than significant.

Impact 5.14-2: Displacement

2045 General Plan

Implementation of the 2045 General Plan and proposed project are projected to result in an increase of 23,200 housing units in the EIR Study Area over a 25-year horizon, contributing to a net increase in housing units. It is anticipated that residential development would occur on vacant sites, as well as through redevelopment on sites that may include existing housing units, although no major redevelopment projects are envisioned in the General Plan. Therefore, it is possible that construction activities could displace an unknown number of existing residents or housing units. However, all redevelopment would be voluntary in nature, and no housing units would be displaced without permission of the property owners.

In addition, the County's 6th Cycle Housing Element includes policies that minimize potential adverse impacts related to population and housing displacement. For example, Policy HE-P1.4 directs the County to maintain a condominium conversion ordinance aimed at mitigating the impacts to displaced tenants and ensuring the quality of the units being sold to homeowners. Also, Policy HE-P1.5 directs the County to preserve existing affordable housing developments at risk of converting to market-rate housing through bond refinancing and other mechanisms.

Because the 2045 General Plan and proposed project would allow a net increase of housing and does not envision substantial redevelopment projects, and because the existing Housing Element includes policies that protect existing neighborhoods and housing, the impact related to housing displacement would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that does not include projects that would displace substantial numbers of existing people or housing. To the contrary, the 2024 CAAP Update strategies and actions would support affordable housing, promote stability in housing, and otherwise support development as already anticipated by General Plan land use assumptions. Strategy BE-2 includes an action to create a detailed County road map to convert existing homes and business to use low-carbon or carbon-free appliances while supporting an equitable that minimizes the risk of displacement or disruptions. These retrofits and upgrades for new developments are not anticipated to displace substantial housing or population. This impact would be less than significant.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.14-1 to 5.14-7 of the GPEIR provide the environmental setting specific to the analysis of population and housing, including regulatory background and existing conditions. The environmental setting includes State, regional, and local regulations affecting population and housing and is geographically limited to the unincorporated county. The environmental setting also includes all projected growth for the Bay Area under Plan Bay Area 2050. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses the area where the County has land use jurisdiction (the unincorporated county) and responsibility to plan for housing production and population growth. Therefore, the GPEIR

adequately describes the environmental setting for the proposed project with respect to population and housing.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the population and housing growth anticipated under the 2045 General Plan Development Scenario would exceed the Plan Bay Area 2050 regional growth forecasts for the unincorporated county. However, policies and actions in the 2045 General Plan guide development toward areas already planned for urban uses and direct the County to monitor growth and conduct additional environmental analysis before allowing the development capacity analyzed in the GPEIR to be exceeded. The GPEIR also noted that the County's adopted 6th Cycle Housing Element includes policies that help to prevent new development from displacing existing residents. The GPEIR concluded that population and housing impacts under the 2045 General Plan were less than significant.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection of the GPEIR. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR concluded that all impacts related to population and housing would be less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce these impacts were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to population and housing are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts related to population and housing that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to population and housing requiring new impact analysis or verification. There would be no new impacts and no increase in the significance of impacts related to population and housing. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.14-1 Population Growth.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to substantial unplanned population growth. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

- **Impact 5.14-2 Displacement.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to displacement of people or housing. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to population and housing.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

14. Public Services and Recreation

GPEIR Impact 5.15-1: The proposed project could introduce new structures and residents into the CCCFPD, RHFPD, SRVFPD, and KFPD service boundaries, thereby increasing the requirement for fire protection facilities and personnel. [Threshold FP-1]

GPEIR Impact 5.15-2: The proposed project could introduce new structures and residents into the CCCOS service boundaries, thereby potentially increasing the requirement for police protection facilities and personnel. [Threshold PP-1].

GPEIR Impact 5.15-3: Development under the proposed project could generate new students who would impact the school enrollment capacities of area schools and result in the need for new and/or expanded school facilities, the construction of which could result in environmental impacts [Threshold SS-1].

GPEIR Impact 5.15-4: Development under the proposed project could generate new residents in the county and result in the need for new and/or expanded library facilities, the construction of which could result in environmental impacts. [Threshold LS-1].

GPEIR Impact 5.15-5: The proposed project could generate additional residents that would increase the use of existing park and recreational facilities but would not require the immediate provision of new and/or expanded recreational facilities. [Thresholds R-1 and R-2].

Impacts Evaluated

Impact 5.15-1: Fire Protection Services

2045 General Plan

The EIR Study Area is served by several fire protection districts including the Contra Costa County Fire Protection District (CCCFPD), Rodeo-Hercules Fire Protection District (RHFPD), San Ramon Valley Fire Protection District (SSRVFPD), and Kensington Fire Protection District (KFPD). The total growth projected in the unincorporated county by 2045 under the 2045 General Plan and proposed project is approximately 23,200 new housing units, 65,600 new residents, 1.2 million square feet of new commercial space, and 5 million square feet of new industrial space. The increase in population as a result of the 2045 General Plan and proposed project would be expected to generate the typical range of service calls, including fire, emergency medical service, and other incidents. New fire personnel, vehicles, and equipment would be required to provide adequate response times to serve future development. Therefore, the CCCFPD, RHFPD, SRVFPD, and KFPD's respective costs to maintain equipment and facilities and to train and equip personnel would also increase. However, the additional personnel and materials costs would likely be gradual as the increase in population would occur incrementally over time.

As detailed in the policies and actions included under Goal PFS-3 in the Public Facilities and Services Element, future development would help to fund public facilities and services, including fire protection services. For example, Policy PFS-P3.2 requires that new development pay its fair share of public improvement costs for services based on the proportionate cost of serving the project. Action PFS-A3.2 would require the County to regularly update its development fees to support Policy PFS-P3.2. Policy PFS-P3.3 would require new development lacking sufficient infrastructure and facilities to implement a public facilities financing plan. The 2045 General Plan's wildfire safety-related policies within the Health and Safety Element would also ensure that new development is designed and operated under stringent safety standards, thereby reducing the demand on fire services.

As such, it would be possible to assess the need for additional fire and emergency medical service personnel and equipment and address these needs to ensure that adequate fire service response time standards are maintained. However, as a matter of information, if and when the construction or expansion of facilities to accommodate additional personnel or equipment should become necessary, CEQA review, General Plan provisions, Ordinance Code regulations, and payment of impact fees would all be required. The County would continue to monitor service needs and construct facilities as needed over time. The impact on fire protection and emergency medical response services would be less than significant.

2024 CAAP Update

As a policy document that aims to reduce GHG emissions and to help the county to adapt to changing climate conditions, the 2024 CAAP Update is not expected to result in any impacts with regard to fire protection services. Strategy BE-3 under the 2024 CAAP Update seeks to accelerate the replacement of electricity generated by fossil fuels with electricity generated from renewable or carbon-free sources. To implement this strategy, the CAAP directs the County to work with CCCFPD and other organizations that provide fire protection services to promote participation in the Self-Generation Incentive Program and related efforts to provide education and incentives for battery storage programs. The Self-Generation Incentive Program is a statewide initiative to provide incentives for battery storage systems among other energy storage systems. While this action directs coordination with the county's fire protection districts to potentially provide increased fire protection services, it is not likely to result in the need for new facilities. Therefore, impacts from the 2024 CAAP Update are considered less than significant.

Impact 5.15-2: Police Protection Services

2045 General Plan

While no specific development proposals are directly associated with the 2045 General Plan and proposed project, theoretical development would result in an increase in population and thus an increase in demand for police protection services from the Contra Costa County Office of the Sheriff. As discussed under Impact 5.15-1 in the GPEIR, development under the 2045 General Plan and proposed project could result in an increase of approximately 65,600 new residents in the county. As development occurs, there would be an increase in calls for service which may require additional police personnel. Future development is expected to generate the typical range of service calls. Additional police personnel, vehicles, and equipment would likely be required to provide adequate response times to serve future growth. Therefore, the County's costs to maintain equipment and facilities and to train and equip personnel would also increase. However, the additional personnel and materials costs would likely be gradual as the increase in population would occur incrementally over time.

Several policies and actions in the 2045 General Plan would ensure that future development would be provided police services and contribute to the funding of such services. As discussed under Impact 5.15-1, Policies PFS-3.2 and PFS-3.3 would require new development to pay its fair share of costs for public improvements and services or develop a public facilities financing plan in the event that existing infrastructure cannot adequately serve the development. Action PFS-A6.1 also directs the County to revise the County Ordinance Code to incorporate standards for new development that support a safe, accessible public realm for all through environmental design, thereby decreasing potential demand for police services. The County also currently levies land development impact fees to fund police services.

As such, it would be possible to assess the need for additional police personnel and equipment and address these needs to ensure that the law enforcement response time standards in the county are maintained. However, as a matter of information, if and when the construction or expansion of facilities to accommodate additional personnel or equipment could become necessary, CEQA review, 2045 General Plan provisions, Ordinance Code regulations, and payment of impact fees would all be required. Therefore, the impact on police protection services would be less than significant.

2024 CAAP Update

As a policy document that aims to reduce GHG emissions and to help the county to adapt to changing climate conditions, the 2024 CAAP Update is not expected to result in any impacts with regard to police protection services. The CAAP does not include any strategies or actions that would result in a direct increase in demand for police protection services, nor does it otherwise address police services. As such, the 2024 CAAP Update has no impact.

Impact 5.15-3: School Services

2045 General Plan

A significant impact would result if, in order for the school districts to adequately serve the EIR Study Area, increased school enrollment would require the construction of new facilities or the expansion of existing schools, the construction or operation of which would cause significant environmental impacts. New development under the 2045 General Plan and proposed project would cause an increase in student population over the next 20 years. The projected increase in students across the EIR Study Area would likely be gradual for the duration of the 2045 General Plan and proposed project as more housing units are incrementally added to the EIR Study Area.

Under the 2045 General Plan and proposed project, approximately 23,200 new housing units are projected to be developed across the unincorporated county by 2045. As shown in Table 5.15-5, *Student Generation Factors for Contra Costa County School Districts*, from the GPEIR, approximately 6,844 new students would be added to the unincorporated county's student population from new residential development. Similarly, development under the 2045 General Plan and proposed project could result in 1.2 million square feet of new commercial space and 5 million square feet of new industrial space. The resulting increase in student population from new commercial and industrial development is approximately 3,100 students. Therefore, approximately 9,944 total new students would be added to the unincorporated county over the planning horizon of the 2045 General Plan and proposed project.

To ensure that school capacities are not exceeded from new development, the Public Facilities and Services Element includes Policy PFS-P9.1 which directs the County to coordinate with affected school districts to ensure adequate school capacity is or will be available, school sites are designated or dedicated if necessary, and adequate access is provided, when reviewing new development proposals. Additionally, existing funding mechanisms would lessen potential impacts related to an increase in the student population. As detailed in Section 5.15.3.1, *Environmental Setting*, of the GPEIR, all districts in the county are funded through the payment of development fees pursuant to SB 50/Government Code Section 65995 and County Ordinance 812. These fees are required to be paid by future development prior to issuance of building permits and would be used to offset the impact of the number of new students generated by the anticipated population increase under the 2045 General Plan and proposed project. Ultimately, the provision of schools is the responsibility of the school district. SB 50 provides that the statutory fees found in the Government and Education Codes are the exclusive means of considering and mitigating for school impacts. Imposition of the statutory fees constitutes full and complete mitigation (Government Code Section 65995[b]).

Furthermore, a school district and a development project have the option of entering into various alternative mitigation agreements to ensure the timely construction of school facilities to house students from new residential development. The primary financing mechanism authorized in these

mitigation agreements is the formation of a community facilities district, pursuant to the Mello-Roos Community District Act of 1982. In lieu of an alternative mitigation agreement, State-mandated school facilities fees, which help maintain adequate school facilities and levels of service, may also reduce potential impacts, as described above.

The existing regulatory setting, including funding mechanisms, would ensure that potential impacts to school facilities and services with development under the 2045 General Plan and proposed project would be less than significant. Furthermore, the 2045 General Plan includes goals and policies to maintain adequate levels of service for schools. Therefore, impacts would be less than significant.

2024 CAAP Update

As a policy document that aims to reduce GHG emissions and to help the county to adapt to changing climate conditions, the 2024 CAAP Update is not expected to result in any impacts with regard to school services. There are no strategies or actions in the 2024 CAAP Update that relate to school services, nor would the CAAP directly contribute to population growth in the EIR Study Area that would result in increased student population. Therefore, the 2024 CAAP Update has no impacts.

Impact 5.15-4: Library Services

2045 General Plan

Development under the 2045 General Plan and proposed project would result in the potential for increased demand for library services within the county to the extent that expansion and construction of new facilities could be required. As described above, the horizon-year projection for the 2045 General Plan and proposed project includes approximately 65,600 new residents in the county. To meet the future demand for library services, the Public Facilities and Services Element would include Policy PFS-P10.3 which requires the County to ensure the County budget has adequate funding for maintaining and improving library services. Action PFS-A10.1 directs the County to develop library service and facility standards, while PFS-A10.2 directs the County to adopt a library impact fee to ensure that new development mitigates its impacts on library services.

Future development would also generate new tax revenues and funding sources for the Contra Costa Library System consisting of property taxes, State assistance, and revenue from fines, fees, and other miscellaneous revenue. Furthermore, development or expansion of libraries would be subject to the County's policies that protect environmental resources including environmental review and impact mitigation per CEQA. Impacts associated with development of new libraries are therefore determined to be less than significant.

2024 CAAP Update

As a policy document that aims to reduce GHG emissions and to help the county to adapt to changing climate conditions, the 2024 CAAP Update is not expected to result in any impacts with regard to library services. There are no strategies or actions in the 2024 CAAP Update that relate to library services, nor would the CAAP directly contribute to population growth in the EIR Study Area that would result in increased population. Therefore, the 2024 CAAP Update has no impacts.

Impact 5.15-5: Parks and Recreation Services

2045 General Plan

As discussed in Section 5.15.5.1, *Environmental Setting*, of the GPEIR, a total of 108,393 acres of parks and recreation land are available to residents of the unincorporated county. This acreage includes regional park facilities managed by EBRPD, EBMUD, and CCWD, as well as State and federal park facilities. Development under the 2045 General Plan and proposed project would introduce approximately 65,600 new residents, which would increase the demand for parks and recreational facilities. The California Department of Finance's E-5 Population and Housing Estimates estimate the total 2023 population for Contra Costa County (incorporated and unincorporated) to be 1,147,653 people; based on that estimate, the existing total park acreage per 1,000 residents in all of Contra Costa County is 94.45. If no further parkland is added, the ratio of parkland per 1,000 population would decrease to 89 acres of parks per 1,000 residents when the projected residential buildout of the 2045 General Plan and proposed project is added to the county's total population. However, this is a very conservative assumption; it is expected that parks will be acquired, expanded, and/or made publicly accessible as part of private development over the horizon of the 2045 General Plan and proposed project.

As shown, the combination of existing local, regional, State, and national parks and recreation facilities exceed all targets for parks and recreation service standards for both the county's existing population and future population that includes the projected growth under the General Plan and proposed project. In addition, while this calculation includes the total population of both the incorporated and unincorporated county to account for the use of regional park and recreational facilities, most incorporated jurisdictions also provide local parks and recreation facilities for their respective populations that have not been accounted for in this calculation. However, as noted in Table 5.15-6, *Contra Costa County Parks and Recreation Services Summary*, of the GPEIR, most local districts and service areas providing parks and recreation facilities in the county do not currently provide enough service within their district to meet the County's existing service standard of four acres per 1,000 residents. As shown in the proposed Policy PFS-P8.2, the County aims to provide a local park within a safe 10-minute walk for all residents in urban communities or within a 5-minute drive for residents in suburban communities, as indicated in Figures PFS-9 and PFS-10 of the Public Facilities and Services Element. While the county does not have a deficit of regional parks and recreation facilities, additional local facilities are likely needed to meet the existing and future demand of development.

To offset impacts from future development, all new projects must adhere to County Ordinance Code Division 720 (Ordinance No. 2007-17), which collects impact fees from new development to fund parks and recreation services. The County's continued implementation of park improvement and development projects would ensure that the adequate amount of parkland would be available. Each RPD and CSD (of those that provide parks and recreation services) also collect revenue from property taxes, assessments, and service charges to fund improvements, which in turn would serve to reduce the potential for deterioration of existing facilities. Several additional policies and actions under Goal PFS-8 of the Public Facilities and Services Element would also help to provide adequate local facilities. For example, Policy PFS-P8.5 directs the County to require projects subject to the Park Dedication or Park Impact Fee Ordinances to develop parks and recreation amenities identified in, or proposed for addition to, the County's Park Capital Improvement Plan. Park impact fees or in-lieu fees should be assessed only when the County determines developer improvements are not feasible. Action PFS-A8.3

would help to implement this policy by requiring an annual update of the park dedication and in-lieu fee requirements. Action PFS-A8.1 would also support local parks by creating a cross-agency County entity that coordinates the planning and funding of local parks, recreational facilities, and trails.

The estimated timing or location of new facilities or the exact nature of these facilities are not known, so project-specific environmental impacts that would occur from their construction and operation cannot be determined at this time. However, depending on the type, size, and location of new parks, the construction of new parks would be subject to environmental review and mitigating policies to ensure the impacts from the construction would be less than significant. The construction of project-specific parks would require permitting and review in accordance with County standards, which would ensure that any environmental impacts are disclosed and mitigated to the extent possible. Therefore, the impact is considered less than significant.

2024 CAAP Update

As a policy document that aims to reduce GHG emissions and to help the county to adapt to changing climate conditions, the 2024 CAAP Update is not expected to result in any impacts with regard to parks and recreational services. As part of the CAAP's climate adaptation and equity strategies, the provision of parks for health and climate-related uses is encouraged. For example, Strategy NI-5, which aims to minimize the urban heat island effect through use of green infrastructure, tree, canopy, cool paint and pavement, and other emerging strategies, includes an action that encourages the County to plant trees in urbanized areas and open spaces which in turn promotes the creation of new or more inviting public spaces. Strategy CE-3 specifically targets the increase of access to parks and open space by encouraging the County to adopt a target to provide all residents a park or other green space within a half-mile of their dwelling, supporting land acquisition for new parks and open space areas and protecting such lands through fee title acquisition or through deed restrictions like conservation easements, continuing to construct and develop opportunities for new trails, and supporting investment in existing park facilities in partnership with regional agencies.

The 2024 CAAP Update does not directly contribute to increased population growth in the EIR Study Area and includes several strategies and actions aimed at improving and providing parks and recreational facilities in the county. As such, the CAAP is expected to have beneficial impacts on parks and recreational facilities, resulting in a less than significant impact finding.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Section 5.15 of the GPEIR provides the environmental setting specific to the analysis of public services, including regulatory background and existing conditions. This section is organized differently from most other sections in Chapter 5 of the GPEIR and the description of the environmental setting is found throughout. The environmental setting includes State, regional, and local regulations affecting public services and is geographically limited to the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses the service areas of the various public service providers (fire districts, school districts, etc.) within the unincorporated county. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to public services.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that the growth anticipated under the 2045 General Plan Development Scenario would increase demand for public services. While this increased demand could require additional personnel, equipment, and facility expansions for fire and police protection services, the 2045 General Plan includes policies ensuring that new development pays appropriate development impact fees. As a result, impacts on public services were determined to be less than significant.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection of the GPEIR. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR concluded that all impacts related to public services would be less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce these impacts were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to fire protection, police protection, schools, parks, and other public facilities are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts related to public facilities and services that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to public facilities and services requiring new impact analysis or verification. There would be no new impacts and no increase in the significance of impacts related to public facilities and services. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.15-1 Fire Protection Services.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to new or expanded fire protection service facilities. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.15-2 Police Protection Services.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to new or expanded police protection service facilities. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.15-3 School Services.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to new or expanded school facilities. Accordingly, no

changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

- **Impact 5.15-4 Library Services.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to new or expanded library facilities. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.15-5: Parks and Recreation Services** The proposed project would have a less than significant direct, indirect, and cumulative impact related to new or expanded parks and recreation facilities. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to public services.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

15. Transportation

GPEIR Impact 5.16-1: Implementation of the proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. [Threshold T-1].

GPEIR Impact 5.16-3: Implementation of the proposed would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). [Threshold T-3]

GPEIR Impact 5.16-4: Development associated with the proposed project would not result in inadequate emergency access. [Threshold T-3]

Impacts Evaluated

Impact 5.16-1: Transportation Plans

2045 General Plan

Several programs, plans, and policies guide the planning of circulation systems in the EIR Study Area. In general, the overarching goals of these policy documents are to ensure a safe, efficient, and accessible multi-modal transportation network for all users that also reduces VMT to improve air quality and reduce GHG emissions. As discussed in Chapter 3, *Project Description*, of the GPEIR, the 2045 General Plan would guide development in the unincorporated county to the planning horizon year of 2045, but it would not otherwise result in any immediate development actions and impacts to the county's circulation system. Therefore, impacts would be less than significant if the 2045 General Plan goals, policies, and actions are consistent with and support the equivalent policy guidance of the applicable program, plan, ordinance, or policy.

While the 2045 General Plan includes several policies and actions specific to roadway, bicycle, transit, and pedestrian facilities, as discussed below, the policies and actions listed under Goal TR-3 specifically target coordination and consistency with other agencies for the purpose of providing well-planned, funded, and maintained transportation facilities. For example, Policy TR-P3.1 would direct the County to coordinate planning, construction, and maintenance of streets, transit infrastructure, non-motorized rights-of-way and associated facilities, the countywide bicycle network, and Pedestrian Priority Areas with neighboring jurisdictions and Contra Costa Transportation Authority (CCTA). Action TR-A3.1 similarly directs the County to work with Caltrans, neighboring jurisdictions, CCTA, and the Regional Transportation Planning Committees (see Section 5.16.1.1 of the GPEIR) to implement complete streets concepts. Action TR-A3.2 would also have the County partner with these agencies to explore and implement options for transportation system funding, including assessment districts, county service areas, impact fees, tax revenue, and other funding sources. Similarly, the policies and actions included in the proposed Growth Management Element also seek to ensure that the County develops consistent with its growth management requirements under Measure J. The policies and actions under Goal TR-3 in the 2045 General Plan express a commitment to consistency with the planning efforts of other agencies and would help to ensure that the 2045 General Plan and proposed project do not conflict with these efforts.

With regard to impacts of future development under the 2045 General Plan and proposed project, the County requires all development to go through a review of pedestrian, bicycle, and transit facilities in the area surrounding the individual development project to ensure that developments do not conflict with existing or planned facilities supporting those travel modes. Therefore, development under the 2045 General Plan and proposed project would not conflict with any adopted plans, policies, ordinances or programs related to circulation systems and impacts would be less than significant.

2024 CAAP Update

As a policy document that aims to reduce GHG emissions and help the county to adapt to changing climate conditions, the 2024 CAAP Update is not expected to result in any specific impacts with regard to conflicts with circulation-related policies and planning. Similar to the 2045 General Plan, the 2024 CAAP Update provides a policy framework that supports the goals of the transportation planning efforts discussed above. For example, Strategy TR-1 provides actions for improvements to walking,

biking and other zero-carbon commuting options to reduce GHG emissions, which reference support of the County's TDM program, CCTA programs, and regional transit agencies. As such, the 2024 CAAP Update is expected to result in beneficial impacts with regard to this impact and would have no significant impact.

Impact 5.16-3: Roadway Hazards

2045 General Plan

While adoption of the 2045 General Plan and proposed project would not directly result in any physical development projects or construction activities, implementation of the policy framework in the 2045 General Plan could result in transportation improvement projects. While these types of improvements could be installed and implemented under the 2045 General Plan, they would be intended to facilitate movement throughout the EIR Study Area and accommodate existing local development, and would therefore be unlikely to introduce conflicts, hazards, or incompatible uses.

All subsequent development under the 2045 General Plan and proposed project, including residential, commercial, and industrial development, in addition to transportation improvement projects, would be subject to and designed in accordance with County standards and specifications that address potential design hazards, including sight distance, driveway placement, and signage and striping. Additionally, any new transportation facilities or improvements to such facilities associated with subsequent projects would be constructed based on industry design standards and best practices consistent with the County Ordinance Code, building design and inspection requirements, and any applicable community-based transportation plans. The County's evaluation of projects' access and circulation will incorporate analysis with respect to County standards for vehicular level of service and queueing, as well as for service to pedestrians, bicyclists, and transit users.

Furthermore, the proposed Transportation Element provides additional guidance to help design a sustainable and comprehensive transportation system that is safe and accessible for all users and modes of travel. For example, the policies and actions included under Goal TR-2 provide several strategies for reducing roadway hazards and improving safety. Policy TR-P2.1 directs the County to pursue the priorities in the County's Vision Zero program and Policy TR-P2.2 advises careful site planning and prioritization of safety for active modes of travel. Action TR-A2.3 would require coordination with the California Public Utilities Commission and railroads to design and implement projects that address safety concerns and conflicts from at-grade rail crossings. In compliance with the County's standards and the 2045 General Plan policies and actions, development under the 2045 General Plan and proposed project would result in a less-than-significant impact to transportation hazards.

2024 CAAP Update

The 2024 CAAP Update is a policy document that provides strategies for reducing GHG emissions and adapting to changing climate conditions. While the 2024 CAAP Update does not directly result in any new development, the implementation of its actions, which may indirectly result in new development, would be subject to the same County standards that apply to development under the 2045 General Plan and proposed project, as applicable. The 2024 CAAP Update does not include any strategies or actions that would otherwise result in roadway hazards, so impacts would be less than significant.

Impact 5.16-4: Emergency Access

2045 General Plan

The implementation of transportation improvements supported by the proposed project would include modifications to the existing transportation network that could potentially impact emergency access response times. These modifications, along with land use changes under the 2045 General Plan, could result in increased vehicle delays at intersections as well as along roadway segments. Although the project would reduce VMT overall, as described in Impact Discussion 5.16-2, increased delays at intersections could result in an increase in emergency response times. However, future development under the 2045 General Plan and proposed project would be subject to the requirements contained in the County Ordinance Code, which includes requirements for emergency access, and would be reviewed by public safety officials for compliance with applicable safety, fire, and building codes as part of the County's entitlement process.

Additionally, the 2045 General Plan includes several policies and actions that would help to ensure that roadways accommodate emergency access, including Policy TR-P4.10 in the proposed Transportation Element, which would ensure that roadway infrastructure within new development areas balances the accommodation of emergency response vehicles with the day-to-day safety of vulnerable road users. Additionally, policies and actions in the Health and Safety Element that apply to evacuation routes would have similar impacts on emergency access routes. These include Policy HS-P7.3, which requires new development within a Very High Fire Hazard Severity Zone in the Local Responsibility Area (LRA) or State Responsibility Area (SRA) or in areas that may be designated as the Wildland-Urban Interface (WUI), and on a residential parcel with evacuation constraints, to prepare a traffic control plan to ensure that construction equipment or activities do not block roadways or interfere with evacuation plans during the construction period; this policy would ensure that temporary roadway impairments are addressed within traffic control plans. In addition, Policy HS-P13.1 requires new development in High and Very High Fire Hazard Severity Zones, the WUI, and 100-year or 200-year floodplains to have access to at least two emergency evacuation routes. Action HS-A13.1 would direct the County to partner with cities and public protection agencies to delineate evacuation routes, identifying their capacity, safety, and viability under different hazard scenarios, as well as emergency vehicle routes for disaster response, and where possible, alternate routes where congestion or road failure could occur.

Furthermore, emergency vehicles are able to use vehicle preemption technology (where possible) and sirens to reduce their response times, and they would continue to do so regardless of any roadway capacity modification. Locations that would experience a reduction in vehicular roadway capacity would undergo individual operations analyses to assess the potential impacts to emergency vehicle access, and mitigation measures would be developed as needed to reduce potentially significant impacts.

Implementation of the 2045 General Plan goals, policies, and actions identified would address emergency access by considering access routes, developing and updating emergency response plans, and incorporating emergency access considerations in the design of future street improvements. Therefore, implementation of the 2045 General Plan and proposed project would not result in inadequate emergency access. Impacts would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that aims to reduce GHG emissions and provide guidance to the County for adapting to changing climate conditions. Therefore, the 2024 CAAP Update does not have any direct impacts on emergency access. Strategy NI-2 of the 2024 CAAP Update provides an action that would require projects requiring a land use permit in a High or Very High Fire Hazard Severity Zone to prepare a site-specific fire protection plan. This action supports the policies and actions in the Health and Safety Element and would further ensure proper emergency access for the purpose of firefighting. As such, the 2024 CAAP Update has beneficial impacts on emergency access and no significant impacts would occur.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.16-1 to 5.16-22 of the GPEIR provide the environmental setting specific to the analysis of transportation, including regulatory background and existing conditions. The environmental setting includes State, regional, and local regulations affecting transportation and is geographically limited to local and regional transportation and circulation systems that could be impacted by development in the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment that was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all potential development sites in the unincorporated county whose development could impact local and regional transportation and circulation systems. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to transportation.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that impacts with respect to plans, policies, ordinances, or programs that address the circulation system would be less than significant since the 2045 General Plan includes measures that ensure consistency with the transportation planning efforts of other agencies in the region and other County transportation plans. Similarly, impacts with respect to roadway hazards and emergency access were considered less than significant due to compliance with relevant provisions of the County Ordinance Code and 2045 General Plan policies which ensure future projects would be designed to minimize hazards and provide adequate emergency service access.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection of the GPEIR. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR concluded that impacts related to consistency with transportation plans, introduction of roadway hazards, and inadequate emergency access would be less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce these

impacts were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to transportation are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts related to transportation that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to transportation requiring new impact analysis or verification. There would be no new impacts and no increase in the significance of impacts related to transportation. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.16-1 Transportation Plans.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to consistency with transportation plans. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.16-3 Roadway Hazards.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to introduction of roadway hazards. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.16-4: Emergency Access.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to inadequate emergency access. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to transportation.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably

different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

16. Utilities and Service Systems

- GPEIR Impact 5.17-1:** Sewer and wastewater treatment systems are adequate to meet project requirements. [Thresholds U-1 and U-2].
- GPEIR Impact 5.17-2:** Water supply and delivery systems are adequate to meet project requirements. [Thresholds U-3].
- GPEIR Impact 5.17-3:** The proposed project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. [Thresholds U-4]
- GPEIR Impact 5.17-4:** Existing and/or proposed storm drainage systems are adequate to serve the drainage requirements of the proposed project. [Threshold U-5]
- GPEIR Impact 5.17-5:** Existing and/or proposed facilities would be able to accommodate project-generated solid waste. [Threshold U-6]
- GPEIR Impact 5.17-6:** The proposed project would comply with federal, State, and local statutes and regulations related to solid waste. [Threshold U-7].
- GPEIR Impact 5.17-7:** Existing telecommunication facilities are adequate to meet project requirements. [Threshold U-8].

Impacts Evaluated

Impact 5.17-1: Wastewater Treatment

2045 General Plan

Wastewater generation associated with the 2045 General Plan and proposed project was calculated using the 2045 horizon-year growth projections shown in Table 3-2 *2045 Horizon-Year Growth Projections* in Chapter 3, *Project Description*, of the GPEIR.

The estimated increase in wastewater generation from 2020 to 2045 is shown on Table 5.17-3, *Wastewater Demand Increase: Proposed General Plan*, of the GPEIR. The projected increase in wastewater discharge resulting from implementation of the 2045 General Plan and proposed project is estimated to be 3.31 mega-gallons per day (MGD). This increase would be distributed throughout the entire county such that the level of service would not substantially impact any individual wastewater collection provider or wastewater treatment plant. This projection also assumes that all new construction is connected to an existing or future sewer collection system, but some of the projected growth may be in rural areas where there is no available sewer connection, and the residences would be on individual Onsite Wastewater Treatment Systems (OTWS)s. However, the Land Use Element (Policy LU-P5.1) states that new development should be focused in areas where infrastructure and services, such as sewer collection and wastewater treatment, can be provided. Also, as shown in Table 5.17-2, *Wastewater*

Treatment Plants within Contra Costa County, of the GPEIR, the wastewater treatment facilities within the county have a residual capacity of 99.7 MGD and therefore would be able to accommodate the projected growth.

In addition, many of the wastewater treatment and wastewater collection providers have capital improvement programs that will be fully implemented by 2045. EBMUD has a \$2.8 billion, 5-year capital improvement program, which includes upgrades to its wastewater treatment plant; replacement and rehabilitation of aging pipelines and sewage collections systems; rebuilding neighborhood reservoirs; and modernizing wastewater facilities.

Central Contra Costa Sanitary District's (CCCSD's) \$1.1 billion, 10-year capital improvement program includes improvements to its collection system, treatment plant, and expansion of recycled water facilities. Delta Diablo and the other wastewater collection and treatment providers have similar plans to expand wastewater treatment plant capacities and/or rehabilitate and replace aging sewer infrastructure.

In addition, all wastewater collection providers require new development projects to pay a sewer connection fee as well as monthly wastewater collection fees, which are used to continually upgrade components of the wastewater collection and treatment system through the capital improvement plan programs.

The Land Use Element and Public Facilities and Services Element contain policies and actions that require local planning and development decisions to consider impacts to wastewater services. Policy LU-P5.1 states that development should only occur where community infrastructure can be provided. Policy PFS-P3.1 promotes cooperation between LAFCO and service providers to ensure that infrastructure and services can be provided. And Action PFS-A3.2 requires regular updates to development impact fees to ensure that new development pays its fair share of infrastructure and service costs.

Therefore, implementation of the 2045 General Plan and proposed project would not require the construction or expansion of wastewater treatment facilities within the county. Adherence to the County Ordinance Code requirements, continued water conservation efforts, and implementation of the 2045 General Plan policies and actions would reduce wastewater generation rates over time, and therefore impacts associated with the sewer collection and wastewater treatment systems would be less than significant.

2024 CAAP Update

The 2024 CAAP Update provides estimates of GHG emissions in the water and wastewater sectors and accounts for the increase in emissions with implementation of the 2045 General Plan. It also provides reduction strategies to minimize GHG emissions through water conservation, water-efficient retrofits, water-wise landscaping, and graywater and recycled water programs. Any reduction in indoor water demand would also result in a reduction in wastewater generation rates. Therefore, the 2024 CAAP Update does not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects, and impacts would be less than significant.

Impact 5.17-2: Water Supply and Conveyance

2045 General Plan

Both EBMUD and CCWD, who are the largest water purveyors in the county, project population increases within the county that exceed the horizon-year projection of the 2045 General Plan and proposed project. In the EBMUD 2020 Urban Water Management Plan (UWMP), a population increase of 79,000 is projected within the county's service area between 2020 and 2040, and the CCWD 2020 UWMP projects a population increase of 236,110 within its service area between 2020 and 2045. These numbers are much greater than the projected horizon-year population increase of 65,600 from the 2045 General Plan and proposed project.

CCWD states in the 2020 UWMP that they have sufficient supplies to meet water demands as both a wholesale and retail water provider for normal, single-dry, and multiple-dry years through 2045. CCWD prepares an Annual Water Supply and Demand Assessment to identify potential shortages and recommend response actions, as appropriate. The District evaluates weather data, CVP allocation estimates, and demand projections to determine what demand management measures should be implemented. The 2020 UWMP also includes a Water Shortage Contingency Plan that would be implemented in the event of a drought and/or CVP water supply reductions.

CCWD is in the process of updating the 2015 Contra Costa Water District Treated Water Master Plan to evaluate its existing water distribution system as well as its pumping and storage capacity to address future needs. The updated report will also recommend and prioritize capital improvement programs to ensure that the system will meet future water demands. CCWD is evaluating an Industrial Recycled Water Project to deliver up to 3,400 acre-feet-year (AFY) to major industrial customers. CCWD is also investigating long-term water transfer options to meet multiple-dry year shortfalls. And CCWD continues to implement its water conservation and rebate programs.

The EBMUD 2020 UWMP shows that water supplies will exceed the demand through 2050 for both normal and single dry years. However, in the third year of a drought, the demand would exceed the supply. Under these conditions, various measures would be implemented to ensure that all of EBMUD's customers have a reliable water supply. EBMUD prepares a preliminary Water Supply Availability and Deficiency report by March 1 of each year, evaluating the adequacy of that year's water supply. These reports inform decisions by EBMUD regarding whether to declare a water shortage emergency and implement a drought management plan, institute mandatory water use restrictions, and/or obtain supplemental water supplies. EBMUD has a comprehensive Drought Management Plan that is implemented under extended drought conditions.

The other cities and water purveyors within the county also have 2020 UWMPs and water master plans that describe the upgrades and expansions of their water distribution and treatment systems to address future increases in population and climate change impacts. Each UWMP also contains a water shortage contingency plan to address potential shortages in future water supplies and implement demand reduction strategies.

In addition, the water purveyors in the UWMPs have assumed increases in their service populations that are higher than the projected horizon-year increase from the 2045 General Plan and proposed project. The projected growth for the 2045 General Plan and proposed project will be distributed throughout the county and within various service areas of the 14 water purveyors. Because the horizon-

year growth projection for the 2045 General Plan and proposed project is less than the projected growth in the service areas of the water purveyors, no new water treatment facilities or water distribution systems beyond what is described in the UWMPs would be necessary. Also, compliance with the County's requirements for new construction and water-efficient landscaping, combined with implementation of the 2045 General Plan policies and actions listed above, would further reduce potential impacts, resulting in less than significant impacts with respect to the need for new and/or expanded water facilities.

2024 CAAP Update

The 2024 CAAP Update provides estimates of GHG emissions in the water and wastewater sectors and accounts for the increase in emissions with implementation of the 2045 General Plan as both residential and employment populations increase. It also provides reduction strategies to minimize this increase in GHG emissions through water conservation, water-efficient retrofits, water-wise landscaping, and graywater and recycled water programs. The strategies and actions in the 2024 CAAP Update include measures to reduce indoor and outdoor water use, ensure sustainable and diverse water supplies, and implement water use audits at County facilities. Implementation of the 2024 CAAP Update further reduces water demand as compared to the analysis provided above. Therefore, the 2024 CAAP Update would not require or result in the construction of new water facilities or expansion of existing facilities, the construction of which would cause significant environmental effects, and impacts would be less than significant.

Impact 5.17-3: Long Term Water Supply

2045 General Plan

As shown in Table 3-2, *2045 Horizon-Year Growth Projection* in Chapter 3, *Project Description*, of the GPEIR, the 2045 General Plan would result in 7,100 new single-family residences and 16,100 new multi-family residences, as well as 1.2 million square feet of commercial and office space and 5.0 million square feet of industrial space. The projected increase in population is much less than the projected population increases in the EBMUD and CCWD 2020 UWMPs.

The increase in water demand with implementation of the 2045 General Plan and proposed project is provided in Table 5.17-5, *Net Increase in Water Demand with Proposed General Plan*, of the GPEIR. The water demand for the single-family and multi-family residential units was based on an indoor water demand of 55 gallons per capita per day (gpcd), which is the current requirement in the California Water Code for water purveyors to meet by 2023. It was assumed that there would be 2.83 people per household and that outdoor water use would be 33 percent of the total water demand for single-family homes and 14 percent of the total water demand for multi-family homes. This results in a total water demand of 223 gpd/du for single-family residences and 181 gallons per day per dwelling unit (gpd/du) for multi-family residences. For the commercial/office and industrial land use categories, the water demand factors were taken from CCWD's 2015 Treated Water Master Plan.

The projected water demand increase with implementation of the 2045 General Plan and proposed project is estimated to be 5,118 AFY. In comparing the 2045 water supply to water demand from the various UWMPs, as shown in Table 5.17-4, *Water Providers serving Contra Costa County*, of the GPEIR, there is a surplus of available water of 22,218 AFY. Therefore, the water purveyors would be able to accommodate the projected increase in water demand with implementation of the 2045 General Plan and proposed project. In addition, the projected growth would occur gradually between 2020 and 2045. Also, the growth within the county would be dispersed among the various water purveyors' service areas and therefore impacts to each water purveyor's water supplies would be minor.

Additionally, future development pursuant to the 2045 General Plan and proposed project would be required to implement the water-efficient requirements specified in the CALGreen and California Plumbing Codes and the MWELO requirements for water-efficient landscaping. As specified in California Water Code Section 10910, future projects subject to CEQA that also meet the criteria under California Water Code Section 10912 would be required to prepare a WSA that demonstrates that project water demands would not exceed water supplies. In addition, residential, commercial, and industrial water usage can be expected to decrease in the future as a result of the implementation of water conservation practices. In the case of a water shortage, each water purveyor would implement their Water Shortage Contingency Plan, as described in the 2020 UWMPs.

In summary, future development associated with the 2045 General Plan and proposed project would not result in a shortage of water supplies. In addition, compliance with the County's Code requirements for new construction and adherence to the 2045 General Plan policies and actions will reduce future water demands, and impacts associated with water supply would be less than significant.

2024 CAAP Update

As discussed in Impact 5.15-2, of the GPEIR, the 2024 CAAP Update provides strategies to minimize increases in GHG emissions by implementing water conservation, water-efficient retrofits, water-wise landscaping, and graywater and recycled water programs. The strategies and actions also include measures to reduce indoor and outdoor water use, ensure sustainable and diverse water supplies, and implement water use audits at County facilities. Implementation of the 2024 CAAP Update further reduces water demand as compared to the analysis provided above. Therefore, the 2024 CAAP Update does not adversely affect water supplies and impacts would be less than significant.

Impact 5.17-4: Stormwater Drainage

2045 General Plan

New development, redevelopment, and changes in land uses under the 2045 General Plan and proposed project would result in an increase in impervious surfaces, which in turn could result in an increase in stormwater runoff, higher peak discharges to drainage channels, and the potential to cause nuisance flooding in areas without adequate drainage facilities. However, municipalities within the county have storm drain master plans, green infrastructure plans, and capital improvement programs that account for future development and expansion of the storm drain system, as needed. Also, the CCCFCD has detailed Flood Control Zone and Drainage Area maps that are used to evaluate future development plans within each zone or area and determine if the existing storm drainage infrastructure is adequate to accommodate the 2045 General Plan and proposed project. The schedule and costs for the construction of new drainage projects and maintenance of existing storm drain infrastructure is

described in the Capital Improvement Plan (CIP) and is funded by property taxes and development impact fees in each Flood Control Zone or Drainage Area.

In addition, all future development that involves the disturbance of one acre or more of land would be subject to NPDES construction permit requirements, including preparation of a SWPPP, which includes BMPs to limit the discharge of sediment and non-stormwater discharges from the project site. Also, all regulated projects that create or replace 5,000 square feet or more of impervious surface would be required to implement site design, source control, and stormwater treatment and runoff measures using specific numeric sizing criteria based on the volume and flow rate of stormwater that is generated. Each project undergoes review by County personnel to ensure that the regulatory requirements for temporary on-site stormwater runoff retention have been met. New projects are also subject to storm drainage impact fees, which are used to fund new storm drain infrastructure within the county.

With the implementation of these provisions for future development, there would not be significant increases in stormwater runoff that would exceed the existing and planned future capacity of the storm drain infrastructure beyond what is already accounted for in the CIPs of the municipalities within the county and the FCD. The construction of new stormwater facilities through the CIP and storm drain impact fees, implementation of BMPs and on-site stormwater control measures, and preparation of the required documents and review by the County would serve to minimize any potential impacts associated with stormwater.

Also, as described above, the Public Facilities and Services Element of the 2045 General Plan contains policies and actions that consider impacts to storm drain infrastructure and would minimize potential adverse impacts on stormwater discharge. Compliance with and implementation of these 2045 General Plan policies and actions that ensure adequate infrastructure, combined with the regulatory provisions in the MS4 permit that limit runoff from new development, would further ensure that the implementation of the 2045 General Plan and proposed project would not result in significant increases in runoff and would therefore not contribute to the construction of new storm drain facilities or expansion of existing facilities that would cause significant environmental impacts. In addition, the County would continue to repair, rehabilitate, and upgrade the storm drain system through implementation of the CIP program funded through the property taxes and developer impact fees. Therefore, impacts with respect to stormwater infrastructure would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a strategic plan focused on GHG emissions reduction, including through strategies and actions that reduce emissions in the water and wastewater sectors. However, there are no sections in the 2024 CAAP Update that specifically address stormwater other than strategies to increase park space, tree plantings, and vegetation, which would reduce the volume of stormwater runoff. Therefore, implementation of the 2024 CAAP Update, would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects and impacts would be less than significant.

Impact 5.17-5: Solid Waste Generation

2045 General Plan

With implementation of the 2045 General Plan and proposed project, the population is anticipated to increase by 65,600 residents and approximately 9,400 jobs are projected to be generated. As shown in Table 5.17-8, *Increase in Solid Waste Generation Rates*, of the GPEIR, this projected growth would result in an increase in solid waste of approximately 127 tons/day or 46,355 tons/year. These numbers are conservative because with continued recycling and waste reduction programs implemented by the County, cities, and Joint Power Authorities (JPAs), the waste generation rates would be reduced over time.

Conservatively assuming all the solid waste generated in the county is transported to Keller Canyon Landfill, an increase of 127 tons/day with the implementation of the 2045 General Plan and proposed project would be about 14 percent of the current residual capacity of the landfill. In addition, the landfill is in the process of increasing its permitted daily disposal capacity to 4,900 tons/day. Even without the increase in capacity, the solid waste generated from the 2045 General Plan and proposed project would be easily accommodated by this landfill. This estimate also assumes that all the generated waste is landfilled, whereas the majority of the waste generated in the county is diverted from landfill disposal by recycling and composting. The results in Table 5.17-8 show that the 2045 General Plan and proposed project would not generate solid waste in excess of the capacity of the landfills that serve the county.

In addition, all new development pursuant to the 2045 General Plan and proposed project would require compliance with Division 4.4 of the 2022 CALGreen Building Code, which requires that at least 65 percent of nonhazardous construction and demolition waste from residential and nonresidential construction operations be recycled and/or salvaged for reuse. New development and redevelopment would also need to comply with the requirements of AB 341 that mandate recycling for commercial and multi-family residential land uses. Therefore, solid waste facilities would be able to accommodate project-generated solid waste, and impacts would be less than significant. Also, the Public Services and Facilities Element of the 2045 General Plan, as listed above, contains policies and actions that are intended to reduce solid waste generation and increase recycling efforts, which in turn would minimize potential impacts on the solid waste infrastructure and landfill capacities.

With continued compliance with the applicable regulations, leading to increased recycling and waste diversion, and adherence to the 2045 General Plan policies and actions, anticipated rates of solid waste disposal would be less than significant with respect to permitted landfill capacity. In addition, the County, as well as the cities and JPAs within the county boundaries, are well below the CalRecycle target disposal rates and meet the regulatory requirements of AB 939. Therefore, implementation of the 2045 General Plan and proposed project would not generate solid waste in excess of the capacity of the landfills, or otherwise impair the attainment of solid waste reduction goals, and the impact is less than significant.

2024 CAAP Update

The 2024 CAAP Update focuses on GHG emissions reduction, including by reducing waste generation, increasing composting, and expanding community waste minimization programs. This also includes reducing the amount of packaging used in food service and retail projects. Additional strategies

to achieve waste reduction goals and increase recycling and organic waste collections are provided in the 2024 CAAP Update. Therefore, implementation of the 2024 CAAP Update does not 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, and impacts would be less than significant.

Impact 5.17-6: Solid Waste Regulations

2045 General Plan

All of the solid waste collection and transport franchises within the county comply with all State requirements to reduce the volume of solid waste through recycling and organic waste diversion. Unincorporated Contra Costa County's per capita disposal rates of 2.2 pounds per day (ppd) per resident and 11.7 ppd per employee are well below CalRecycle targets of 3.9 ppd for residents and 20.1 ppd for employees. In addition, all potential future development pursuant to the 2045 General Plan and proposed project would comply with Division 4.4, *Material Conservation and Resource Efficiency*, of the CALGreen Building Code, which requires that at least 65 percent of nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse.

Potential future development would also comply with AB 341, which mandates recycling for commercial and multi-family residential land uses as well as schools and school districts. Additionally, potential future businesses pursuant to the 2045 General Plan and proposed project that generate organic waste in amounts over a certain threshold would be mandated to recycle organic matter in accordance with AB 1826. Therefore, the County and its solid waste collection providers would comply with all applicable federal, State, and local solid waste regulations, and impacts would be less than significant.

2024 CAAP Update

As described under Impact Discussion 5.17-5, the 2024 CAAP Update provides many strategies to achieve waste reduction goals and increase recycling and organic waste collection. Therefore, the 2045 General Plan and proposed project would comply with federal, State, and local statutes and regulations related to solid waste, and implementation of the 2024 CAAP Update has less than significant impacts.

Impact 5.17-7: Telecommunications Infrastructure

2045 General Plan

As discussed in Section 5.17.5.1, *Environmental Setting*, of the GPEIR, there are multiple telecommunication providers in Contra Costa County, including internet services, wireless services, cable television, and satellite television. All new franchises and existing franchises that are up for renewal will be required to follow the regulations and procedures specified by the CPUC and the Contra Costa County Ordinance Code for cable systems, video systems, and wireless telecommunications systems. Also, the Contra Costa County Ordinance Code requires the undergrounding of communication and cable television lines within any residential or commercial subdivision to minimize potential aesthetic and visual impacts.

Each telecommunication provider also prepares long-range plans to accommodate projected growth in their service areas. Future expansion or construction projects would be required to comply with the

requirements of the FCC, CPUC, and Contra Costa County Ordinance Code prior to approvals. Therefore, with adherence to the policies of the 2045 General Plan and the federal, State, and local regulatory requirements, the 2045 General Plan and proposed project are not expected to require or result in new or expanded telecommunication facilities beyond those already planned, and the impact is less than significant.

2024 CAAP Update

Because the 2024 CAAP Update focuses on the reduction of GHG emissions and telecommunication systems are not associated with these emissions, there are no specific provisions in the 2024 CAAP Update regarding telecommunication facilities. However, the implementation of the 2024 CAAP Update would not have an adverse impact on telecommunications systems and therefore the impact is less than significant.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Section 5.17 of the GPEIR provides the environmental setting specific to the analysis of utilities and service systems, including regulatory background and existing conditions. This section is organized differently from the other sections in Chapter 5 of the GPEIR and the description of the environmental setting is found throughout. The environmental setting includes State, regional, and local regulations affecting utilities and service systems and is geographically limited to the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses the service areas of the various utility and service system providers (water districts, sewer districts, etc.) within the unincorporated county. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to public services.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that the growth anticipated under the 2045 General Plan Development Scenario would increase demand for utilities and service systems. However, the projected demands for water, electricity, and natural gas, and increased generation of wastewater, stormwater, and solid waste would not exceed the existing or future projected capacities or supplies of the respective service providers. Therefore, no expansions or construction of new utility facilities that could cause additional environmental effects would occur. Impacts related to utilities and service systems were determined to be less than significant under the 2045 General Plan.

Impacts with respect to utilities and service systems are generally driven by increases in the population or workforce of service areas. The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection of the GPEIR. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code

provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR concluded that all impacts related to utilities and service systems would be less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce these impacts were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to water supply and conveyance, wastewater treatment, solid waste disposal, and telecommunications facilities are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts related to these topics that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to these topics requiring new impact analysis or verification. There would be no new impacts and no increase in the significance of impacts related to utilities and service systems. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.17-1 Wastewater Treatment.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to expansion of wastewater treatment infrastructure. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.17-2 Water Supply and Conveyance.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to expansion of water supply and conveyance infrastructure. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.17-3 Long Term Water Supply.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to sufficient available water supplies to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.17-4 Stormwater Drainage.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to expansion of stormwater drainage infrastructure. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.17-5 Solid Waste Generation.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to expansion of solid waste collection and disposal infrastructure. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

- **Impact 5.17-6 Solid Waste Regulations.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to compliance with federal, State, and local statutes and regulations related to solid waste. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.17-7 Telecommunications Infrastructure.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to expansion of telecommunications infrastructure. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to utilities and service systems.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

17. Wildfire

GPEIR Impact 5.18-1: Development under the proposed project in or near SRAs or lands classified as Very High FHSZs and a single access roadway or in an Evacuation-Constrained Area could substantially impair an adopted emergency response plan or emergency evacuation plan. [Threshold W-1]

GPEIR Impact 5.18-3: Development under the proposed project in or near SRAs or lands classified as Very High FHSZs could require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities), but it would not exacerbate fire risk or result in temporary or ongoing impacts to the environment. [Threshold W-3]

GPEIR Impact 5.18-4: The project would not 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. [Threshold W-4]

Impacts Evaluated

Impact 5.18-1: Emergency Response/Evacuation Plans

2045 General Plan

Any potential development under the 2045 General Plan and proposed project would be required to integrate the County Emergency Operations Plan (EOP) as necessary to continue its facilitation in evacuation for the people in wildfire prone areas. Development under the 2045 General Plan and proposed project would not result in substantial changes to the circulation patterns or emergency access routes in the county that would conflict with or require changes to the EOP. Additionally, future development within the State Responsibility Area (SRA), Wildland Urban Interface (WUI), or Very High Fire Hazard Severity Zones (FHSZs) would be required to comply with the SRA and Very High FHSZ Fire Safe Regulations, the California Building Code, the California Fire Code, and the Contra Costa County Ordinance Code, which have maximum requirements for lengths of single access roads, minimum widths of roadways, and vegetation fuel management around roadways. Furthermore, to ensure emergency services in the county are not impaired by future development, all future development projects would be reviewed and approved by the applicable fire protection district prior to project approval. In addition, several 2045 General Plan policies and actions promote or require enforcement of the Fire Safety Code requirements, including Policy HS-P7.4, which would require projects in High or Very FHSZs to implement a site-specific fire protection plan.

Additionally, Policy HS-P7.3, which requires new development within a Very High Fire Hazard Severity Zone in the LRA or SRA or in areas that may be designated as the WUI, and on a residential parcel with evacuation constraints, to prepare a traffic control plan to ensure that construction equipment or activities do not block roadways or interfere with evacuation plans during the construction period, would ensure that temporary roadway impairments or evacuation plan impacts are addressed within traffic control plans. Policy HS-P7.1 also directs the County to deny entitlements for projects creating additional residential units in a Very High Fire Hazard Severity Zone in the LRA or SRA in addition to discouraging such projects in High Fire Hazard Severity within the SRA and LRA unless adequate fire protection services are provided. With the implementation of these policies, impacts would be less than significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that provides strategies to reduce GHG emissions and improve climate resiliency and adaptation. As such, all strategies and actions within the 2024 CAAP Update inherently support the implementation of emergency responder and evacuation plans, while some directly address County efforts for emergency planning. For example, Strategy NI-3 and its accompanying actions direct the County to establish and maintain community resilience hubs with microgrids, education, training opportunities, and other community-focused resources, in line with the policies and actions included under Health and Safety Element Goal HS-12. The 2024 CAAP Update also includes Strategy NI-2, which specifically addresses adaptation efforts for wildfire events and reflects the policies and actions included under Goal HS-7. The 2024 CAAP Update directly supports and directs compliance with adopted emergency response and evacuation plans, and therefore would have no impact.

Impact 5.18-3: Fire Risks Associated with Infrastructure

2045 General Plan

Development under the 2045 General Plan and proposed project would result in additional infrastructure, such as roadways, transmission lines, and other utilities, in order to serve new residential development. Fuel breaks and emergency water sources would also be required to comply with State and local development regulations. These types of improvements would involve temporary construction and result in changes to the existing built environment. The installation and operation of new above-ground power transmission lines would create a higher risk of exacerbating wildfire risks compared to other infrastructure. However, the CPUC requires maintenance of vegetation around power lines, strict wire-to-wire clearances, annual inspections of above-ground power lines, and the preparation of fire prevent plans for above-ground power lines in high fire-threat districts. These measures would reduce the wildfire risks associated with the installation and maintenance of power lines.

Any residential development in the wildfire-prone parts of the EIR Study Area would also be required to comply with building and design standards in the CBC and California Fire Code, which include provisions for fire-resistant building materials, the clearance of debris, and fire safety requirements during demolition and construction activities. Public Resources Code Section 4291 also requires that vegetation around buildings or structures maintain defensible space within 100 feet of a structure and an ember resistant zone within five feet of a structure. Additionally, SRA and Very High FHSZ Fire Safe Regulations would prevent structures from being placed within 30 feet of a roadway, reducing the potential for new roadways to exacerbate wildfire risks. These measures, along with policies and actions in the 2045 General Plan Health and Safety Element and Public Facilities and Services Element limiting residential development unless adequate fire protection services are provided, requiring fire-resistant materials and landscaping with irrigated or fire-resistant materials, and requiring review by fire protection agencies for adequate water supplies, road design, and building design, would minimize wildfire risks associated with the installation and maintenance of infrastructure.

Such infrastructure and maintenance activities would also be required to comply with the adopted State regulations, County Ordinance Code standards, and the 2045 General Plan policies and actions to mitigate the impact of infrastructure on the environment. Therefore, impacts would be less than significant.

2024 CAAP Update

As noted in the discussions of Impacts 5.18-1 and 5.18-2, the 2024 CAAP Update is a policy document that among other efforts, contains strategies aimed at improving wildfire safety and resilience in the EIR Study Area. This includes an action under Strategy NI-2 that directs the County to coordinate with energy service providers to underground power lines, especially in the WUI and FHSZs, similar to Policy HS-P7.8 in the Health and Safety Element. While the 2024 CAAP Update does not directly result in new development that could exacerbate fire risk, strategies and actions included in the 2024 CAAP Update could result in the construction of physical improvements and infrastructure in the county designed to help meet the emissions targets in the CAAP. However, under Policy HS-P7.7 of the Health and Safety Element, construction of critical facilities in high fire risk areas would be discouraged. Additionally, all future construction associated with the 2024 CAAP Update is subject to the applicable federal, State, and local regulations outlined above.

Overall, the 2024 CAAP Update primarily results in beneficial impacts with regard to wildlife risks from proposed infrastructure. Therefore, the 2024 CAAP Update has less than significant impacts.

Impact 5.18-4: Post-Fire Flooding and Landslides

2045 General Plan

Wildfires on hillsides can create secondary hazards in the form of flooding and landslides. Wildfires on steep slopes can burn the vegetation that stabilizes the slope and create hydrophobic conditions that prevent the ground from absorbing water. This can lead to landslides, debris flows, and flooding.

As discussed in Chapter 5.10, *Hydrology and Water Quality*, of the GPEIR, Contra Costa County contains lands within the 100-year and 500-year floodplain. As shown in Figure 5.10-3, *Existing and Potential Beneficial Uses in Groundwater Basins in Contra Costa County*, of the GPEIR, floodplains are primarily located along creeks, canals, shorelines, and low-lying lands in the Sacramento-San Joaquin Delta. Many flood-prone areas are not, however, located within High or Very High FHSZs or WUI areas.

As discussed in Chapter 5.7, *Geology and Soils*, of the GPEIR, landslide-prone areas are located throughout the county, with many of the moderate to high landslide potential areas coinciding with High or Very High FHSZs. Many of the high landslide potential areas are located on the steep slopes of the Diablo Mountain Range, creating overlapping landslide-prone areas in the steep mountain ranges. This overlap may cause areas outside of a landslide susceptible zone to be affected by runoff, post-fire slope instability, or drainages changes following a wildfire.

Potential future development under the 2045 General Plan and proposed project could contribute to post-fire slope instability or drainage changes upstream. However, as discussed above, Health and Safety Element Policy HS-P7.1 would require denial of entitlements for projects creating additional residential units (i.e., units not allowed by-right) in Very High FHZs and Policy HS-P4.3 discourages locating below market-rate housing development inside of mapped hazard zones as identified in the Health and Safety Element; however, this does not prevent other types of residential development from being located in mapped hazard zones. Additionally, all new development in the county is required to comply with State and local regulations, such as the CBC, California Fire Code, and County Ordinance Code, which have provisions to reduce downslope or downstream landslides and flooding. For example, Section 1803 of the CBC requires a geotechnical investigation that must assess existing landslide susceptibility on a project site. Contra Costa County Ordinance Code, Title 7, Article 716, *Grading*, requires a grading permit issued by a building inspector to control excavating, grading, and earthwork construction, including fills or embankments and related work, ultimately minimizing slope instability. Furthermore, as discussed in Impact 5.18-2 in the GPEIR, all potential future development within wildfire-prone areas in the EIR Study Area would be required to comply with SRA and Very High FHSZ Fire Safe Regulations, Public Resources Code Section 4291, and the California Fire Code. These regulations would ensure fire-resilient structures and properties, and therefore would reduce the potential for post-wildfire flooding or landslides downstream or downslope.

New development complying with State and local regulations would not expose people or structures to downslope landslides or downstream flooding due to post-fire hazards. Furthermore, as identified in Impact Discussions 5.18-1 and 5.18-2 in the GPEIR, development under the 2045 General Plan and proposed project must also comply with the County EOP, LHMP, and CWPP. All future development, regardless of the location, is required to comply with adopted local, regional, and State plans and

regulations addressing wildfire prevention, which would minimize risks of post-fire hazards. As such, compliance with these policies and regulatory requirements would ensure impacts from post-fire instability would be less than significant.

2024 CAAP Update

As discussed above, the 2024 CAAP Update is a policy document that provides strategies to reduce GHG emissions and improve climate resiliency and adaptation. The intent of 2024 CAAP Update is therefore to reduce risks associated with climate change and is not expected to result in significant impacts with regard to landslide and flooding impacts associated with post-fire instability. The 2024 CAAP Update contains several strategies and actions that align with the guidance of the 2045 General Plan and other applicable State and local regulations, including Strategy NI-6, which provides actions to reduce impacts from other climate-related hazards, including drought, flooding, landslides, and severe weather. The 2024 CAAP Update therefore results in no impacts.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.18-1 to 5.18-20 of the GPEIR provide the environmental setting specific to the analysis of wildfire hazards, including regulatory background and existing conditions. The environmental setting includes federal, State, and local regulations and is geographically limited to the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all land in the unincorporated county, including areas within High or Very High Fire Hazard Severity Zones or the Wildland-Urban Interface, as mapped and defined by the CALFIRE. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to wildfire.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that impacts with respect to impairment of an emergency response or evacuation plan, risks exacerbated by installation or maintenance of infrastructure, and exposure of people or structures to downslope flooding and landslides as a result of post-fire conditions, would be less than significant. Each of these impacts would be reduced through compliance with existing regulatory measures and 2045 General Plan policies which help to ensure, to the extent feasible, that development under the 2045 General Plan does not result in these conditions.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection of the GPEIR. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR concluded that impacts related to impairment of an adopted emergency response plan or emergency evacuation plan; installation or maintenance of

associated infrastructure that exacerbates fire risk; and exposure of 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, would be less than significant. Therefore, no mitigation measures were adopted and no alternatives to reduce these impacts were evaluated. Because the impacts of the proposed project are the same as those analyzed in the GPEIR, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to wildfire are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts related to wildfire that were not considered in the GPEIR. There are no new circumstances involving new impacts. There would be no new impacts and no increase in the significance of impacts related to wildfire. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR. From May through July 2025, fire protection districts in the county adopted new Fire Hazard Severity Zone Maps for the LRA, as recommended by CAL FIRE. While the maps themselves constitute new information, the County has verified that this information does not result in any circumstances outlined in Section 15162(a)(3)(A-D) and a new impact analysis is not required.

Findings

Section 15091 Statement for Less than Significant Impacts or No Impacts, No Mitigation Required:

- **Impact 5.18-1 Emergency Response/Evacuation Plans.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to impairment of an adopted emergency response plan or emergency evacuation plan. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.18-3 Fire Risks Associated with Infrastructure.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to installation or maintenance of associated infrastructure that exacerbates fire risk. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.
- **Impact 5.18-4 Post-Fire Flooding and Landslides.** The proposed project would have a less than significant direct, indirect, and cumulative impact related to exposure of 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. Accordingly, no changes or alterations to the proposed project were required to avoid or substantially lessen any significant environmental impacts under those thresholds.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to wildfire.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new

significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

C. Findings on Significant Environmental Impacts That Can Be Mitigated to Less Than Significant

The following summary describes impacts of the proposed project that, without mitigation, would result in significant adverse impacts. Upon implementation of the mitigation measures provided in the GPEIR (here, the Draft EIR), these impacts would be considered less than significant. Findings are made pursuant to CEQA Guidelines Sections 15091, 15153, and 15162.

1. Air Quality

GPEIR Impact 5.3-4: Construction activities associated with the proposed project could expose sensitive receptors to substantial pollutant concentrations. [Threshold AQ-3]

Impacts Evaluated

Impact 5.3-4: Localized Construction-Related Air Quality Emissions

2045 General Plan

Construction of projects under the 2045 General Plan and proposed project would temporarily elevate concentrations of TACs and diesel particulate matter (DPM) in the vicinity of sensitive land uses during construction activities. Since the details regarding future construction activities are not known at this time due to this analysis being conducted at a program level—including phasing of future individual projects, construction duration and phasing, and preliminary construction equipment—construction emissions are evaluated qualitatively in accordance with BAAQMD’s plan-level guidance. Subsequent environmental review of future development projects would be required to assess potential impacts under BAAQMD’s project-level thresholds. However, construction emissions associated with the 2045 General Plan and proposed project could exceed BAAQMD’s project level and cumulative significance thresholds for community risk and hazards. Therefore, construction-related health risk impacts associated with the 2045 General Plan and proposed project are considered potentially significant.

2024 CAAP Update

As discussed under Impact 5.3-2, of the DEIR, implementation of the 2024 CAAP Update does not involve any land use changes that would result in indirect growth or change in building density or intensity; therefore, its implementation would not directly result in the generation of TAC and DPM

emissions. In addition, as stated under Impact 5.3-3, of the DEIR, implementation of the CAAP could result in beneficial long-term air quality impacts from the increase in energy efficiency, usage of clean energy, and reduction in VMT. Therefore, implementation of the 2024 CAAP Update does not expose sensitive receptors to substantial pollutant concentrations of TACs, and impacts would be less than significant.

Mitigation Measures

AQ-3 Prior to discretionary approval by the County for development projects subject to CEQA (California Environmental Quality Act) review (i.e., nonexempt projects), future development involving construction on 1 acre or more and within 1,000 feet of residential and other sensitive land uses (e.g., hospitals, nursing homes, schools, and day care centers) in the unincorporated county², shall submit a health risk assessment (HRA) to the County Department of Conservation and Development for review and approval. The HRA shall be prepared in accordance with policies and procedures of the Office of Environmental Health Hazard Assessment (OEHHA) and the Bay Area Air Quality Management District (BAAQMD). The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children ages 0 to 16 years. If the HRA shows that the incremental cancer risk exceeds the respective threshold established by the BAAQMD—project-level risk of six in one million in Impacted Communities, BAAQMD's Overburdened Communities, and within 1,000 feet of a BAAQMD Overburdened Community; ten in a million in all other areas; PM_{2.5} emissions that exceed 0.3 µg/m³; or the appropriate noncancer hazard index exceeds 1.0—the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks below the respective threshold, including appropriate enforcement mechanisms. Measures to reduce risk may include, but are not limited to:

- Use of construction equipment rated as US EPA Tier 4 Interim or higher for equipment of 50 horsepower or more.
- Use of construction equipment fitted with Level 3 Diesel Particulate Filters for all equipment of 50 horsepower or more.

Measures identified in the HRA shall be included in the environmental document and/or incorporated into the site development plan as a component of the proposed project. Prior to issuance of any construction permit, the construction contractor shall ensure that all construction plans submitted to the Department of Conservation and Development clearly show incorporation of all applicable mitigation measures.

Mitigation Measure AQ-3 would ensure that future construction within 1,000 feet of sensitive receptors submit a health risk assessment showing that the document has been prepared in accordance with policies and procedures of the OEHHA and BAAQMD, and requires mitigation be provided if the health risk assessment shows that the incremental cancer risk exceeds ten in one million (10E-06),

² As measured from the property line of the project site to the property line of the source/edge of the nearest travel lane.

PM_{2.5} concentrations exceed 0.3 µg/m³, or the appropriate noncancer hazard index exceeds 1.0. Therefore, Mitigation Measure AQ-3 would reduce impacts related to health risk to less than significant.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.3-1 to 5.3-28 of the GPEIR provide the environmental setting specific to the analysis of air quality, including regulatory background and existing conditions. The environmental setting is the SFBAAB, which includes all areas regulated by BAAQMD including the entirety of Contra Costa County. The proposed project is occurring in substantially the same regulatory and geographic/physical environment that was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all existing locations that could be at risk from changes to air quality, and all potential development sites that could cause air quality impacts, within the unincorporated county and the jurisdiction of BAAQMD. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to air quality.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR determined that the 2045 General Plan Development Scenario would have less than significant impacts with respect to construction health risk with the incorporation of Mitigation Measure AQ-3. The air quality impacts identified in the GPEIR are attributable to new development that could occur under the 2045 General Plan Development Scenario. The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR incorporated four mitigation measures to reduce impacts with respect to air quality including AQ-1, which targets the reduction of construction-related impacts including fugitive dust; AQ-2, which would reduce operational emissions by requiring applicable projects to incorporate long-term emissions reductions measures; and AQ-3 and AQ-4 which would require applicable projects to prepare construction (AQ-3) and operational (AQ-4) health risk assessments in accordance with the BAAQMD's guidelines. As described above in *Impacts Evaluated*, the GPEIR determined that implementation of AQ-3 would reduce impacts related to construction health risk to less than significant. The proposed project would result in the same impacts with respect to air quality as analyzed in the GPEIR, including those associated with construction health risk. Implementation of the mitigation measures identified in the GPEIR will mitigate the proposed project's impacts associated with construction health risk to a less-than-significant level. Therefore, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to air quality are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to air quality that were not considered in the

GPEIR. There are no new circumstances involving new impacts, and there is no new information related to air quality requiring new impact analysis or verification. Additionally, there are no mitigation measures or alternatives previously considered to be infeasible that are now found to be feasible, or new mitigation measures or alternatives that would substantially reduce significant impacts. There would be no new impacts or increase in the significance of impacts related to air quality. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Finding for Less than Significant Impacts with Mitigation Incorporated:

- **Impact 5.3-4 Localized Construction-Related Air Quality Emissions.** Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in GPEIR. These changes are identified in the form of mitigation measures identified in the GPEIR. The Contra Costa County Board of Supervisors hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the air quality setting and impacts of the proposed project, in addition to the mitigation measures and alternatives related to air quality impacts.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

2. Biological Resources

GPEIR Impact 5.4-4: Implementation of the proposed project could interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. [Threshold B-4].

Impacts Evaluated

Impact 5.4-4: Wildlife Migration and Nursery Sites

2045 General Plan

Implementation of the 2045 General Plan and proposed project could interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites in the EIR Study Area.

The definition of “wildlife corridor,” along with an explanation of critical linkages, natural landscape blocks, and essential connectivity areas that occur in the county, are provided in the Existing Conditions Report (Appendix 5.4-1, Figure 3-5 of the GPEIR). Two linkages that are crucial to maintaining connectivity for wildlife between large landscape blocks within and adjacent to the nine-county Bay Area, as well as overlapping Contra Costa County, are the East Bay Hills: Diablo Range linkage and the Mount Diablo: Diablo Range linkage. Natural landscape blocks and essential connectivity areas overlap the Diablo Range in the county. Furthermore, the East Contra Costa County HCP/NCCP identifies four potential movement routes (i.e., Round Valley, Briones Valley, Deer Valley, and Horse and Lone Tree Valleys) between the Los Vaqueros Watershed and Black Diamond Mines Regional Preserve.

Regarding movement within natural communities, the baylands west of the EIR Study Area’s western boundary and the Baylands along the EIR Study Area’s northern boundary serve as a migratory corridor for anadromous fish, including green sturgeon and steelhead. The riparian woodland community also provides movement corridors for fish and wildlife species. The grassland natural community is an important movement corridor for species such as American badger, Alameda whipsnake, and San Joaquin kit fox. Grasslands in the eastern county connect to grassland communities in counties to the south, including Alameda County and San Joaquin County, providing a movement corridor to greater habitat patches and facilitating a genetic exchange with other populations of San Joaquin kit fox and American badger. Aquatic habitats such as streams and ponds provide breeding habitat for California red-legged frog and California tiger salamander, while the matrix of upland grassland habitats between the aquatic habitats and riparian corridors provide dispersal habitat.

Development under the 2045 General Plan and proposed project could restrict local or regional movement of native wildlife and fish species by fragmenting intact habitat areas. Development in natural or open space areas serves to fragment habitat areas, which reduces the number of special-status species within these areas. This reduction in habitat, including movement corridors or wildlife nursery areas, affects the ability of special-status species to increase in number and increases the probability that such species will be affected by other environmental factors (e.g., disease, catastrophic weather, and predation). However, given that most development under the 2045 General Plan and proposed project is anticipated to occur within the ULL, which would be contracted under the proposed project, specific impacts may be lessened through implementation of the goals, policies, and actions of the 2045 General Plan.

The Conservation, Open Space, and Working Lands Element of 2045 General Plan includes policies and actions that would mitigate potential impacts associated with the movement of native resident or migratory fish or wildlife species, or established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. This includes policies and actions that are associated

with goals that aim to preserve open space for environmental protection (Goal COS-1); preserve and enhance ecological resources and wildlife habitat (Goal COS-4), including Action COS-A4.3 which directs the County to work with conservation agencies to identify appropriate locations and methods for incorporating wildlife crossings into future road projects; protect and restore natural watercourses, riparian corridors, and wetland areas (Goal COS-5); preserve and enhance native upland habitat (Goal COS-6); and protect, preserve, and enhance natural resources of the San Francisco Bay/Sacramento-San Joaquin Delta estuary system and shoreline (Goal COS-9).

Additionally, a number of federal and State regulations are in place to protect wildlife movement, wildlife corridors, and nursery sites within Contra Costa County. However, even with implementation of the 2045 General Plan goals, policies, and actions, the regulations would not fully reduce potential impacts associated with the movement of wildlife species, migratory wildlife corridors, or native wildlife nursery sites. Additional project-specific analysis would be required to ensure that development does not impede wildlife movement in the identified areas. Therefore, wildlife migration impacts are potentially significant under the 2045 General Plan and proposed project.

2024 CAAP Update

The 2024 CAAP Update is a policy document that does not include specific projects. However, projects that would implement the 2024 CAAP Update strategies and actions could result in the construction of physical improvements and infrastructure in the county that is designed to help meet the emissions targets in the CAAP, which could potentially impact wildlife species, migratory wildlife corridors, or native wildlife nursery sites. Projects that would implement the 2024 CAAP Update strategies and actions would be required to be consistent with the 2045 General Plan, as well as a number of federal and State regulations that are in place to protect wildlife movement, wildlife corridors, and nursery sites. However, even with implementation of the 2045 General Plan goals, policies, and actions, the regulations would not fully reduce potential impacts of the 2024 CAAP Update associated with the movement of wildlife species, migratory wildlife corridors, or native wildlife nursery sites. Therefore, this is considered a potentially significant impact.

Mitigation Measures

BIO-1 Prior to the issuance of a building permit for projects not exempt from the California Environmental Quality Act, the County shall require a habitat connectivity/wildlife corridor evaluation for future development that may impact existing connectivity areas and wildlife linkages. The evaluation shall identify project design features that would reduce potential impacts and maintain habitat and wildlife movement. To this end, the County shall incorporate the following measures, to the extent practicable, for projects impacting wildlife movement corridors:

- Encourage clustering of development
- Avoid known sensitive biological resources
- Provide shielded lighting adjacent to sensitive habitat areas
- Encourage development plans that maximize wildlife movement

- Provide buffers between development and wetland/riparian areas
- Protect wetland/riparian areas through regulatory agency permitting process
- Encourage wildlife-passable fence designs (e.g., three-strand barbless wire fence) on property boundaries.
- Encourage preservation of native habitat on developed parcels
- Minimize road/roadway development to help prevent loss of habitat due to roadkill and habitat loss
- Use native, drought-resistant plant species in landscape design
- Encourage participation in local/regional recreational trail design efforts

Implementation of Mitigation Measure BIO-1 would require projects that may impact wildlife migration corridors to conduct an evaluation that identifies potential impacts and project design features that can be feasibly implemented to reduce impacts. This would ensure that impacts to wildlife migration corridors are identified and reduced to the extent possible under project-level review. As such, impacts would be less than significant.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.4-1 to 5.4-18 of the GPEIR provide the environmental setting specific to the analysis of biological resources, including regulatory background and existing conditions. The environmental setting includes federal, State, and local regulations affecting these resources and is geographically limited to all land and water within Contra Costa County containing protected biological resources, including habitats and species, that could be impacted by development in the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment that was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all potential development sites, habitats, and wildlife movement corridors within the unincorporated county and the jurisdictions of the agencies that regulate impacts to biological resources, including but not limited to the U.S. Army Corps of Engineers and CDFW. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to biological resources.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR determined that development pursuant to the 2045 General Plan Development Scenario could result in fragmentation of wildlife movement corridors; however, Mitigation Measure BIO-1, which requires wildlife-friendly design and habitat connectivity assessments, would reduce this impact to less than significant. The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to

comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR incorporated one mitigation measure to reduce impacts to biological resources. Mitigation Measure BIO-1 requires that for any future development not exempt from CEQA, a habitat connectivity and wildlife corridor evaluation must be conducted before issuance of a building permit if the project could affect existing connectivity areas or wildlife linkages. This measure ensures that impacts related to wildlife movement are less than significant. The proposed project would result in the same impacts with respect to biological resources as analyzed in the GPEIR, including those associated with wildlife movement corridors. Implementation of the mitigation measures identified in the GPEIR will mitigate the proposed project's impacts associated with wildlife movement corridors to a less-than-significant level. Therefore, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to biological resources are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to biological resources that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to biological resources requiring new impact analysis or verification. Additionally, there are no mitigation measures or alternatives previously considered to be infeasible that are now found to be feasible, or new mitigation measures or alternatives that would substantially reduce significant impacts. There would be no new impacts or increase in the significance of impacts related to biological resources. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Finding for Less than Significant Impacts with Mitigation Incorporated:

- **Impact 5.4-4 Wildlife Migration and Nursery Sites.** Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in GPEIR. These changes are identified in the form of mitigation measures identified in the GPEIR. The Contra Costa County Board of Supervisors hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the biological resources setting and impacts of the proposed project, in addition to the mitigation measures and alternatives related to biological resources impacts.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not

known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

3. Cultural Resources

GPEIR Impact 5.5-2: Implementation of the proposed project could cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines, Section 15064.5. [Thresholds C-2]

Impacts Evaluated

Impact 5.5-2: Archaeological Resources

2045 General Plan

Archaeological resources are known to be present in the EIR Study Area. Implementation of the 2045 General Plan and proposed project could potentially result in direct or indirect impacts on both prehistoric and historic archaeological resources in the EIR Study Area. If archaeological resources are present in the areas where development is planned, they could be damaged by earth-disturbing construction activities, such as those associated with excavating foundations, placing fill, trenching for utility systems, or grading the site for roads and staging areas. In particular, construction activities may disturb resources by exposing them to potential vandalism or causing them to be displaced from the original context. This could result in a significant impact on archaeological resources.

Existing federal and State regulations in place to protect archaeological resources within the EIR Study Area. Compliance with the State and federal regulations is intended to ensure that development would not result in adverse impacts to identified archaeological resources. In addition, the 2045 General Plan policies take a comprehensive approach to the protection of archaeological resources. The Conservation, Open Space, and Working Lands Element includes policies and actions that would mitigate potential impacts on archaeological resources, including through the policies and actions under Goal COS-10, which aims to identify and preserve archaeological resources. For example, Policy COS-P10.1 encourages the preservation of sites and areas having identifiable archaeological significance. Policy COS-P10.5 requires applicants to engage a qualified consultant to prepare an evaluation of archaeological resources that may be present on a project site when warranted through the CEQA process. Policy COS-P10.6 requires that upon discovery of a significant archaeological artifact during construction, ground disturbing activities must halt within a 50-foot radius of the find until its significance can be determined by a qualified archeologist and appropriate protection and preservation measures developed. Policy COS-P10.7 requires significant archaeological resources to be either preserved onsite or adequately documented as a condition of removal (any documentation of historic resources shall be conducted in accordance with Historic American Building Survey Level III standards, as defined by the US Secretary of the Interior), COS-A10.1 through COS-A10.4 support

these policies, ensuring that surveys of existing and as-yet unknown resources are performed and updated regularly, and that planning tools, such as ordinances, design guidelines, context statements, and management plans are put in place to support implementation of the policies.

As noted previously, the 2045 General Plan includes multiple policies that attempt to mitigate impacts on archaeological resources through preservation and evaluation. The 2045 General Plan also includes policies and actions that attempt to provide better documentation and improve the review of archaeological resources to protect known and as yet unknown historic resources. Overall, the goals, policies, and actions in the 2045 General Plan, in combination with existing federal and State regulations in place to protect archaeological resources within the EIR Study Area, would help to avoid adverse impacts to archaeological resources; however, they do not prevent ground-disturbing activities from occurring that could potentially impact archaeological resources. Therefore, this is considered a potentially significant impact.

2024 CAAP Update

The 2024 CAAP Update is a policy document that does not include specific projects. However, projects that would implement the 2024 CAAP Update strategies and actions could result in the construction of physical improvements and infrastructure in the county that is designed to help meet the emissions targets in the CAAP, which could potentially impact archaeological resources in the EIR Study Area. Projects that would implement the 2024 CAAP Update strategies and actions would be required to be consistent with the 2045 General Plan as well as federal and State regulations in place to protect archaeological resources within the EIR Study Area. However, even with implementation of the 2045 General Plan goals, policies, and actions, the regulations would not fully reduce potential impacts of the 2024 CAAP Update on archaeological resources. Therefore, this is considered a potentially significant impact.

Mitigation Measures

CUL-1 Prior to initiation of construction activities for discretionary projects that are not exempt from CEQA and would involve ground-disturbing activities on previously undisturbed sites or alteration of potentially significant built environment resources, or as otherwise directed by the County, the project applicant shall be required to retain a cultural resources consultant with staff that meets the Secretary of the Interior's Professionally Qualified Standards to conduct a cultural records search and complete the following steps as relevant.

The cultural resources consultant shall:

- Conduct a records search with the California Historical Resources Information System.
- If the record search shows a pedestrian survey has been conducted within the last 10 years and the survey results were negative, the project applicant shall provide those results to the County for summary in environmental analysis.
- If no survey has been performed, or if cultural resources are present, the project applicant shall direct the cultural resources consultant to:
 - Conduct a pedestrian survey (if none has been completed).

- Update the records for known resources.,
- Record new built environment and archaeological resources.,
- Determine if the resources have been previously evaluated for the California Register of Historical Resources.
- If the resources were previously determined ineligible for listing, the cultural resources consultant shall describe those results for use in the County's environmental analysis.
- If the resources have not been evaluated, the cultural resources consultant shall evaluate the resources for listing on the California Register of Historical Resources, and local registers.,
- If the resources were previously determined eligible or are proposed to be register-eligible, the cultural resources consultant shall determine if the project would result in a "substantial adverse change in the resource" as defined in CEQA Guidelines Section 15064.5(b)(1).
- If a substantial adverse change would occur, the cultural resources consultant shall support the County in identifying feasible mitigation approaches.

Mitigation Measure CUL-1 requires project applicants to retain a cultural resources consultant with staff that meets the Secretary of the Interior's Professionally Qualified Standards to conduct a cultural records search, conduct appropriate surveys, and identify mitigation for any substantial adverse changes in a resource. This would ensure that potential resources are identified and protected. With implementation of Mitigation Measure CUL-1, Impact 5.5-2 would be less than significant.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.5-1 to 5.5-7 of the GPEIR provide the environmental setting specific to the analysis of cultural resources including regulatory background and existing conditions. The environmental setting includes federal, State, and local regulations affecting these resources and is geographically limited to cultural resources in the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all designated cultural resources within the unincorporated county. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to cultural resources.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that development under the 2045 General Plan could adversely affect archaeological resources. However, Mitigation Measure CUL-1 requires pre-construction cultural records searches and tribal consultation, reducing archaeological resource impacts to a less-than-significant level. In addition, policies from the 2045 General Plan, such as COS-P10.5 and COS-P10.7, would reduce impacts to archaeological resources. The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project

modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR incorporated one mitigation measure to reduce impacts with respect to archaeological resources. Mitigation Measure CUL-1 requires project applicants to retain a qualified archaeologist to monitor such activities for non-CEQA-exempt projects involving disturbance of previously developed sites or as directed by the County. This measure ensures that any potential archaeological resources are identified and protected, reducing archaeological impacts to a less-than-significant level. The proposed project would result in the same impacts with respect to archaeological resources as analyzed in the GPEIR. Implementation of the mitigation measures identified in the GPEIR will mitigate the proposed project's impacts associated with archaeological resources to a less-than-significant level. Therefore, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to cultural resources are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to cultural resources that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to cultural resources requiring new impact analysis or verification. Additionally, there are no mitigation measures or alternatives previously considered to be infeasible that are now found to be feasible, or new mitigation measures or alternatives that would substantially reduce significant impacts. There would be no new impacts or increase in the significance of impacts related to cultural resources. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Finding for Less than Significant Impacts with Mitigation Incorporated:

- **Impact 5.5-5 Archaeological Resources.** Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in GPEIR. These changes are identified in the form of mitigation measures identified in the GPEIR. The Contra Costa County Board of Supervisors hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the cultural resources setting and impacts of the proposed project, in addition to the mitigation measures and alternatives related to cultural resources impacts.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed

project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

4. Geology and Soils

GPEIR Impact 5.7-5: Development under the proposed project could directly or indirectly destroy a unique paleontological resource or unique geologic feature. [Threshold G-6].

Impacts Evaluated

Impact 5.7-5: Paleontological Resources and Unique Geologic Features

2045 General Plan

Unique Geologic Features

The most notable geological feature in the county is Mount Diablo, located between Clayton and Danville. At almost 4,000 feet tall, the mountain dominates the landscape in Contra Costa County and is a popular attraction for hiking in the region. Mount Diablo is also a State Park and there are varied types of protected lands on and around Mount Diablo that total more than 90,000 acres. The mountain has historically been an important landmark for navigation because of its presence and visibility throughout the Bay Area and beyond. While this geologic resource is already protected as a State Park, the 2045 General Plan supports this protection by designating it Parks and Recreation and including Policy COS-P13.4, which requires applications for new or expanded quarrying operations adjacent to Mount Diablo State Park to include an analysis of potential impacts to the park's natural features.

Furthermore, any future development under the 2045 General Plan and proposed project would need to follow the County's Ordinance Code. Section 814-2.1004, Environmental Design, of the County Code mandates that grading must consider the land's environmental characteristics, such as geological features, stream beds, and tree cover, and employ the best engineering practices to minimize erosion, slides, or flooding, ensuring minimal impact on the environment. Therefore, impacts would be less than significant.

Paleontological Resources

Contra Costa County is underlain by a number of distinct geologic rock units (i.e., formations) with varying paleontological sensitivities. According to the U.S. Geological Survey (USGS), 24 percent of the county is underlain by quaternary alluvium and marine deposits of the Pleistocene to Holocene

eras, which generally have lower paleontological sensitivity due to their young age. Additionally, 18 percent of the county is underlain by Pleo-Pleistocene and Pliocene loosely consolidated deposits, 15 percent by Miocene marine rocks, and 14 percent by upper cretaceous marine rocks. These geologic units typically have higher paleontological sensitivity based on their rock type, which is primarily sandstone and shale.

Development under the 2045 General Plan and proposed project would occur in areas of varying levels of paleontological sensitivity and would require site-specific investigations by a professional archaeologist/paleontologist to determine the potential of such resources to be present on site. Excavations could occur in association with development of these sites that could affect paleontological resources buried at greater depths. Therefore, it is possible that project-related ground-disturbing activities associated with development allowed under the 2045 General Plan and proposed project could uncover previously unknown paleontological resources. Unanticipated discoveries during project implementation have the potential to affect significant paleontological resources. The 2045 General Plan includes Policy COS-P10.7, which requires that significant paleontological resources be either preserved on-site or adequately documented as a condition of removal. In addition, Policy COS-P10.6 states that upon discovery of any significant fossils during project construction, ground-disturbing activities must halt within a 50-foot radius of the find until its significance can be determined by a qualified paleontologist and appropriate protection and preservation measures are developed. While adherence to these proposed policies would preserve or document a resource in the event of its discovery, it does not prevent ground-disturbing activities from occurring that could potentially impact paleontological resources. Therefore, this paleontological resource impact is potentially significant.

2024 CAAP Update

The 2024 CAAP Update aims to reduce GHG emissions from activities within the county. Although the 2024 CAAP Update is a policy document that does not include specific projects, projects could be facilitated by 2024 CAAP Update actions that include construction activity and ground disturbance, which could uncover and impact previously unknown paleontological resources, resulting in a potentially significant impact.

Mitigation Measures

GEO-1 Prior to initiation of construction activities for discretionary projects that are not exempt from CEQA and would involve ground-disturbing activities on previously undisturbed sites, or as otherwise directed by the County, the project applicant shall be required to retain a Qualified Professional Paleontologist to determine the project's potential to significantly impact paleontological resources according to Society of Vertebrate Paleontology standards. If necessary, the Qualified Professional Paleontologist shall recommend mitigation measures to reduce potential impacts to paleontological resources to a less-than-significant level.

Mitigation Measure GEO-1 would require non-ministerial projects not exempt from CEQA that involve ground-disturbing activities on previously undisturbed sites to consult with a Qualified Professional Paleontologist to assess potential impacts on paleontological resources, and if necessary, recommend mitigation measures to minimize these impacts to a less-than-significant level. Therefore, impacts to paleontological resources would be reduced to less than significant.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.7-1 to 5.7-13 of the GPEIR provide the environmental setting specific to the analysis of geology and soils, including regulatory background and existing conditions. The environmental setting includes State and local regulations affecting these resources and is geographically limited to the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all potential development within the unincorporated county that could overlay paleontological resources and unique geologic features. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to paleontological resources and unique geologic features.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that ground-disturbing activities during construction of individual projects under the 2045 General Plan could affect undiscovered paleontological resources. However, required policies and Mitigation Measure GEO-1 ensure this impact is reduced to less-than-significant levels. The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR incorporated one mitigation measure to reduce impacts related to paleontological resources. Mitigation Measure GEO-1 requires that prior to initiation of construction activities for discretionary projects that are not exempt from CEQA and would involve ground-disturbing activities on previously undisturbed sites, or as otherwise directed by the County, project applicants shall be required to retain a Qualified Professional Paleontologist to determine the project's potential to significantly impact paleontological resources according to Society of Vertebrate Paleontology standards and if necessary, recommend mitigations to reduce potential impacts to paleontological resources to a less-than-significant level. This measure ensures that any potential paleontological resources are identified and protected, reducing paleontological impacts to a less-than-significant level. The proposed project would result in the same impacts with respect to geology and soils as analyzed in the GPEIR, including those associated with paleontological resources. Implementation of the mitigation measures identified in the GPEIR will mitigate the proposed project's impacts associated with paleontological resources to a less-than-significant level. Therefore, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to paleontological resource and unique geologic features are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts with respect to these topics that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to these topics requiring new impact analysis or

verification. Additionally, there are no mitigation measures or alternatives previously considered to be infeasible that are now found to be feasible, or new mitigation measures or alternatives that would substantially reduce significant impacts. There would be no new impacts and no increase in the significance of impacts with respect to paleontological resource and unique geologic features. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Finding for Less than Significant Impacts with Mitigation Incorporated:

- **Impact 5.7-5 Paleontological Resources and Unique Geologic Features.** Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in GPEIR. These changes are identified in the form of mitigation measures identified in the GPEIR. The Contra Costa County Board of Supervisors hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the geologic and soils setting and impacts of the proposed project, in addition to the mitigation measures and alternatives related to geology and soils impacts.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

5. Noise

GPEIR Impact 5.13-3: Individual construction developments for future housing may expose sensitive uses to excessive levels of groundborne vibration. [Threshold N-2]

Impacts Evaluated

Impact 5.13-3: Vibration

2045 General Plan

Construction Vibration Impacts

Construction activity from projects under the 2045 General Plan and proposed project would generate varying degrees of ground vibration, depending on the construction procedures and equipment. Operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. The effect on buildings in the vicinity of the construction site varies depending on soil type, ground strata, and receptor-building construction. The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight structural damage at the highest levels. Vibration from construction activities rarely reaches the levels that can damage structures but can achieve the audible and perceptible ranges in buildings close to the construction site. Table 5.13-13, *Vibration Levels for Construction Equipment*, from the GPEIR lists reference vibration levels for construction equipment.

As shown in Table 5.13-13 of the GPEIR, vibration generated by construction equipment has the potential to be substantial, since it has the potential to exceed the FTA criteria for architectural damage (i.e., 0.12 inches per second [in/sec] PPV for fragile or historical resources, 0.2 in/sec PPV for nonengineered timber and masonry buildings, and 0.3 in/sec PPV for engineered concrete and masonry). Construction details and equipment for future project-level developments under the 2045 General Plan and proposed project are not known at this time but may cause vibration impacts. As such, this would be a potentially significant impact.

Operational Vibration Impacts

Operational vibration is typically associated with commercial and industrial uses, which can generate varying levels of groundborne vibration, depending on operational procedures and equipment. Other sources of groundborne vibration include rail traffic and subways. The 2045 General Plan and proposed project would allow for the future development of commercial and industrial land uses, which could generate significant levels of operational vibration. Therefore, impacts would be potentially significant.

Rail Vibration Impacts

Placement of new receptors near existing or future rail right-of-way could expose people to substantial vibration levels, depending on the proximity to rail alignments and depending on the type of rail and daily frequency of service. Regarding rail vibration, it is extremely rare for operations to cause substantial or even minor cosmetic damage to buildings. 2045 General Plan Policy HS-P14.11 provides guidance for evaluating new vibration-sensitive uses near an existing railroad or BART line. This policy directs the County to use Table HS-4 in the 2045 General Plan to evaluate whether the sensitive uses could be exposed to excessive groundborne vibration. Projects with sensitive uses within the screening distances identified in the table would require preparation of a groundborne vibration and noise evaluation that is consistent with FTA-approved methodologies. However, due to the programmatic nature of this analysis, specific distances from transit types to future sensitive land uses cannot be

determined at this time because project-specific details are unknown. Therefore, this impact would be potentially significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that provides strategies for reducing GHG emissions and adapting to changing climate conditions. While the 2024 CAAP Update does not directly result in any new development, the implementation of its actions, which may indirectly result in new development (such as wind farms or battery storage projects), would be subject to the same County standards that apply to development under the 2045 General Plan, as applicable. The 2024 CAAP does not include any strategies or actions that would otherwise result in new sources of vibration, so impacts would be less than significant.

Mitigation Measures:

- N-2 Prior to issuance of a grading or building permit for a project requiring pile driving during construction within 135 feet of fragile structures, such as historical resources, 100 feet of non-engineered timber and masonry buildings (e.g., most residential buildings), or within 75 feet of engineered concrete and masonry (no plaster); or a vibratory roller within 25 feet of any structure, the project applicant shall prepare a noise and vibration analysis to assess and mitigate potential noise and vibration impacts related to these activities. This noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer. The vibration levels shall not exceed FTA architectural damage thresholds (i.e., 0.12 inches per second [in/sec] peak particle velocity [PPV] for fragile or historical resources, 0.2 in/sec PPV for non-engineered timber and masonry buildings, and 0.3 in/sec PPV for engineered concrete and masonry). If vibration levels would exceed this threshold, alternative uses such as drilling piles as opposed to pile driving and static rollers as opposed to vibratory rollers shall be used. If necessary, construction vibration monitoring shall be conducted to ensure vibration thresholds are not exceeded.
- N-3 During the project-level CEQA process for industrial development projects or other projects that could generate substantial vibration levels near sensitive uses, such as residential uses, a noise and vibration analysis shall be conducted to assess and mitigate potential noise and vibration impacts related to the operations of that individual development. This noise and vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer and shall follow the latest CEQA guidelines, practices, and precedents.

With implementation of Mitigation Measures N-2 and N-3, coupled with adherence to associated performance standards, Impact 5.13-3 would be reduced to less-than-significant levels. Specifically, Mitigation Measure N-2 would reduce potential vibration impacts during construction below the pertinent thresholds, and Mitigation Measure N-3 (operations-related vibration) would reduce potential vibration impacts from proposed sensitive uses near existing railroads and facilities to less-than-significant levels. No significant and unavoidable vibration impacts would remain.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.13-1 to 5.13-26 of the GPEIR provide the environmental setting specific to the analysis of noise, including vibration fundamentals, regulatory background, and existing conditions. The environmental setting includes federal, State, and local regulations affecting noise and vibration and is geographically limited to the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all areas of the unincorporated county that could be impacted by vibration and all development within the unincorporated county that could cause vibration impacts. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to vibration.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that vibration impacts from construction and operational activities under the 2045 General Plan were determined to be less than significant with incorporation of Mitigation Measures N-2 and N-3, which require applicable projects to assess vibration levels and incorporate appropriate mitigations.

The proposed project would not introduce new or different sources of vibration not previously analyzed in the GPEIR. The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR incorporated two mitigation measures to reduce impacts related to vibration including Mitigation Measure N-2, which requires assessment and mitigation of construction vibration impacts, and N-3, which requires assessment and mitigation of operational vibration impacts. These mitigation measures reduce vibration impacts to less than significant. The proposed project would result in the same impacts with respect to vibration as analyzed in the GPEIR. Implementation of the mitigation measures identified in the GPEIR will mitigate the proposed project's vibration impacts to a less-than-significant level. Therefore, no new alternatives or mitigation measures are required.

Section 15162. The impacts of the proposed project with respect to vibration are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts related to vibration that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to vibration requiring new impact analysis or verification. Additionally, there are no mitigation measures or alternatives previously considered to be infeasible that are now found to be feasible, or new mitigation measures or alternatives that would substantially reduce significant impacts. There would be no new impacts and no increase in the significance of impacts related to vibration. The

proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Finding for Less than Significant Impacts with Mitigation Incorporated:

- **Impact 5.13-3 Vibration.** Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in GPEIR. These changes are identified in the form of mitigation measures identified in the GPEIR. The Contra Costa County Board of Supervisors hereby finds that implementation of the mitigation measure is feasible, and the measure is therefore adopted.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the noise and vibration setting and impacts of the proposed project, in addition to the mitigation measures and alternatives related to noise and vibration impacts.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

6. Tribal Cultural Resources

GPEIR Impact 5.5-4: Implementation of the proposed project could cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or a local register of historical resources, as defined in Public Resources Code Section 5020.1(k), or determined to be significant pursuant to the criteria set forth in Public Resources Code Section 5024.1(c). [Threshold TCR-1]

Impacts Evaluated

Impact 5.5-4: Tribal Cultural Resources

2045 General Plan

Tribal cultural resources (TCRs) are known to be present in the EIR Study Area. Ground-disturbing activities could occur on sites that may have sensitive TCRs. Grading and construction activities of undeveloped areas or redevelopment that requires more intensive soil excavation than needed for the existing development could potentially cause disturbance to TCRs by potentially unearthing previously unknown or unrecorded TCRs. Accordingly, implementation of the 2045 General Plan and proposed project could potentially cause a substantial adverse change in the significance of TCRs in the EIR Study Area.

In compliance with the tribal consultation requirements for the 2045 General Plan, invitations for consultation were sent to representatives of the Native American tribes provided by the NAHC on January 15, 2021, and to the County's AB 52 Tribal Consultation List on October 5, 2023. The Confederated Villages of Lisjan Nation Tribe requested consultation and consulted with the County in November 2021 regarding the draft goals, policies, and actions of the General Plan Update. During this process, the Lisjan Tribe provided comments and edits for the General Plan that have been incorporated as new and modified policies and actions. Additionally, the tribe provided mitigation measures that have been incorporated as Mitigation Measures TCR-1 and TCR-2 and within Mitigation Measure CUL-1. No further consultation was requested from the Lisjan Tribe. The tribe also responded on October 25, 2023, to the updated consultation invitation, requesting information about the 2045 General Plan and proposed project that was sent to the tribe. No additional consultation was requested.

Pursuant to AB 52, tribal consultation for the proposed project was conducted in association with the Initial Study released for the proposed project. The County sent letters to representatives of the Native American tribes provided by the NAHC on August 22, 2025, inviting tribes to consult with the County on the proposed project. Five tribes responded to the request, including the Costanoan Rumsen Carmel Tribe, Amah Mutsun Tribe, Muwekma Ohlone Tribe, Wilton Rancheria Tribe, and the Lisjan Nation Tribe. The Lisjan Nation and Wilton Rancheria Tribes requested consultation on the proposed project. The Amah Mutsun, Muwekma Ohlone, and Wilton Rancheria Tribes provided recommendations of TCR protection measures for consideration by the county. Additional materials regarding the components of the proposed project and existing TCR protections in place were provided on request to each tribe. Tribal consultation proceeding with all tribes concluded November 20, 2025, resulting in no changes to the content of the GPEIR and Initial Study.

Existing federal and State regulations are in place to protect TCRs within the EIR Study Area. Compliance with the State and federal regulations is intended to ensure that development would not result in adverse impacts to TCRs. In addition, the 2045 General Plan policies and actions take a comprehensive approach to the protection of TCRs. The Conservation, Open Space, and Working Lands Element includes policies and actions that would mitigate potential impacts on TCRs, including policies and actions under Goal COS-11, which aims to preserve, restore, and enhance TCRs. For example, Policy COS-P11.1 encourages respecting and protecting TCRs. Policies COS-P11.2, COS-P11.3, COS-P11.4, COS-P11.5, and COS-P11.8 promote establishing and maintaining collaborative relationships with local Native American tribal representatives as well as consulting with culturally affiliated tribes to identify and protect TCRs. In addition, Policies COS-P11.9 and COS-P11.10 require avoiding impacts of development on Native American TCRs whenever possible and consulting with culturally affiliated tribes when developing mitigation measures (e.g., cultural resources treatment

agreement between a developer and the appropriate tribe[s] that address tribal monitoring during earth-disturbing activities).

The goals, policies, and actions in the 2045 General Plan and mitigation measures requested by the Lisjan Tribe, in combination with existing federal and State regulations in place to protect TCRs within the EIR Study Area, would reduce impacts to a less-than-significant level. Without mitigation, though, impacts would be potentially significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that does not include specific projects. However, projects that would implement the 2024 CAAP Update strategies and actions could result in the construction of physical improvements and infrastructure in the county that is designed to help meet the emissions targets in the CAAP, which could potentially impact TCRs in the EIR Study Area. Projects that would implement the 2024 CAAP Update strategies and actions would be required to be consistent with the 2045 General Plan, applicable provisions of the Contra Costa County Ordinance Code, and SB 18 and AB 52. Compliance with the aforementioned policies and regulations and Mitigation Measures would reduce potential impacts of the 2024 CAAP Update on TCRs to a less-than-significant level, though impacts would be potentially significant before mitigation.

Mitigation Measures

- | | |
|-------|--|
| TCR-1 | Prior to initiation of construction activities for discretionary projects that are not exempt from CEQA and would involve ground-disturbing activities on previously undisturbed sites, or as otherwise directed by the County, the project applicant may be required to enter into a cultural resources treatment agreement with the culturally affiliated tribe. If required, the agreement would address the treatment and disposition of cultural resources and human remains that may be impacted as a result of the development as well as provisions for tribal monitors. If an agreement is required, the applicant must provide a copy of the cultural resources treatment agreement to the County prior to issuance of a grading or building permit. Regardless of whether an agreement is required, if cultural resources are discovered during project construction, all work in the area shall cease and a qualified archaeologist and representatives of the culturally affiliated tribe shall be retained by the project sponsor to investigate the find and make recommendations as to treatment and mitigation. |
| TCR-2 | Tribal monitors from the culturally affiliated tribe shall be allowed to monitor all grading, excavation, and ground-breaking activities, including archaeological surveys, testing, and studies for discretionary projects that are not exempt from CEQA and that would involve ground-disturbing activities on previously undisturbed sites, or as otherwise directed by the County. |

Mitigation Measures TCR-1 through TCR-2 would ensure that tribal cultural resources would be properly handled if identified during development under the 2045 General Plan and proposed project. Compliance with these measures would reduce impacts to tribal cultural resources to less than significant.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.5-1 to 5.5-7 of the GPEIR provide the environmental setting specific to the analysis of tribal cultural resources including regulatory background and existing conditions. The environmental setting includes federal, State, and local regulations affecting these resources and is geographically limited to tribal cultural resources in the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all designated tribal cultural resources within the unincorporated county. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to tribal cultural resources.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that development under the 2045 General Plan could adversely affect tribal cultural resources. However, implementation of Mitigation Measures TCR-1 and TCR-2, which were developed in consultation with local tribes during the process of drafting the 2045 General Plan and GPEIR, would require applicable projects to enter into a cultural resources treatment agreement with culturally affiliated tribes (TCR-1) in addition to allowing tribal monitoring during construction activities (TCR-2). Compliance with these measures would reduce potential impacts to tribal cultural resources to a less-than-significant level.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR incorporated two mitigation measures to reduce impacts with respect to tribal cultural resources. Mitigation Measure TCR-1 requires project applicants to retain a qualified archaeologist to monitor such activities for non-CEQA-exempt projects involving disturbance of previously developed sites or as directed by the County. This measure ensures that any potential archaeological resources are identified and protected, reducing tribal cultural resources impacts to a less-than-significant level. The proposed project would result in the same impacts with respect to tribal cultural resources as analyzed in the GPEIR. Implementation of the mitigation measures identified in the GPEIR will mitigate the proposed project's impacts associated with tribal cultural resources to a less-than-significant level. Therefore, no new mitigation measures or alternatives are required.

Section 15162. The impacts of the proposed project with respect to tribal cultural resources are the same as those evaluated in the GPEIR. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts related to tribal cultural resources that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to tribal cultural resources requiring new impact analysis or verification.

Additionally, there are no mitigation measures or alternatives previously considered to be infeasible that are now found to be feasible, or new mitigation measures or alternatives that would substantially reduce significant impacts. There would be no new impacts and no increase in the significance of impacts related to tribal cultural resources. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15091 Finding for Less than Significant Impacts with Mitigation Incorporated:

- **Impact 5.5-4 Tribal Cultural Resources.** Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect as identified in GPEIR. These changes are identified in the form of mitigation measures identified in the GPEIR. The Contra Costa County Board of Supervisors hereby finds that implementation of the mitigation measures is feasible, and the measures are therefore adopted.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the cultural resources setting and impacts of the proposed project, in addition to the mitigation measures and alternatives related to cultural resources impacts.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

D. Significant and Unavoidable Impacts that Cannot Be Mitigated to Below the Level of Significance

The following describes the unavoidable adverse impacts of the proposed project where either mitigation measures were found to be infeasible, or the mitigation measures are under the control of another lead agency. Findings are made pursuant to CEQA Guidelines Sections 15091, 15153, and 15162.

1. Agriculture and Forestry Resources

GPEIR Impact 5.2-1: The proposed project could convert Important Farmland to nonagricultural use. [Threshold AG-1]

GPEIR Impact 5.2-4: The proposed project would result in the loss of forest land or conversion of forest land to non-forest use. [Threshold AG-4]

Impacts Evaluated

Impact 5.2-1: Agricultural Resource Conversion

2045 General Plan

Figure 5.2-2, *Farmland Classifications within Contra Costa County*, of the GPEIR (here, the Draft EIR), shows that farmland is primarily located in the eastern portion of the county outside the ULL. The 2045 General Plan land use map designates land as Agricultural Core (AC), Agricultural Lands (AL), and Resource Conservation (RC), as shown in the 2045 General Plan Land Use Map (Figure LU-3 of the 2045 General Plan). These designations allow for agricultural (AC and AL) and grazing (RC) uses of these lands and place limitations on urban development. However, land in the EIR Study Area classified as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance is designated for a use other than AC, AL, or RC in the 2045 General Plan, as shown in Figure 5.2-4, *Potential Farmland Conversions*, of the GPEIR. A portion of this land is within the ULL but a majority of it is outside the ULL.

The 2045 General Plan and proposed project could result in the conversion of agricultural land to nonagricultural uses in the EIR Study Area. However, this analysis is conservative and does not consider site-specific and other factors that could affect the potential conservation of agricultural land. For example, development of land outside the ULL is restricted to non-urban uses by the County's ULL, which would help to prevent conversion of the majority of the total potential converted acres. Additionally, the Farmland Mapping and Monitoring Program data used in this analysis may not accurately represent current conditions on the land. For example, the 2045 General Plan land use designation of Water is only applied to areas that are inundated by water (based on County staff knowledge of sites and satellite imagery); therefore, land identified as an area of potential agricultural conversion are inundated and not suitable for farmland.

The analysis may also overstate the 2045 General Plan's influence on potential agricultural land conversion. Some areas are already designated for urban use, so the 2045 General Plan would not change the potential for conversion from what is currently allowed. Furthermore, 96 percent of the acreage of potential conversion identified under the 2045 General Plan is designated as Parks and Recreation and Public/Semi-Public; these areas are owned by public agencies such as the Department of Water Resources, EBRPD, the East Contra Costa Habitat Conservancy, and Ironhouse Sanitary District. This land will very likely be preserved for non-urban uses. Furthermore, as public agencies that are independent from the County and may be subject to limited or no County land use authority, these agencies would be required to perform their own analysis of the environmental impacts of converting this land should they decide to do so.

Moreover, the intent of the 2045 General Plan is to preserve this land. For example, Policy COS-P2.2 directs the County to preserve and protect productive agricultural land from urban conversion, particularly land designated as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland on the Important Farmland Map, land with Class 1 or Class 2 soils, and land designated Agricultural Core. This policy, along with others in the Land Use Element and Conservation, Open Space Open Space, and Working Lands Element, would help to preserve agricultural lands from future urban development.

Policy LU-P2.1 continues implementing the 65/35 Land Preservation Standard, using the County ULL to focus future development in the county's established urban and suburban communities while preserving agricultural land, rangeland, natural habitats, watersheds, and open space. Policy LU-P2.2 limits the development outside the ULL to non-urban uses, such as agriculture, mineral extraction, wind and solar energy production, natural carbon sequestration, other resource-based uses, and essential infrastructure. Policy LU-P2.3 prohibits the major subdivisions outside the ULL as well as successive minor subdivisions of lots outside the ULL that were created through previous subdivisions. Policy LU-P2.8 discourages the extension of water and sanitary sewer lines into areas outside the ULL, except to serve public and semi-public uses that are not growth inducing, or when such extension is necessary to address a declared public health emergency. When lines are extended outside the ULL, they should be designed to service the intended use only, and not allow for additional future service connections. Policy COS-P2.2 preserves and protect productive agricultural land from conversion to urban uses, especially land designated as Prime Farmland of Statewide Importance, or Unique Farmland on the Important Farmland Map prepared by the California Department of Conservation; land containing Class 1 or Class 2 soils; and land designated Agricultural Core.

While the proposed project would result in a contraction of land within the ULL resulting in less potential conversion of agricultural land, it would nonetheless continue to implement the 2045 General Plan, which would result in the conversion of agricultural land. Although the 2045 General Plan includes policies that would minimize the conversion of farmland, the 2045 land use plan designates Important Farmland in the EIR Study Area for nonagricultural uses. As discussed previously, the majority of this land is not intended for urban development and will likely be preserved for agricultural use, but this analysis conservatively determines that farmland could be converted as a result of the 2045 General Plan and proposed project, resulting in a potentially significant impact.

2024 CAAP Update

Projects facilitated by the 2024 CAAP Update Strategy NI-4 could conserve agriculture lands or implement regenerative agricultural practices, which would result in a beneficial effect on Important Farmland. For example, actions under Strategy NI-4 include establishing pilot programs for carbon sequestration on agricultural land and promoting restorative agricultural and landscaping techniques.

On the other hand, projects facilitated by 2024 CAAP Update actions that involve ground disturbance could result in the conversion of farmland to nonagricultural use. In particular, public uses such as solar and wind farms could occur in areas outside the ULL. As stated in the proposed General Plan Policy LU-P2.3, wind and solar energy production, other resource-based uses, and essential infrastructure would be allowed outside the ULL, and although these projects would support agricultural infrastructure and limit urban development, they could still result in farmland conversion. Therefore, the 2024 CAAP Update does result in a potentially significant farmland conversion impact.

Mitigation Measures

The criterion for mitigation under CEQA is feasible mitigation that lessens a project's impacts. Agricultural conservation easements are a possible mitigation measure under CEQA. Programs that establish agricultural conservation easements and in-lieu fees for mitigation banking are most effective when determined concurrent with project approval. However, the effectiveness and extent to which future projects would opt-in to agricultural conservation easements as mitigation measures cannot be determined in this analysis; therefore, this impact would remain significant and unavoidable.

As described in the GPEIR, there are no mitigation measures available to reduce impacts from the proposed project to agricultural resources to less than significant. The proposed project would result in the same impacts with respect to agricultural and forestry resources, including those impacts associated with agricultural resource conversions, as analyzed in the GPEIR. No new mitigation measures were proposed during the public review period and circulation of the Initial Study, and, as described in the Initial Study, the proposed project does not result in any change to the existing land use pattern or development potential as analyzed in the GPEIR. Therefore, no new, reasonable mitigation measures or alternatives have been identified or are required. As described in the Statement of Overriding Considerations, the County has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide and statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

Impact 5.2-4: Forestland Conversion

2045 General Plan

As analyzed under the GPEIR, the County contains a total of 63,806 acres of forestland. The 2045 General Plan and proposed project could result in the conversion of forested areas and other upland habitats for future development. The Conservation, Open Space, and Working Lands Element of the 2045 General Plan includes policies that aim to preserve forested areas:

- **Policy COS-P6.1:** Preserve natural woodlands and significant trees, particularly mature native species, intact coastal scrub and chaparral, and grasslands, especially those with native grass and wildflower populations.
- **Policy COS-P6.2:** Encourage planting and propagation of California native trees and habitat-supporting native shrubs, forbs, and grasses throughout the county to enhance the natural landscape, provide shade (especially in riparian areas), sustain wildlife, absorb stormwater, and sequester carbon.
- **Policy COS-P6.3:** Support protection of native trees, especially oaks, in foothill woodlands and agricultural areas by encouraging voluntary installation of fencing around individuals or clusters of trees to prevent grazing and promoting replanting of native species.
- **Policy COS-P6.5:** Encourage revegetation with local or regional ecotypes of native species in areas that were previously converted for agriculture but are no longer in production.

In addition to these policies, Chapter 816-6, *Tree Protection and Preservation*, of the County Ordinance Code enhances protection of specified protected trees and establishes requirements for tree removal. As stated in Section 816-6.8002, *Permit Requirement*, individuals must apply for a tree permit prior to any

disturbance of a protected tree. The County sets factors that must be considered for approval of a tree permit, such as if the arborist report indicates the tree is in poor health, in danger of falling, damaging existing private improvements, or determined to be a fire hazard. Therefore, although future development could result in the loss of forest land or conversion of forest land to non-forest use, there are regulations in place that would consider an array of factors before the removal or alternation of these habitats.

The proposed project would result in a contraction of land from the ULL, potentially resulting in less development in areas with forestland. Nonetheless, the proposed project would continue to implement the land use plan under the 2045 General Plan and would therefore result in the same impacts. Despite the 2045 General Plan policies and implementation of the tree protection provisions of the County Ordinance Code, woodland habitat will likely be impacted by future development under the 2045 General Plan and proposed project. Therefore, impacts to forest land under the 2045 General Plan and proposed project would be potentially significant.

2024 CAAP Update

Projects facilitated by the 2024 CAAP Update would not likely be proposed on forest land because the characteristics of forest land make it unsuitable for the types of projects that would be facilitated by the CAAP. However, as mentioned above, a certain amount of woodland habitat will likely be impacted by future development. The resulting impacts would be potentially significant.

Mitigation Measures

There are no feasible mitigation measures applicable to Impact 5.2-4. Although policies in the 2045 General Plan help to minimize impacts to loss of woodland and other habitat types and result in the planting of new trees, the 2045 General Plan and proposed project could potentially convert forested areas to non-forested uses to accommodate future demand. Therefore, this impact is significant and unavoidable.

As described in the GPEIR, there are no mitigation measures available to reduce impacts from the proposed project to forestry resources to less than significant. No new mitigation measures were proposed during the public review period and circulation of the Initial Study, and, as described in the Initial Study, the proposed project does not result in any change to the existing land use pattern or development potential as analyzed in the GPEIR. Therefore, no new, reasonable mitigation measures or alternatives have been identified or are required. As described in the Statement of Overriding Considerations, the County has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide and statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.2-1 to 5.2-11 of the GPEIR provide the environmental setting specific to the analysis of agriculture and forestry resources, including regulatory background and existing conditions. The environmental setting includes State and local regulations affecting these resources and is geographically limited to agricultural land and forest/timberland in the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment that was analyzed for the 2045 General Plan. Specifically, the proposed project

encompasses all Important Farmland, as designated by the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP), all forestland that meets the definition of Public Resources Code Section 12220(g), and timberland that meets the definition of Public Resources Code Section 4526, within the unincorporated county. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to agriculture and forestry resources.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR determined that the 2045 General Plan Development Scenario would result in significant and unavoidable impacts with respect to conversion of Important Farmland to a nonagricultural use (Impact 5.2-1) and conversion of forestland to a non-forest use (Impact 5.2-4). The proposed project results in a net contraction of the ULL, which aligns with the intent to preserve existing agricultural land and forestland in the unincorporated county, but would not prevent all potential conversion of these resources.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR concluded that no feasible alternatives or mitigation measures are available to mitigate impacts related to conversion of Important Farmland or forestland to less than significant. As noted in the GPEIR, the effectiveness of and extent to which future projects under the 2045 General Plan could implement agricultural and forestry conservation strategies cannot be determined at this level of analysis. As described in the Initial Study, the proposed project would result in the same impacts with respect to agricultural and forestry resources as analyzed in the GPEIR, and for the same reasons discussed in the GPEIR, no feasible mitigation measures are available to reduce impacts. Furthermore, no new additional, reasonable alternatives or mitigation measures were identified that would avoid or reduce significant impacts 5.2-1 or 5.2-4.

Section 15162. The impacts of the proposed project with respect to agricultural and forestry resources are the same as those evaluated in the GPEIR, with impacts related to conversion of Important Farmland remaining significant and unavoidable. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to agricultural and forestry resources that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to agricultural and forestry resources requiring new impact analysis or verification. Additionally, there are no mitigation measures or alternatives previously considered to be infeasible that are now found to be feasible, or new mitigation measures or alternatives that would substantially reduce significant impacts. There would be no new impacts or increase in the significance of impacts related to agricultural and forestry resources. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15901 Finding for Significant Unavoidable Impacts:

- **Impact 5.2-1 Farmland Conversion.** The County finds that there are no mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would substantially lessen or mitigate impacts related to conversion of Important Farmland to a non-agricultural use to a less-than-significant level.
- **Impact 5.2-4 Forestland Conversion.** The County finds that there are no mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would substantially lessen or mitigate impacts related to conversion of forestland to a non-forestry use to a less-than-significant level.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to agricultural and forestry resources, in addition to the mitigation measures and alternatives related to agricultural and forestry resource impacts.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

2. Air Quality

GPEIR Impact 5.3-2: Short-term construction activities associated with the proposed project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under applicable federal or State ambient air quality standards. [Threshold AQ-2].

GPEIR Impact 5.3-3: Development under the proposed project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under applicable federal or State AAQS. [Thresholds AQ-2].

GPEIR Impact 5.3-5: Operational-phase emissions associated with the proposed project could expose sensitive receptors to substantial pollutant concentrations. [Threshold AQ-3]

Impacts Evaluated

Impact 5.3-2: Construction Regional Air Quality Emissions

2045 General Plan

Construction

Construction activities would temporarily increase criteria air pollutant emissions within the SFBAAB. The primary source of NO_x emissions is the operation of construction equipment. The primary sources of particulate matter (PM₁₀ and PM_{2.5}) emissions are activities that disturb the soil, such as grading and excavation, road construction, and building demolition and construction. The primary sources of volatile organic compounds (VOC) emissions are the application of architectural coating and off-gas emissions associated with asphalt paving.

Construction activities associated with the 2045 General Plan and proposed project would occur over the forecast year, causing short-term emissions of criteria air pollutants. Information regarding specific development projects, soil types, and the locations of receptors would be needed in order to quantify the level of impact associated with construction activity. Due to the scale of development activity associated with the 2045 General Plan and proposed project, emissions would likely exceed the BAAQMD regional significance thresholds. In accordance with the BAAQMD methodology, emissions that exceed the regional significance thresholds would cumulatively contribute to the nonattainment designations of the SFBAAB. Emissions of VOC and NO_x are precursors to the formation of O₃. In addition, NO_x is a precursor to the formation of particulate matter (PM₁₀ and PM_{2.5}). Therefore, the 2045 General Plan and proposed project would cumulatively contribute to the nonattainment designations of the SFBAAB for O₃ and particulate matter (PM₁₀ and PM_{2.5}).

Future development under the 2045 General Plan and proposed project would be subject to separate environmental review pursuant to CEQA in order to identify and mitigate potential air quality impacts. Subsequent environmental review of development projects would be required to assess potential impacts under BAAQMD's project-level thresholds based on site-specific construction phasing and buildout characteristics. For the 2045 General Plan, which is a broad-based policy plan, it is not possible to determine whether the scale and phasing of individual projects would exceed the BAAQMD's short-term regional or localized construction emissions thresholds. As a result, construction activities associated with implementation of the 2045 General Plan and proposed project could potentially violate an air quality standard or contribute substantially to an existing or projected air quality violation.

Existing federal, State, and local regulations and the policies and programs of the 2045 General Plan protect local and regional air quality. Continued compliance with these regulations would reduce construction-related impacts and proposed policies would help to reduce construction emissions even further. 2045 General Plan policies and actions would also serve to minimize potential adverse impacts related to particulate matter air pollution.

While these existing and proposed regulations, policies, and programs have the potential to reduce emissions, potential future development projects accommodated under the 2045 General Plan and proposed project (individually or cumulatively) could still exceed the BAAQMD significance thresholds for construction. Therefore, implementation of the 2045 General Plan and proposed project could result in potentially significant construction-related regional air impacts.

2024 CAAP Update

The 2024 CAAP Update is a policy document that provides strategies for reducing GHG emissions and adapting to changing climate conditions. Since implementation of the 2024 CAAP Update does not involve any land use changes that would result in indirect growth or change in building density or intensity, its implementation would not directly result in the generation of construction-related criteria air pollutant emissions. Furthermore, the 2024 CAAP Update is subject to the same County standards that apply to development under the 2045 General Plan and proposed project, such as the 2017 *Clean Air Plan*. The 2017 *Clean Air Plan* includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to Bay Area residents, such as particulate matter, ozone, and TACs. It also includes control measures to reduce emissions of methane and other GHGs that are potent climate pollutants in the near-term and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

Therefore, the 2024 CAAP Update does contribute to reducing construction-phase criteria air pollutant emissions and result in beneficial air quality impacts. Implementation of the 2024 CAAP Update does not result in a cumulatively considerable net increase of a criteria pollutant for which the project region is in nonattainment under applicable federal or State ambient air quality standard, and impacts would be less than significant.

Mitigation Measure

AQ-1 Prior to discretionary approval by the County for development projects subject to CEQA (California Environmental Quality Act) review (i.e., nonexempt projects), future development involving construction on 1 acre or more shall prepare and submit a technical assessment evaluating potential project construction-related air quality impacts to the County Department of Conservation and Development for review and approval. The evaluation shall be prepared in conformance with the Bay Area Air Quality Management District (BAAQMD) methodology for assessing air quality impacts identified in their CEQA Air Quality Guidelines. If construction-related criteria air pollutants are determined to have the potential to exceed the BAAQMD-adopted construction screening criteria and thresholds of significance, the Department of Conservation and Development shall require feasible mitigation measures to reduce air quality emissions. Potential measures may include:

Require implementation of the BAAQMD Best Management Practices for fugitive dust control, such as:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, grading 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 trackout 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 miles per hour (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.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

Measures shall be incorporated into appropriate construction documents (e.g., construction management plans) submitted to the County and shall be verified by the Department of Conservation and Development.

No new mitigation measures were proposed during the public review period and circulation of the Initial Study, and, as described in the Initial Study, the proposed project does not result in any change to the existing land use pattern or development potential as analyzed in the GPEIR. Therefore, no new, reasonable mitigation measures or alternatives have been identified or are required. As described in the Statement of Overriding Considerations, the County has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide and statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

Impact 5.3-3: Operational Regional Air Quality Emissions

2045 General Plan

Operational

BAAQMD has identified thresholds of significance for criteria pollutant emissions and criteria air pollutant precursors, including VOC, NO, PM₁₀ and PM_{2.5}. Development projects below the significance thresholds are not expected to generate sufficient criteria pollutant emissions to violate

any air quality standard or contribute substantially to an existing or projected air quality violation. According to BAAQMD's CEQA Guidelines, long-range plans, such as the 2045 General Plan, present unique challenges for assessing impacts. Due to the SFBAAB's nonattainment status for ozone and PM and the cumulative impacts of growth on air quality, these plans almost always have significant, unavoidable adverse air quality impacts.

Implementation and adoption of the 2045 General Plan and proposed project would result in an increase in development intensity in the county. Development under the 2045 General Plan and proposed project would result in direct and indirect criteria air pollutant emissions from transportation, energy (e.g., natural gas use), and area sources (e.g., aerosols and landscaping equipment). Mobile-source criteria air pollutant emissions are based on the traffic analysis conducted by Fehr and Peers (see Appendix 5.16-1, *Transportation Data*, of the GPEIR). The emissions forecast for the county under the 2045 General Plan compared to existing conditions is shown in Table 5.3-10, *Scenario 1: Criteria Air Pollutant Emissions Forecast Compared to Existing Conditions*, of the GPEIR, and Table 5.3-11, *Scenario 2: Criteria Air Pollutant Emissions Forecast Compared to the Future No Project Conditions*, of the GPEIR. As shown in these tables, implementation of the 2045 General Plan would result in an increase in criteria air pollutant emissions from existing conditions and the future no project conditions, respectively. As stated previously, Scenario 2 isolates the effects of the 2045 General Plan because both the future with no project and future with project conditions include emissions reductions from federal and State regulations.

As shown in these tables, development under the 2045 General Plan would generate an increase in criteria air pollutant emission from both existing conditions (Scenario 1) as well as the future no project conditions (Scenario 2). Compliance with applicable policies and programs would contribute towards minimizing long-term emissions. However, implementation of the 2045 General Plan would still exceed the BAAQMD significance threshold (no net increase) for operation. Therefore, implementation of the 2045 General Plan and proposed project could result in potentially significant long-term regional air quality impacts.

2024 CAAP Update

As discussed under Impact 5.3-2 of the GPEIR, implementation of the 2024 CAAP Update does not involve any land use changes that would result in indirect growth or change in building density or intensity; therefore, its implementation would not directly result in the generation of operation-related criteria air pollutant emissions. Furthermore, as discussed under Impact 5.3-2 of the GPEIR, the 2024 CAAP Update does be subject to the same County standards that apply to development under the 2045 General Plan, including the 2017 *Clean Air Plan*, which includes a wide range of control measures designed to decrease emissions of air pollutants, potent climate pollutants, and carbon dioxide by reducing fossil fuel combustion.

Additionally, the 2024 CAAP Update has co-benefits with regard to operation-related criteria air pollutant emissions. Building energy efficiency improvements (e.g., 2024 CAAP Update Strategies BE-1 through BE-3) would promote sustainable building practices and would result in a decrease in natural gas use and associated criteria air pollutants (i.e., VOC, NO_x, CO, SO_x, PM₁₀, and PM_{2.5}). Likewise, transportation strategies that reduce VMT (e.g., Strategy TR-1) would result in a reduction in criteria air pollutants from the transportation sector.

Therefore, the 2024 CAAP Update contributes to reducing operation-phase criteria air pollutant emissions and result in beneficial air quality impacts. Implementation of the 2024 CAAP Update does not result in a cumulatively considerable net increase of a criteria pollutant for which the project region is in nonattainment under applicable federal or State ambient air quality standard, and impacts would be less than significant.

Mitigation Measure

AQ-2 Prior to discretionary approval by the County for development projects subject to CEQA (California Environmental Quality Act) review (i.e., nonexempt projects), future project applicants shall prepare and submit a technical assessment evaluating potential project operation-phase-related air quality impacts to the Department of Conservation and Development for review and approval. The evaluation shall be prepared in conformance with Bay Area Air Quality Management District (BAAQMD) methodology in assessing air quality impacts identified in their *CEQA Air Quality Guidelines*. If operation-related air pollutants are determined to have the potential to exceed the BAAQMD-adopted operational screening criteria and thresholds of significance, the Department of Conservation and Development shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the conditions of approval. Possible mitigation measures to reduce long-term emissions could include, but are not limited to the following:

- Implementing commute trip reduction programs.
- Unbundling residential parking costs from property costs.
- Expanding bikeway networks.
- Expanding transit network coverage or hours.
- Using cleaner-fueled vehicles.
- Exceeding the current Title 24 Building Envelope Energy Efficiency Standards.
- Establishing on-site renewable energy generation systems.
- Requiring all-electric buildings.
- Replacing gas-powered landscaping equipment with zero-emission alternatives.
- Expanding urban tree planting.

No new mitigation measures were proposed during the public review period and circulation of the Initial Study, and, as described in the Initial Study, the proposed project does not result in any change to the existing land use pattern or development potential as analyzed in the GPEIR. Therefore, no new, reasonable mitigation measures or alternatives have been identified or are required. As described in the Statement of Overriding Considerations, the County has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits,

including regionwide and statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

Impact 5.3-5: Operational Localized Air Quality Emissions

2045 General Plan

CO Hotspots

Areas of vehicle congestion have the potential to create pockets of CO, called hotspots. These pockets have the potential to exceed the State 1-hour standard of 20 ppm or the 8-hour standard of 9.0 ppm. Since CO is produced in the greatest quantities from vehicle combustion and does not readily disperse into the atmosphere, adherence to AAQS is typically demonstrated through an analysis of localized CO concentrations. Hotspots are typically produced at intersections, where traffic congestion is highest because vehicles queue for longer periods and are subject to reduced speeds.

The CCTA Congestion Management Program (CMP) must be consistent with the ABAG/MTC's Plan Bay Area, which is updated periodically. An overarching goal of the Plan Bay Area 2050 is to concentrate development in areas where there are existing services and infrastructure rather than allocate new growth in outlying areas where substantial transportation investments would be necessary to achieve the per capita passenger vehicle VMT and associated GHG emissions reductions.

The 2045 General Plan and proposed project would be consistent with the overall goals of the Plan Bay Area 2050. Additionally, the 2045 General Plan and proposed project would not hinder the capital improvements outlined in the CMP. Thus, the 2045 General Plan and proposed project would not conflict with the CCTA CMP. Furthermore, under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection to more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited—in order to generate a significant CO impact. The 2045 General Plan and proposed project would not increase traffic volumes at affected intersections to more than BAAQMD screening criteria of 44,000 vehicles per hour or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited. Therefore, overall, the 2045 General Plan and proposed project would not have the potential to substantially increase CO hotspots at intersections in the county and vicinity. Overall, these components of the 2045 General Plan would contribute to reducing congestion and associated emissions. Localized air quality impacts related to mobile-source emissions would therefore be less than significant.

Stationary (Permitted) Sources

Various industrial and commercial processes (e.g., manufacturing and dry cleaning) allowed under the 2045 General Plan and proposed project would be expected to release TACs. TAC emissions generated by stationary and point sources of emissions within the Air Basin are regulated and controlled by BAAQMD. Land uses that would require a permit from BAAQMD for emissions of TACs include chemical processing facilities, chrome-plating facilities, dry cleaners, and gasoline-dispensing facilities. Emissions of TACs from stationary sources would be controlled by BAAQMD through permitting and would be subject to further study and health risk assessment prior to the issuance of any necessary air quality permits under Regulation 2, *New Source Review*, as well as Regulation 11, Rule 18, *Reduction of Risk from Air Toxic Emissions at Existing Facilities*.

Review under New Source Review ensures that stationary source emissions (permitted sources) would be reduced or mitigated below BAAQMD community risk and hazards thresholds. Though these sources would incrementally contribute to emissions in the unincorporated county individually, they would be mitigated to BAAQMD standards.

The following 2045 General Plan policies and actions would serve to minimize potential adverse impacts on air quality by increasing standards and promoting cooperation with outside agencies:

- **Policy HS-P1.4.** Require new industrial development to locate significant pollution sources at the maximum distance possible from sensitive receptors.
- **Action HS-A1.3.** Consult with BAAQMD and community stakeholders and amend County Ordinance Code Title 8 – Zoning to include an Industrial-Sensitive Receptor Interface Overlay Zone applied to areas where residential land uses and other sensitive receptors interface or directly abut heavy industrial land uses. In the overlay zone, require industrial uses to reduce pollution and employ strategies to mitigate air quality, noise, vibration, odor, light, visual, and safety impacts on nearby sensitive receptors. In addition, require new sensitive receptors to install enhanced ventilation systems and implement other strategies, paid for by neighboring sources of pollution to the extent possible, to protect residents from health and quality of life impacts.
- **Action HS-A2.4.** Coordinate with BAAQMD to determine where to focus a targeted permit inspection program in Impacted Communities to help ensure enforcement of air quality permits.

The policies and actions listed above would minimize potential health risk impacts to sensitive receptors. Though the 2045 General Plan includes policies to reduce exposure of sensitive receptors to pollution, and BAAQMD would ensure that on a project-by-project basis emission achieve their permit thresholds, emissions cannot be determined or modeled until specific development projects are proposed. Therefore, implementation of the 2045 General Plan and proposed project may result in projects that emit TACs and PM_{2.5} throughout the unincorporated county and result in potentially significant localized air quality impacts.

Nonpermitted Sources

TACs and PM_{2.5} from mobile sources when operating at a property (e.g., truck idling) are regulated by statewide rules and regulations, not by BAAQMD, and have the potential to generate substantial concentrations of air pollutants. The primary mobile source of TACs within the unincorporated county includes truck idling and use of off-road equipment.

New warehousing operations could generate substantial DPM and PM_{2.5} emissions from off-road cargo-handling equipment use and truck idling. In addition, some warehousing and industrial facilities may include use of TRUs for cold storage. New land uses in the unincorporated county that would be permitted under the 2045 General Plan and proposed project that use trucks, including trucks with TRUs, could generate an increase in DPM that would contribute to cancer and noncancer health risk in the Air Basin. Additionally, these types of facilities could also generate particulate matter (PM₁₀ and PM_{2.5}) that may cause an exceedance or contribute to the continuing exceedance of the federal and State AAQS. These new land uses could be near existing sensitive receptors. In addition, trucks would travel on regional transportation routes through the Bay Area, contributing to near-roadway DPM concentrations.

The 2045 General Plan and proposed project would potentially result in an increase of 5 million square feet of industrial land uses. The areas intended for industrial uses would be primarily associated with existing planned and/or permitted industrial development. Additionally, existing residences are close to existing and planned Industrial designations, and overlap with many of the Overburdened and Impacted Communities. As identified in the Figure 3-3, *Proposed General Plan Land Use Map*, in the GPEIR, industrial areas are proximate to residential areas in several areas of the unincorporated county. These areas are proximate to sensitive receptors. Until specific future development projects are proposed, the associated emissions and concentrations cannot be determined or modeled.

The County will require project applicants to prepare project-specific analyses of qualifying projects and incorporate project-specific mitigation measures to reduce TACs, per the following policies:

- **Policy HS-P1.5.** Require new sources of air pollution that will generate significant new air quality impacts or expose sensitive receptors to substantial increases in harmful emissions of TACs to prepare a Health Risk Assessment that identifies appropriate mitigation consistent with BAAQMD California Environmental Quality Act (CEQA) Air Quality Guidelines, based on the findings of the Health Risk Assessment.
- **Policy HS-P2.1.** When evaluating health risk impacts of projects in Impacted Communities, use an excess cancer risk of 6.0 per million and a non-cancer (acute and chronic) hazard index greater than 1.0 as thresholds for finding that the project could cause a cumulatively considerable contribution and a significant impact.

If the results show that the incremental cancer risk exceeds ten in one million (or the risk thresholds in effect at the time a project is considered) or six in one million in Impacted Communities, the appropriate noncancer hazard index exceeds 1.0, or $0.3 \mu\text{m}^3$ of $\text{PM}_{2.5}$, or the thresholds as determined by the BAAQMD at the time a project is considered, the applicant is required to mitigate the potential cancer and noncancer risks to an acceptable level.

The following policy in the 2045 General Plan would reduce the exposure of sensitive receptors in Impacted Communities and Overburdened Communities to TACs and $\text{PM}_{2.5}$:

- **Policy HS-P1.8.** Require new or expanded commercial and industrial projects resulting in 25,000 square feet or more of gross habitable floor area, such as warehouses and other large enclosed buildings, to be near zero-emission operations, including the facilities themselves and the associated fleets. Require all necessary measures, such as the following, to achieve near zero emissions:
 - (a) Reduce on-site energy consumption and increase on-site energy generation and energy storage.
 - (b) Provide adequate on-site zero-emission vehicle parking for all anticipated truck traffic to prevent idling and off-site queuing.
 - (c) Provide electrified loading docks with receptacles allowing plug-in of refrigerated trailers.
 - (d) Use heavy-duty trucks that are model year 2014 or later and expedite a transition to zero-emission trucks by establishing a clear timeline for electrification of trucks as they become commercially available. Ensure contracts with motor carriers include air quality incentives or requirements, such as providing incentives to fleets that meet

United States Environmental Protection Agency (EPA) SmartWay standards or requiring use of zero-emission or near-zero-emission trucks.

- (e) Use a “clean fleet” of delivery vehicles as they become commercially available, but no later than 2025.
- (f) Use zero-emission yard equipment, such as forklifts, pallet trucks and jacks, and stackers.
- (g) Implement practices to control and remove fugitive dust and other contaminants from paved areas.

Uses with fewer than five vehicles domiciled on-site are exempt from this policy.

The policies listed above aim to reduce pollution from industrial development to nearby sensitive receptors and would require more project-specific mitigation measures to reduce TACs, especially in Impacted Communities. Policy HS-P1.8 also pushes to reduce truck idling, promotes the replacement of older heavy-duty trucks, and supports near zero emissions operations.

Though the 2045 General Plan includes policies and actions to reduce air pollutant emissions exposure within Impacted Communities, the 2045 General Plan and proposed project could result in specific development projects that could emit TACs and PM_{2.5}. The emissions associated with these facilities cannot be determined or modeled until specific development projects are proposed. Therefore, implementation of the 2045 General Plan and proposed project may result in projects that emit TACs and PM_{2.5} in the vicinity of Impacted Communities and sensitive receptors and result in potentially significant localized air quality impacts.

Therefore, without project-specific analysis health risk impacts from nonpermitted sources associated with development of industrial and commercial land uses are considered potentially significant.

2024 CAAP Update

As discussed under Impact 5.3-2, implementation of the 2024 CAAP Update does not involve any land use changes that would result in indirect growth or change in building density or intensity; therefore, its implementation would not directly result in the generation of operation-related criteria air pollutants, TAC and PM_{2.5} emissions, or generation of vehicle trips to produce CO hotspots. In addition, as stated under Impact 5.3-3, implementation of the CAAP could result in beneficial long-term air quality impacts from the increase in energy efficiency, usage of clean energy, and reduction in VMT. A reduction in vehicle trips would contribute to further minimizing the potential creation of CO hotspots. Therefore, implementation of the 2024 CAAP Update does not expose sensitive receptors to substantial pollutant concentrations of TACs, and impacts would be less than significant.

Mitigation Measure

- AQ-4 Prior to discretionary approval by the County, project applicants for new industrial or warehousing development projects that 1) have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and 2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, nursing homes) or Impacted Community, as measured from the property line of the project to the property line of the nearest sensitive use, shall submit a health risk assessment (HRA) to the Department of Conservation and

Development for review and approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment (OEHHA) and the Bay Area Air Quality Management District (BAAQMD). The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children ages 0 to 16 years. If the HRA shows that the cumulative and project-level incremental cancer risk, noncancer hazard index, and/or PM_{2.5} exceeds the respective threshold, as established by BAAQMD (all areas of the unincorporated county) and project-level risk of six in one million in Impacted Communities, BAAQMD's Overburdened Communities, and within 1,000 feet of a BAAQMD Overburdened Community; ten in a million in all other areas; PM_{2.5} emissions that exceed 0.3 µg/m³; or the appropriate noncancer hazard index exceeds 1.0, the project applicant will be required to identify best available control technologies for toxics (T-BACTs) and appropriate enforcement mechanisms, and demonstrate that they are capable of reducing potential cancer, noncancer risks, and PM_{2.5} to an acceptable level. T-BACTs may include but are not limited to:

- Restricting idling on-site beyond Air Toxic Control Measures idling restrictions
- Electrifying warehousing docks
- Requiring use of newer equipment
- Requiring near-zero or zero-emission trucks for a portion of the vehicle fleet based on opening year
- Truck Electric Vehicle (EV) Capable trailer spaces
- Restricting off-site truck travel through the creation of truck routes
- T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.

No new mitigation measures were proposed during the public review period and circulation of the Initial Study, and, as described in the Initial Study, the proposed project does not result in any change to the existing land use pattern or development potential as analyzed in the GPEIR. Therefore, no new, reasonable mitigation measures or alternatives have been identified or are required. As described in the Statement of Overriding Considerations, the County has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide and statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.3-1 to 5.3-28 of the GPEIR provide the environmental setting specific to the analysis of air quality, including regulatory background and existing conditions. The environmental setting is the SFBAAB, which includes all areas regulated by BAAQMD including the entirety of Contra Costa County. The proposed project is occurring in the same regulatory and

geographic/physical environment that was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all existing locations that could be at risk from changes to air quality, and all potential development sites that could cause air quality impacts, within the unincorporated county and the jurisdiction of BAAQMD. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to air quality.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR determined that implementation of the 2045 General Plan Development Scenario would have significant and unavoidable impacts related to construction and operational regional air pollutant emissions and operational health risks from new sources of TACs. Mitigation Measures AQ-1, AQ-2, and AQ-4 were incorporated to reduce these impacts to the extent possible, however, impacts would remain significant and unavoidable since individual projects may still exceed the applicable air quality and cumulative health risk thresholds.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR concluded that, while Mitigation Measures AQ-1, AQ-2, and AQ-4 would reduce impacts to the extent feasible, no additional feasible alternatives or mitigation measures are available to mitigate impacts related to regional construction and operational air quality emissions or operational TAC-related health risks. As noted in the GPEIR, impacts under individual projects cannot be determined at this level of analysis and therefore, the proposed project and 2045 General Plan cannot ensure that any particular mitigation strategy or alternative would reduce impacts to a less than significant across all potential types and locations of development projects.

As described in the Initial Study, the proposed project would result in the same impacts with respect to air quality as analyzed in the GPEIR, and for the same reasons discussed in the GPEIR, no additional feasible mitigation measures are available to reduce impacts. Furthermore, no new additional, reasonable alternatives or mitigation measures were identified during the public review period for the Initial Study that would avoid or reduce Impacts 5.3-2, 5.3-3, and 5.3-5.

Section 15162. The impacts of the proposed project with respect to air quality are the same as those evaluated in the GPEIR, with impacts related to regional construction and operational air quality and operational health risk remaining significant and unavoidable. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to air quality that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to air quality requiring new impact analysis or verification. Additionally, there are no mitigation measures or alternatives previously considered to be infeasible that are now found to be feasible, or new mitigation measures or alternatives that would substantially

reduce significant impacts. There would be no new impacts or increase in the significance of impacts related to air quality. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15901 Finding for Significant Unavoidable Impacts:

- **Impact 5.3-2 Construction Regional Air Quality Emissions.** The County finds that there are no additional mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would substantially lessen or mitigate impacts related to cumulatively considerable net increases of criteria pollutants associated with short-term construction activities to a less-than-significant level.
- **Impact 5.3-3 Operational Regional Air Quality Emissions.** The County finds that there are no additional mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would substantially lessen or mitigate impacts related to cumulatively considerable net increases of criteria pollutants associated with long-term development to a less-than-significant level.
- **Impact 5.3-5 Operational Localized Air Quality Emissions.** The County finds that there are no additional mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would substantially lessen or mitigate impacts related to exposure of sensitive receptors to substantial pollutant concentrations during operation of warehousing and industrial projects to a less-than-significant level.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to air quality, in addition to the mitigation measures and alternatives related to air quality impacts.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

3. Cultural Resources

GPEIR Impact 5.5-1: Implementation of the proposed project could cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines, Section 15064.5. [Threshold C-1].

Impacts Evaluated

Impact 5.5-1: Historical Resources

2045 General Plan

Section 15064.5 (b)(1) of the CEQA Guidelines defines a substantial adverse change in the significance of a historic resource to be the “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.” Implementation of the 2045 General Plan and proposed project could potentially result in impacts on historical resources in the EIR Study Area. Specifically, direct impacts could occur if buildings determined to be historic are demolished or significantly altered as a result of implementation of the 2045 General Plan and proposed project.

Currently known or future historic sites or resources listed in the National or California Registers or the Contra Costa County Historic Resources Inventory (HRI) would be protected through State and federal regulations restricting alteration, relocation, and demolition of historical resources. Compliance with the State and federal regulations is intended to ensure that development would not result in adverse impacts to identified historic and cultural resources. Historical resources are protected under the regulations of the Nation Historic Preservation Act (NHPA) when projects involve federal agencies.

In addition, the 2045 General Plan policies take a comprehensive approach to the protection of historical resources. The Conservation, Open Space, and Working Lands Element of the 2045 General Plan includes policies and actions that would mitigate potential impacts on historical resources, including through the policies and actions under Goal COS-10, which aims to identify and preserve historic resources. For example, Policies COS-P10.1 and COS-P10.2 encourage the preservation and adaptive reuse of historic resources. This includes using the Secretary of the Interior’s Standards for the Treatment of Historic Properties, where possible. Policy COS-P10.11 seeks to incentivize preservation and adaptive reuse by establishing programs and funding mechanisms that support the preservation, restoration, and enhancement of cultural, historic, and archaeological sites. Policy COS-P10.5 requires applicants to engage a qualified consultant to prepare an evaluation of historic resources that may be present on a project site when a project involves a resource listed on the County’s HRI or as otherwise necessitated through the CEQA process. Policy COS-P10.7 requires significant historic resources to be either preserved onsite or adequately documented as a condition of removal. Any documentation of historic resources shall be conducted in accordance with Historic American Building Survey (HABS) Level III standards, as defined by the US Secretary of the Interior. Actions COS-A10.1 through COS-A10.4 support these policies, ensuring that surveys of existing and as-yet unknown resources are performed and updated regularly, and that planning tools, such as ordinances, design guidelines, context statements, and management plans are put in place to support implementation of the policies.

The goals, policies, and actions in the 2045 General Plan, in combination with existing federal and State regulations in place to protect historical resources within the EIR Study Area, are intended to ensure that development would not result in adverse impacts to identified historic and cultural resources; however, it is always a potential. Under CEQA, conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties would normally mitigate impacts to a less-than-significant level. Because the 2045 General Plan and proposed project are program-level efforts, it is not possible to determine whether individual future projects would be able to conform with the Secretary of Interior's Standards. However, CEQA would require that future projects with the potential to significantly impact historic resources be subject to project-level CEQA review wherein the project's potential to affect the significance of a surrounding historic resource would be evaluated and mitigated to the extent feasible. The requirement for subsequent CEQA review would minimize the potential for new development to indirectly affect the significance of historic resources to the maximum extent practicable.

Even with implementation of the 2045 General Plan goals, policies, and actions, the regulations would not fully reduce potential impacts on historic resources at the programmatic level. Therefore, this is considered a potentially significant impact.

2024 CAAP Update

The 2024 CAAP Update is a policy document that does not include specific projects. However, projects that would implement the 2024 CAAP Update strategies and actions could result in the construction of physical improvements and infrastructure in the county that is designed to help meet the emissions targets in the CAAP, which could adversely impact historic resources in the EIR Study Area through changes to accommodate adaptive use, removal, or reconstruction. Projects that would implement the 2024 CAAP Update strategies and actions would be required to be consistent with the 2045 General Plan as well as federal and State regulations in place to protect historical resources within the EIR Study Area. However, even with implementation of the 2045 General Plan goals, policies, and actions, the regulations would not fully reduce potential impacts of the 2024 CAAP Update on historic resources. Therefore, this is considered a potentially significant impact.

Mitigation Measures

As described in the GPEIR, no feasible mitigation measures are available. Policies and actions in the 2045 General Plan, including Policy COS-P10.5 requiring evaluation of historic resources for projects that may impact a resource listed in the County's Historic Resources Inventory, and Policy COS-P10.7 requiring significant historic resources to be either preserved on-site or adequately documented as a condition of removal (any documentation of historic resources shall be conducted in accordance with Historic American Building Survey Level III standards, as defined by the US Secretary of the Interior), in addition to federal and State regulations, would reduce impacts to the extent possible and additional project-specific mitigation measures would be incorporated pursuant to future project-specific review. No new mitigation measures were proposed during the public review period and circulation of the Initial Study, and, as described in the Initial Study, the proposed project does not result in any change to the existing land use pattern or development potential as analyzed in the GPEIR. Therefore, no new, reasonable mitigation measures or alternatives have been identified or are required. As described in the Statement of Overriding Considerations, the County has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits,

including regionwide and statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.5-1 to 5.5-7 of the GPEIR provide the environmental setting specific to the analysis of cultural resources, including regulatory background and existing conditions. The environmental setting includes federal, State, and local regulations affecting these resources and is geographically limited to cultural resources in the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all designated cultural resources and resources eligible for designation, along with all undiscovered cultural resources, within the unincorporated county. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to cultural resources.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that the 2045 General Plan and proposed project would result in significant and unavoidable impacts related to historical resources resulting from potential demolition, alteration, or relocation of these resources. While existing federal and State regulations, along with General Plan policies such as COS-P10.1 and COS-P10.2, encourage preservation and adaptive reuse, impacts remain significant and unavoidable at the program-level.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR concluded that no feasible alternatives or mitigation measures are available to mitigate impacts related to historic resources to less than significant. As noted in the GPEIR, policies in the 2045 General Plan would reduce impacts to the extent feasible, but since these do not prevent the reuse or modification of historic sites, an adverse change in their significance as a historic resource could occur. The GPEIR notes that project-specific analyses would be needed to ensure that impacts concerning individual historic resources are less than significant.

As described in the Initial Study, the proposed project would result in the same impacts with respect to historic resources as analyzed in the GPEIR, and for the same reasons discussed in the GPEIR, no feasible mitigation measures are available to reduce impacts. Furthermore, no new, reasonable alternatives or mitigation measures were identified that would avoid or reduce Impact 5.5-1.

Section 15162. The impacts of the proposed project with respect to cultural resources are the same as those evaluated in the GPEIR, with impacts related to historic resources remaining significant and

unavoidable. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to cultural resources that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to cultural resources requiring new impact analysis or verification. Additionally, there are no mitigation measures or alternatives previously considered to be infeasible that are now found to be feasible, or new mitigation measures or alternatives that would substantially reduce significant impacts. There would be no new impacts or increase in the significance of impacts related to cultural resources. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15901 Finding for Significant Unavoidable Impacts:

- **Impact 5.5-1 Historical Resources.** The County finds that there are no mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would substantially lessen or mitigate impacts related to the substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines, Section 15064.5, to a less-than-significant level.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to cultural resources, in addition to the mitigation measures and alternatives related to cultural resource impacts.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

4. Mineral Resources

GPEIR Impact 5.12-1: Implementation of the proposed project could result in the loss of availability of a known mineral resource. [Thresholds M-1 and M-2].

Impacts Evaluated

Impact 5.12-1: Loss of Availability of Mineral Resources

2045 General Plan

As shown in Figure 5.12-1, *County-Designated Mineral Resource Areas*, in the GPEIR, the county's critical mineral resources are near Mount Zion and Clayton for diabase and Mount Diablo and Byron for domengine sandstone. As shown in Figure 5.12-3, *Operating Mines in the Unincorporated County*, in the GPEIR, there are no other active mining operations in the EIR Study Area outside of these two mineral resource areas. However, per the latest available data from the Department of Conservation (DOC), several additional areas in the EIR Study Area overlie significant or potentially significant mineral resource areas designated by Surface Mining and Reclamation Act (SMARA), as shown in Figure 5.12-2, *Mineral Resource Zones and Resource Sectors*, in the GPEIR. Under the 2045 General Plan and proposed project, development of non-mineral extraction uses would be allowed on land that overlies mapped MRZ-2 and MRZ-3 areas, including those in the communities of Rodeo, Vine Hill, and Bay Point. MRZ-2 designated areas are areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence. MRZ-3 designated areas are assumed to contain mineral deposits, the significance of which cannot be evaluated.

Development projects under the 2045 General Plan and proposed project would be required to comply with Chapter 88-11 of the County Ordinance Code, which implements SMARA. This chapter aims to protect significant mineral resources from the intrusion of incompatible land uses. However, because the General Plan would allow incompatible development in designated MRZ-2 and MRZ-3 areas, impacts would be potentially significant.

As shown in Figure 5.12-4, *Oil and Gas Resources*, in the GPEIR, the county also contains gas and oil deposits that underlie portions of the EIR Study Area. Chapter 8-14 of the County Ordinance Code allows oil and gas drilling in specific agricultural zones and places restrictions on drilling within proximity to urban development. 2045 General Plan Action COS-A14.1 would further restrict oil and gas drilling operations from being established in sensitive ecological areas, areas subject to flooding and sea-level rise, and areas within 3,200 feet of sensitive receptors or urban land use designations. This action would also limit oil and gas drilling operations to agricultural zones and require a land use permit, reclamation plan, and performance standards related to surface water and groundwater quality and quantity, air quality, odors, noise, and aesthetics. Since the proposed land use plan would allow incompatible development in areas that overlie these resources and the 2045 General Plan intends to limit new extraction uses, impacts would be potentially significant.

2024 CAAP Update

As a policy document that aims to reduce GHG emissions and adapt to changing climate conditions, the 2024 CAAP Update is not expected to result in any impacts with regard to loss of aggregate mineral resources. In addition, while the intent of the CAAP is to provide a pathway for the county to achieve reductions in GHG emissions, which includes prioritizing the use of renewable energy sources, the CAAP does not include strategies and actions that prohibit the continuation of oil and gas extraction in the county, and the impact is less than significant.

Mitigation Measures

There are no feasible mitigation measures. The provisions of SMARA would reduce impacts to aggregate mineral resources to the extent possible by requiring site-specific evaluations to discover the presence of mineral resources. Subsequent review under CEQA for applicable projects would require the incorporation of measures that would reduce impacts as feasible.

Mineral and resource extraction could face reduced output due to development of incompatible uses on or near mineral resource areas. Aggregate mineral resource areas are in established communities, including Rodeo, Vine Hill, and Bay Point, all of which are Impacted Communities where the County finds it appropriate to promote community investment and development in support of environmental justice. Extraction of oil and gas deposits can pose health risks to nearby sensitive receptors and hazards to nearby sensitive ecological areas, so the General Plan includes an action directing the County to further regulate drilling operations near sensitive receptors and ecological areas that will have the effect of potentially reducing the ability to extract mineral resources. These are important policy objectives of the proposed project, and impacts are significant and unavoidable.

No new mitigation measures were proposed during the public review period and circulation of the Initial Study, and, as described in the Initial Study, the proposed project does not result in any change to the existing land use pattern or development potential as analyzed in the GPEIR. Therefore, no new, reasonable mitigation measures or alternatives have been identified or are required. As described in the Statement of Overriding Considerations, the County has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide and statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.12-1 to 5.12-10 of the GPEIR provide the environmental setting specific to the analysis of mineral resources, including regulatory background and existing conditions. The environmental setting includes State and local regulations affecting mineral resources and is geographically limited to the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses important mining sites and areas of the unincorporated county containing mineral resources of value to the region and State. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to mineral resources.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that the 2045 General Plan would result in significant and unavoidable impacts with respect to the loss of availability of mineral resources of importance to the State. The 2045 General allows incompatible development in designated mineral resource zones delineated by the California DOC and in areas that overlie natural gas and oil deposits. Although compliance with the State's SMARA is required, development that would hinder extraction of these resources in these areas would permanently limit access to mineral, oil, and gas deposits of importance to the State. Because there are no feasible mitigation measures that can fully offset this loss, the impact is considered significant and unavoidable.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR concluded that no feasible alternatives or mitigation measures are available to mitigate impacts related to mineral resources of importance to the State to less than significant. As noted in the GPEIR, mineral resource areas are present in existing communities facing environmental justice issues and allowing extraction uses in these areas could result in other environmental impacts including those associated with air quality and biological resources. While extraction uses in certain areas proximate to sensitive receptors and ecological resources would be prohibited, leading to the loss of availability of mineral resources of value to the State, the County finds that this impact nonetheless aligns with the policy direction under the 2045 General Plan.

As described in the Initial Study, the proposed project would result in the same impacts with respect to mineral resources as analyzed in the GPEIR, and for the same reasons discussed in the GPEIR, no feasible mitigation measures are available to reduce impacts. Furthermore, no new, reasonable alternatives or mitigation measures were identified that would avoid or reduce Impact 5.12-1.

Section 15162. The impacts of the proposed project with respect to mineral resources are the same as those evaluated in the GPEIR, with impacts related to loss of mineral resources of importance to the State remaining significant and unavoidable. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to mineral resources that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to mineral resources requiring new impact analysis or verification. Additionally, there are no mitigation measures or alternatives previously considered to be infeasible that are now found to be feasible, or new mitigation measures or alternatives that would substantially reduce significant impacts. There would be no new impacts or increase in the significance of impacts related to mineral resources. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15901 Finding for Significant Unavoidable Impacts:

- **Impact 5.12-1 Loss of Availability of Mineral Resources.** The County finds that there are no mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would substantially lessen or mitigate impacts related to loss of mineral resources of value to the State, to a less-than-significant level.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to mineral resources, in addition to the mitigation measures and alternatives related to mineral resource impacts.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

5. Noise

GPEIR Impact 5.13-1: Construction activities would result in temporary noise increases in the vicinity of the proposed project. [Threshold N-1].

GPEIR Impact 5.13-2: Project implementation would generate a substantial traffic noise increase on local roadways and could locate sensitive receptors near rail in areas that exceed established noise standards. [Threshold N-1].

Impacts Evaluated

Impact 5.13-1: Construction Noise

2045 General Plan

Future development projects under the 2045 General Plan and proposed project would generate temporary noise level increases on and adjacent to construction sites in the EIR Study Area. Construction within the EIR Study Area would be limited to weekdays and non-holidays to the hours set forth in the 2045 General Plan Policy HS-P14.7. The hours would be from 7:30 a.m. to 5:00 p.m. when construction occurs within 1,000 feet of a noise sensitive receptor; and 7:00 a.m. to 6:00 p.m. when construction occurs at distances greater than 1,000 feet from the nearest noise-sensitive receptor. Construction is performed in distinct steps, each of which has its own mix of equipment, and, consequently, its own noise characteristics. Table 5.13-9, *Reference Construction Equipment Noise Levels*, in the GPEIR, lists typical construction equipment noise levels recommended for noise-impact assessments based on a distance of 50 feet between the equipment and noise receptor.

As shown, construction equipment generates high levels of noise, with maximums ranging from 76 to 101 dBA at a distance of 50 feet. Construction of individual development projects associated with implementation of the proposed project would temporarily increase the ambient noise environment and would have the potential to affect noise-sensitive land uses in the vicinity of an individual project.

Construction noise levels are highly variable and dependent upon the specific locations, site plans, construction details, and presence or absence of any natural or human-made barriers with potential acoustic dampening effects (e.g., the presence of vegetation, berms, walls, or buildings). Significant noise impacts may occur from operation of heavy earth-moving equipment and truck-haul operations that would occur with construction of individual development projects, which have not yet been developed, particularly if construction techniques, such as impact or vibratory pile driving, are proposed. The time of day that construction activity is conducted would also determine the significance of each project, particularly during the more sensitive nighttime hours. However, construction would be localized and would occur intermittently for varying periods of time.

Because specific project-level information is inherently not available at this time, it is not possible nor appropriate to quantify the construction noise impacts at specific sensitive receptors. In most cases, construction of individual development projects associated with implementation of the 2045 General Plan and proposed project would temporarily increase the ambient noise environment in the vicinity of each individual project, potentially affecting existing and future nearby sensitive uses. 2045 General Plan Policy HS-P14.6 would help to mitigate County projects by requiring them to minimize short-term noise impacts on sensitive receptors by following best practices to minimize short-term impacts from construction noise. However, because construction activities associated with any individual development may occur near noise-sensitive receptors and because, depending on the project type, equipment list, time of day, phasing, and overall construction durations, noise disturbances may occur for prolonged periods of time or during the more sensitive nighttime hours, construction noise impacts associated with implementation of the 2045 General Plan and proposed project are considered potentially significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that provides strategies for reducing GHG emissions and adapting to changing climate conditions. While the 2024 CAAP Update does not directly result in any new development, the implementation of its actions may indirectly result in construction activity. Similar to construction activity under the 2045 General Plan, such activity could occur near noise-sensitive receptors. Depending on the project type, equipment list, time of day, phasing, and overall construction durations, noise disturbances may occur for prolonged periods of time or during the more sensitive nighttime hours. Therefore, construction noise impacts associated with implementation of the proposed project are considered potentially significant.

Mitigation Measures

- N-1 Require construction contractors to implement the following measures for construction activities. Demolition, grading, and construction plans submitted to the County shall identify these measures and the County Department of Conservation and Development shall verify that the submitted plans include these notations prior to issuance of demolition, grading, and/or construction permits:

- During the entire active construction period, equipment and trucks used for project construction shall use the best-available noise control techniques (e.g., improved mufflers, equipment re-design, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) available.
- Impact tools (e.g., jack hammers and breakers) shall be hydraulically or electrically powered wherever possible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.
- Stationary equipment, such as generators and air compressors, shall be as far as feasible from nearby noise-sensitive uses.
- Stockpiling shall be as far as feasible from nearby noise-sensitive receptors.
- Construction traffic shall be limited, to the extent feasible, to approved haul routes approved by the County Conservation and Development and Public Works Departments.
- At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the County's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. If the authorized contractor's representative receives a complaint, they shall investigate, take appropriate corrective action, and report the action to the County.
- Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes.
- During the entire active construction period and to the extent feasible, the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. The construction manager shall use smart back-up alarms, which automatically adjust the alarm level based on the background noise level or switch off back-up alarms and replace with human spotters in compliance with all safety requirements and laws.
- Erect temporary noise barriers (at least as high as the exhaust of equipment and breaking line-of-sight between noise sources and sensitive receptors), as necessary and feasible, to maintain construction noise levels at or below the performance standard of 80 dBA Leq. Barriers shall be constructed with a solid material that has a density of at least 4 pounds per square foot with no gaps from the ground to the top of the barrier.

No new mitigation measures were proposed during the public review period and circulation of the Initial Study, and, as described in the Initial Study, the proposed project does not result in any change

to the existing land use pattern or development potential as analyzed in the GPEIR. Therefore, no new, reasonable mitigation measures or alternatives have been identified or are required. As described in the Statement of Overriding Considerations, the County has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide and statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

Impact 5.13-2: Transportation Noise

2045 General Plan

Traffic Noise

Land use development that results in traffic increases can also result in long-term traffic noise increases on roadways and freeways in the county. New development and associated traffic noise increases could result in exposure of existing receptors or future planned development to substantial permanent noise increases. Depending on the proximity of future projects to other land use types and existing major freeways and roadways, traffic noise increases could expose sensitive receptors to substantial traffic noise levels that would exceed applicable noise standards. Future CNEL noise levels at 50 feet along local roadways for existing and future conditions provided by Illingworth & Rodkin are shown below in Table 5.13-10, *Existing and Future Modeled Noise Levels Along Surrounding Roadways*, of the GPEIR.

As shown in Table 5.13-10, significant traffic noise increases are estimated along numerous study roadway segments from implementation of the 2045 General Plan and proposed project when analyzed using FAA thresholds, which are identified in the 2045 General Plan Policy HS-P14.5. The traffic noise increase is the difference between the projected future noise level and the existing noise level. The modeling also shows that along several roadway segments, a decrease in traffic noise levels is anticipated from implementation of the 2045 General Plan and proposed project. Implementation of proposed General Policies HS-P14.5, HS-P14.6, and HS-P14.9 would help reduce impacts by utilizing best practices and requiring mitigation as feasible for roadways that exceed the thresholds in Policy HS-P14.5 in order to reduce long-term (traffic) impacts to adjacent noise sensitive land uses. However, traffic noise increases would still be potentially significant.

Table 5.13-11, *Proposed General Plan Traffic Noise Contour Distances*, of the GPEIR presents the future distances from the 60, 65, and 70 dBA CNEL contours along the local roadways. With the implementation of 2045 General Plan Policies HS-P14.1 and HS-P14.2, noise-sensitive land uses would either be located in areas where existing noise levels are normally acceptable for the specific land use (as shown in Table HS-3 of the 2045 General Plan), or a detailed acoustical analysis would be required to identify appropriate mitigation to meet the noise compatibility standards. In addition, future noise-sensitive land use projects that are exposed to a DNL of 60 dB or greater are required to provide a detailed acoustical analysis demonstrating how the project would provide an interior DNL of 45 dB or less.

Rail and Airport Noise

Table 5.13-12, *Future Railroad Noise Levels*, of the GPEIR contains the calculated distances to the 65 dBA L_{dn} /CNEL contours from future railroad noise. The same methodology that was used to estimate existing railroad noise contours was used for future railroad activity. Though implementation of the

2045 General Plan and proposed project would not cause a direct increase in rail activity, future residential development could be located within distances to rail that could expose them to noise levels that exceed the applicable noise standard for the respective land use type.

In addition, future noise-sensitive land uses could be in areas that exceed the “Normally Acceptable” noise standards due to airport operations (see Figure 5.13-7, *Buchanan Field Airport Noise Contours* and 5.13-8, *Byron Airport Noise Contours*, of the GPEIR). Implementation of 2045 General Plan Policy HS-P14.4 would require that new residential development in areas exposed to a DNL in excess of 65 dB due to single events, such as train operation (which can also extend to airport activity), provide an acoustical analysis describing how indoor noise levels from these single events will not exceed a maximum A-weighted noise level of 35 dB in bedrooms and 55 dB in other habitable rooms. In areas exposed to a DNL in excess of 65 dB, an indoor residential noise-level threshold of 45 dB CNEL is required. However, impacts would still be potentially significant.

2024 CAAP Update

The 2024 CAAP Update is a policy document that provides strategies for reducing GHG emissions and adapting to changing climate conditions. While the 2024 CAAP Update does not directly result in any new development, the implementation of its actions, which may indirectly result in new development, would be subject to the same County standards that apply to development under the 2045 General Plan, as applicable. The 2024 CAAP Update does not include any strategies or actions that would otherwise result in permanent noise increases (e.g., rail, or traffic noise) and other items such as power windmills would be subject to County noise standards, so impacts would be less than significant.

Mitigation Measures Considered

The following measures were considered for mitigating or avoiding Impact 5.13-2.

Special Roadway Paving

Notable reductions in tire noise have been achieved via the implementation of special paving materials, such as rubberized asphalt or open-grade asphalt concrete overlays. For example, the California Department of Transportation conducted a study of pavement noise along Interstate 80 in Davis and found an average improvement of 6 to 7 dBA compared to conventional asphalt overlay.

Although this amount of noise reduction from rubberized/special asphalt materials would be sufficient to avoid the predicted noise increase due to traffic in some cases, the potential up-front and ongoing maintenance costs are such that the cost versus benefits ratio³ may not be feasible and reasonable and would not mitigate noise to a level of less than significant in all cases. In addition, the study found that noise levels increased over time due to pavement raveling, with the chance of noise-level increases higher after a 10-year period.

³ Cost versus benefit considerations are in terms of the number of households benefited, per the general methodology employed by Caltrans in the evaluation of highway sound walls.

Sound Barrier Walls

Some, if not most, residences in the EIR Study Area have direct access via driveways to the associated impacted roadways. Barrier walls would prevent access to individual properties and would be infeasible. Further, these impacted homes are on private property outside of the control of future project developers, so there may be limited admittance onto these properties to construct such walls. Lastly, the costs versus benefits ratio in relation to the number of benefitted households may not be feasible and reasonable in all cases.

Sound Insulation of Existing Residences and Sensitive Receptors

Exterior-to-interior noise reductions depend on the materials used, the design of the homes, and their conditions. To determine what upgrades would be needed, a noise study would be required for each house to measure exterior-to-interior noise reduction. Sound insulation may require upgraded windows, upgraded doors, and a means of mechanical ventilation to allow for a “windows closed” condition. There are no funding mechanisms and procedures that would guarantee that the implementation of sound insulation features at each affected home would offset the increase in traffic noise to interior areas and ensure that the State’s 45 dBA CNEL standard for multiple-family residences would be achieved.

No new mitigation measures were proposed during the public review period and circulation of the Initial Study, and, as described in the Initial Study, the proposed project does not result in any change to the existing land use pattern or development potential as analyzed in the GPEIR. Therefore, no new, reasonable mitigation measures or alternatives have been identified or are required. As described in the Statement of Overriding Considerations, the County has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide and statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.13-1 to 5.13-26 of the GPEIR provide the environmental setting specific to the analysis of noise, including noise and vibration fundamentals, regulatory background, and existing conditions. The environmental setting includes federal, State, and local regulations affecting noise and vibration and is geographically limited to the unincorporated county. The proposed project is occurring in the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all areas of the unincorporated county that could be impacted by noise and vibration and all development within the unincorporated county that could cause noise and vibration impacts. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to noise.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that impacts with respect to construction and roadway noise would be significant and unavoidable. While Mitigation Measure N-1 was incorporated to reduce potential noise impacts during construction, the potential for proximity of construction activities to sensitive uses, the number of construction projects occurring simultaneously, and the potential duration of construction activities, could result in a temporary substantial increase in noise levels above ambient conditions. Additionally, due to the increase in

vehicle trips under the 2045 General Plan, traffic noise levels on several roadways across the county would increase at residences located along these roadways. New residential receptors could also be placed within distances to rail that could expose them to noise levels that exceed the applicable noise standard for the respective land use type, leading to significant impacts with respect to noise compatibility. As described in the GPEIR, no feasible or practical mitigation measures are available to reduce project-generated traffic noise or noise compatibility issues to less-than-significant levels in all cases.

The proposed project would not introduce new or different sources of noise and vibration not previously analyzed in the GPEIR. The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR incorporated one mitigation measure to reduce impacts related to construction noise, Mitigation Measure N-1, which requires implementation of measures to reduce construction noise. The GPEIR concluded that due to the variety of factors that affect the implementation of this mitigation measure (proximity of construction activities to sensitive uses, the number of construction projects occurring simultaneously, and the potential duration of construction activities), the 2045 General Plan cannot ensure that construction noise impacts would be mitigated to less than significant in every case. The GPEIR considered several mitigation strategies that could reduce impacts related to traffic noise, including rubberized asphalt or open-grade asphalt concrete overlays paving, sound barrier walls, and use of sound insulation for existing residences and sensitive receptors. The GPEIR concluded, however, that none of these strategies would be guaranteed to completely reduce impacts in every case, nor would it be feasible to require these strategies in every case. Noise impacts associated with construction, traffic, and land use compatibility were therefore considered significant and unavoidable.

As described in the Initial Study, the proposed project would result in the same impacts with respect to noise as analyzed in the GPEIR, and for the same reasons discussed in the GPEIR, no additional feasible mitigation measures are available to reduce impacts. Furthermore, no new, additional, reasonable alternatives or mitigation measures were identified that would avoid or reduce Impacts 5.13-1 and 5.13-2.

Section 15162. The impacts of the proposed project with respect to noise are the same as those evaluated in the GPEIR, with impacts related to construction/traffic noise and noise compatibility remaining significant and unavoidable. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to noise that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to noise requiring new impact analysis or verification. Additionally, there are no mitigation

measures or alternatives previously considered to be infeasible that are now found to be feasible, or new mitigation measures or alternatives that would substantially reduce significant impacts. There would be no new impacts or increase in the significance of impacts related to noise. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15901 Finding for Significant Unavoidable Impacts:

- **Impact 5.13-1 Construction Noise.** The County finds that there are no additional mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would substantially lessen or mitigate impacts related to construction noise to a less-than-significant level.
- **Impact 5.13-2 Transportation Noise.** The County finds that there are no additional mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would substantially lessen or mitigate impacts related to traffic and rail noise to a less-than-significant level.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to noise, in addition to the mitigation measures and alternatives related to noise impacts.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

6. Transportation

GPEIR Impact 5.16-2: Implementation of the proposed project would conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b). [Threshold T-2]

Impacts Evaluated

Impact 5.16-2: VMT Impacts

2045 General Plan

VMT Assessment

The County has adopted VMT thresholds for land use development projects. For the purposes of this evaluation, and based on the VMT thresholds, the impact would be significant if the implementation of the project would generate total VMT per service population that is higher than 85 percent of the Contra Costa countywide average total VMT per service population. It is important to note that, while the LCI guidance recommends that project-level impacts be evaluated against baseline conditions, for this analysis the total VMT per service population of the 2045 General Plan and proposed project is being evaluated under both baseline (2020) and future (2045) conditions, as described in Section 5.16.2.1 of the GPEIR. This is because a General Plan is a long-range, large-scale planning document that will be implemented over many years, so a comparison to both baseline and future conditions can provide relevant and meaningful information to project reviewers.

A summary of the two CCTA model scenarios (baseline and cumulative) are shown in Table 5.16-1, *Summary of VMT Results*, of the GPEIR.

This analysis shows that VMT rates in the EIR Study Area are projected to decline between the 2020 Baseline and the 2045 Cumulative Plus Project scenario with implementation of the 2045 General Plan and proposed project, from 33.2 in the baseline to 29.6 in the cumulative scenario. This Cumulative Plus Project scenario VMT per service population is slightly higher than the countywide average VMT per service population of 29.5 in the 2020 Baseline; it is also higher than the countywide average of 28.3 in the Cumulative Plus Project scenario. These results indicate that, despite the projected per capita VMT reduction in the EIR Study Area between the 2020 baseline and the future 2045 scenario, implementation of the 2045 General Plan and proposed project would result in VMT per service population that exceeds the 85-percent threshold values of 25.1 (baseline) and 24.1 (cumulative).

Figures 5.16-5a, *VMT Map 2020 Baseline*, and 5.16-5b, *VMT Map 2045 Cumulative Plus Project*, of the GPEIR show the areas of the EIR Study Area that have relatively higher and lower values of VMT. Areas of relatively lower VMT tend to be areas with higher density residential development, good proximity to high-quality transit, and a mix of land uses so that residents need to travel shorter distances to visit shops, essential businesses, and places of employment, for both modeled scenarios.

Policy Considerations

As future development projects proceed under the 2045 General Plan and the proposed project, those projects that do not screen out from a VMT impact analysis will be required to provide a quantitative VMT analysis consistent with the methods outlined in the County Guidelines, with modifications if appropriate based on future changes to County practices. Projects that result in a significant impact may be required to implement TDM strategies and other specific project design strategies to reduce VMT.

The County's TDM Ordinance and guidelines encourage project developers to use creative and effective ways to reduce motor vehicle trips and their associated impacts. The Ordinance requires that

all residential projects containing 13 or more dwelling units provide information to the residents about public transit, ridesharing, and active transportation options available in the vicinity of the project. Both residential and non-residential project developers are required to consult with the local transit provider about any needed infrastructure to connect the project with nearby transit services. Further, the guidelines present a range of potential TDM measures that project developers can consider, ranging from physical improvements that would be incorporated into the project's design (such as bike racks, traveler information kiosks, or pedestrian facilities linking the project site to a nearby transit stop) to operational programs that would be implemented once the project is occupied (such as providing transit or rideshare incentives).

Other strategies that may be implemented on a project-level to reduce VMT, consistent with the California Air Pollution Control Officers Association's (CAPCOA) *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*, are as follows:

- Increase building density.
- Integrate a higher number of affordable and below-market rate housing units.
- Increase the mix of uses by adding retail or services within a residential site or within convenient walking distance.
- Reduce the number of parking spaces provided.
- Unbundle parking costs (i.e., sell or lease parking separately from the housing unit or the commercial enterprise).
- Provide car-sharing, bike-sharing, or scooter-sharing programs.
- Subsidize transit passes, with particular emphasis on transit passes for residents of affordable housing that is located in proximity to high-quality transit services.
- Consider participation in a future VMT mitigation program, such as a fee program, bank, or exchange, to provide funding for actions that operate at a scale larger than an individual development site, such as constructing bicycle facilities, operating shuttle services around employment centers, or increasing the frequency of existing transit services. No local or regional VMT mitigation program currently exists; however, should such a program be implemented, development projects could participate in the program to purchase mitigation credits to achieve needed VMT mitigation instead of, or in addition to, on-site TDM measures.

The potential effectiveness of each strategy should be evaluated based on the calculation steps, recommendations, and limitations described in the CAPCOA Handbook.

In addition to VMT-reducing strategies that can be implemented on a project level, the 2045 General Plan includes numerous policies that target the reduction of VMT through County planning efforts, including prioritizing the construction of active transportation infrastructure and safety improvements to existing infrastructure (i.e., Policy TR-P1.2, Action TR-A3.1, Action TR-A2.2, all policies and actions under Goal TR-2, TR-4, and TR-5); expanding transit access (i.e., Policies TR-P1.8, TR-P1.9, TR-P1.10, TR-P1.11, and TR-P4.2 and Actions TR-A1.5, TR-A1.6, TR-A1.7, TR-A1.8, TR-A1.9); encouraging high-density, infill, and mixed-use development where feasible (i.e., Policies LU-P2.1, LU-P2.5, LU-P2.6, LU-P3.3); encouraging efforts to put jobs near housing and housing near transit (i.e., Policies LU-P3.1, LU-P3.2, LU-P5.2, LU-P7.2, and LU-P7.5); evaluating reductions to parking minimums (i.e., Action LU-A5.1); and the requirement for all projects to support these VMT-reducing

efforts (i.e., Policy LU-P3.4). Many of these policies and actions overlap with the CAPCOA handbook strategies listed above.

Summary

The 2045 General Plan will guide long-range development over a broad geographic area; therefore, it is not possible to predict with precision which strategies may be implemented at specific locations and at specific times. Further, the CCTA Model does not readily account for many of these measures, particularly those related to site-specific physical improvements, pedestrian and bicycle facilities, and ongoing operational or incentive programs. For those reasons, the potential effects of the TDM and VMT reduction strategies outlined in this discussion are not included in the VMT estimates presented in this analysis.

Since there is considerable uncertainty about the feasibility of any particular TDM measure for any specific future development project, as well as uncertainty about the timing of implementation and about whether a program to fund off-site mitigation options might be implemented at some point in the future, it would not be possible to conclude that adding the strategies listed above would definitely bring the future EIR Study Area VMT down to the 15 percent threshold level. Because the 2045 General Plan and proposed project would exceed the countywide average total VMT per service population under both the baseline and cumulative scenarios, impacts are considered significant and unavoidable.

2024 CAAP Update

The 2024 CAAP Update is a policy document that aims to reduce GHG emissions in the unincorporated county and provide guidance to the County for adapting to changing climate conditions; therefore, it is consistent with the intent of CEQA Guidelines Section 15064.3(b) to reduce VMT. As shown in Table 4, *Proportion of GHG Emissions, 2005 to 2019*, of the 2024 CAAP Update, transportation-related emissions have accounted for the highest share of emissions across all sectors and all years in the unincorporated county. To address this, the 2024 CAAP Update includes the “Clean Transportation Network” group of strategies, which includes Strategy TR-1 that provides actions for reducing VMT. As discussed under Impact Discussion 5.16-1 in the GPEIR, this strategy supports the County’s existing plans to ensure accessibility and safety for alternative transportation options, in addition to a suite of other actions that reflect LCI and CAPCOA guidance. These also include actions consistent with 2045 General Plan policies and actions like establishing a micro-mobility program per Policy TR-P5.10, maximizing jobs and housing near transit similar to Policies LU-P3.3 and LU-P7.2, and encouraging “last mile” connections for transit per Policy TR-P1.9.

Mitigation Measures

No feasible mitigation measures are available. As discussed above, the 2045 General Plan, 2024 CAAP Update, and proposed project are programmatic and considerable uncertainty exists with regard to the implementation and feasibility of mitigation for individual development projects. A combination of the County’s TDM program, 2045 General Plan policies and actions, 2024 CAAP Update strategies and actions, as well as additional mitigation strategies may mitigate impacts to less than significant for future development projects under the 2045 General Plan and proposed project. However, while such measures are likely to result in less-than-significant VMT impacts when considered at an individual project level, they cannot be guaranteed and are not possible to fully quantify or mitigate at a

countywide level as part of this programmatic analysis, particularly given the reduction needed to reach the applied significance threshold. As a result, the VMT impacts associated with the 2045 General Plan and proposed project would be considered significant and unavoidable.

Furthermore, no new mitigation measures were proposed during the public review period and circulation of the Initial Study, and, as described in the Initial Study, the proposed project does not result in any change to the existing land use pattern or development potential as analyzed in the GPEIR. Therefore, no new, reasonable mitigation measures or alternatives have been identified or are required. As described in the Statement of Overriding Considerations, the County has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide and statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.16-1 to 5.16-22 of the GPEIR provide the environmental setting specific to the analysis of transportation, including regulatory background and existing conditions. The environmental setting includes State, regional, and local regulations affecting transportation and is geographically limited to local and regional transportation and circulation systems that could be impacted by development in the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment that was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all potential development sites in the unincorporated county whose development could impact local and regional transportation and circulation systems. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to transportation.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that impacts related to VMT under the 2045 General Plan would be significant and unavoidable due to the projected VMT per service population under the 2045 General Plan Development Scenario exceeding the County's threshold of 15 percent below existing VMT per service population. While VMT per service population under the 2045 General Plan would exceed the County's threshold, the VMT per service population projected under the County's previous General Plan was higher than the 2045 General Plan, meaning the 2045 General Plan represents an improvement.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the 2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR concluded that no feasible alternatives or mitigation measures are available to mitigate VMT impacts to less than significant. The GPEIR discusses potential

VTM mitigation strategies including those in the County's TDM Ordinance and the CAPCOA Handbook, however, the GPEIR concludes that the impacts of future individual projects cannot be quantified at this level and that reduction strategies would need to be considered on a project-level. Therefore, VMT impacts were considered significant and unavoidable.

As described in the Initial Study, the proposed project would result in the same impacts with respect to VMT as analyzed in the GPEIR, and for the same reasons discussed in the GPEIR, no feasible mitigation measures are available to reduce impacts. Furthermore, no new, reasonable alternatives or mitigation measures were identified that would avoid or reduce Impact 5.16-2.

Section 15162. The impacts of the proposed project with respect to transportation are the same as those evaluated in the GPEIR, with VMT impacts remaining significant and unavoidable. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to VMT that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to transportation requiring new impact analysis or verification. Additionally, there are no mitigation measures or alternatives previously considered to be infeasible that are now found to be feasible, or new mitigation measures or alternatives that would substantially reduce significant impacts. There would be no new impacts or increase in the significance of impacts related to transportation. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15901 Finding for Significant Unavoidable Impacts:

- **Impact 5.16-2 VMT Impacts.** The County finds that there are no mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would substantially lessen or mitigate VMT impacts, to a less-than-significant level.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to transportation, in addition to the mitigation measures and alternatives related to transportation impacts.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

7. Wildfire

- GPEIR Impact 5.18-2:** Development under the proposed project in or near SRAs or lands classified as Very High FHSZs could exacerbate wildfire risks due to slope, prevailing winds, and other factors, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. [Threshold W-2]
- GPEIR Impact 5.18-5:** Development in designated High or Very FHSZs could expose structures and/or residences to fire danger. [Threshold H-7]

Impacts Evaluated

Impact 5.18-2: Exacerbation of Wildfire Risks

2045 General Plan

Contra Costa County is prone to Diablo Winds that are erratic in movement and have high speeds. These winds are often accompanied by low humidity and can shift suddenly due to temperature changes and interactions with steep slopes. This creates dangerous conditions by drying out vegetation and enabling wildfire to spread more quickly. Implementation of the 2045 General Plan and proposed project would not change or affect wind patterns in the county, but wildfires and wildfire smoke hazards could be spread by prevailing or Diablo Winds.

The 2018 Strategic Fire Plan for California, 2021 California Wildfire and Forest Resilience Action Plan, Fire Risk Reduction Community designation for EBRPD and EBMUD, Contra Costa County LHMP, and Contra Costa County CWPP, in addition to the 2045 General Plan, are intended to reduce wildfire hazards and respond to these hazards on a statewide and regional scale. In addition, BAAQMD provides air quality alerts, advisories, and provides resources for an interactive online map to view current air quality conditions in the region. However, future development under the 2045 General Plan and proposed project in wildfire prone areas could exacerbate wildfire risks by adding more residents to wildfire prone areas, thereby exposing people in the county and surrounding jurisdictions to pollutant concentrations from a wildfire. A wildfire combined with Diablo Winds could expose residents in the county to the uncontrolled spread of wildfire.

Slope Impacts

The topography in the EIR Study Area varies between steeply sloped mountains to flat valleys and shorelines. Construction of future development projects may require grading and site preparation activities that could change the slope of a single parcel or site. Potential future development under the 2045 General Plan and proposed project could increase development density in both flat and steeper areas of the county. However, Land Use Element Policy LU-P5.6 directs the County to allow for decreased residential density below the minimum density requirement in hazard-prone areas, including those with slopes that exceed 15 percent.

All potential future residential development within the EIR Study Area would be required to comply with the CBC, SRA and Very High FHSZ Fire Safe Regulations, and Contra Costa County Ordinance Code grading requirements, which include standards to minimize the ignition and spread of wildfire

due to slopes. Furthermore, the Health Safety Element includes several policies and actions that would address potentially significant impacts with regard to development within FHSZs. For example, Policy HS-P7.1 would require denial of entitlements for projects creating additional residential units (i.e., units not allowed by-right) in Very High FHSZs in the LRA or SRA, and discourages such projects in High FHSZs in the SRA and discourage them in the LRA unless adequate fire protection services are provided. All development in High and Very FHSZs in the LRA or SRA, or in areas that may be designated as the WUI must incorporate fire-safe design features that meet the State Fire Safe Regulations and Fire Hazard Reduction Around Buildings and Structures Regulation for road ingress and egress, fire equipment access, and adequate water supply, as stated in Policy HS-P7.2. Policy HS-P7.4 outlines the requirements for fire protection plans that must be implemented for subdivisions and projects requiring a land use permit in High and Very High FHSZs.

However, due to vegetation and slope, wildfires and associated smoke could potentially travel up a slope. Therefore, even with existing and proposed regulatory requirements, potential future development under the 2045 General Plan and proposed project could expose people to the uncontrolled spread of wildfire or pollutant concentrations due to slope.

Vegetation Impacts

Other factors, such as vegetation, have the potential to exacerbate wildfire risks. The grassland, brush, and woodland areas throughout the county are easily ignited, especially during summer and fall when temperatures are high, relative humidity is low, and wind speeds can be high. During these conditions, woodlands and brush vegetation can dry out, particularly in areas with unirrigated vegetation, becoming extremely flammable and increasing wildfire risks. The Contra Costa County LHMP and CWPP contain several vegetation management and fuel reduction projects to reduce the uncontrolled spread of wildfire due to vegetation. Additionally, all potential future development within wildfire-prone areas in the EIR Study Area would be required to comply with SRA and Very High FHSZ Fire Safe Regulations, Public Resources Code Section 4291, and the California Fire Code. These regulations have specific requirements for new development to create defensible space and extensive fuel reduction within 100 feet of a structure, an ember resistant zone within five feet of a structure, and the overall maintenance of properties to reduce the risk of uncontrolled fires or the spread of fires to other properties. However, even with existing regulatory requirements, potential future development under the 2045 General Plan and proposed project could expose people to the uncontrolled spread of wildfire or pollutant concentrations due to other factors such as vegetation.

With adherence to the above building practices and wildfire management requirements, development associated with the 2045 General Plan and proposed project would reduce the potential for exacerbating wildfire risks. However, due to the programmatic nature of this analysis, the unknown details and potential impacts of specific future potential development projects under the 2045 General Plan and proposed project, and the possibility of potential future development being located in wildfire prone areas, impacts would be potentially significant.

2024 CAAP Update

As previously noted, the 2024 CAAP Update primarily results in beneficial impacts with regard to climate change-related hazards, including wildfire risk and exposure. In addition to including a suite of strategies that would reduce GHG emissions and thereby potentially reduce wildfire impacts related to

increasing temperatures and changing climate patterns, the 2024 CAAP Update's Chapter 5, *Climate Adaptation Strategy*, specifically addresses and outlines strategies related to improving the resiliency of the county's population and resources and protecting future development from wildfire hazards. Many of these strategies and actions reiterate policies and actions included within the Health and Safety Element, including the actions under Strategy NI-2, like denying new entitlements for projects creating additional residential units in Very High FHSZs, discouraging such projects in High FHSZs, and requiring fire-safe designs and materials in addition to preparing, maintaining, and regularly implementing a fire protection plan for development in High and Very High FHSZs or areas that may be designated as the WUI. Therefore, the 2024 CAAP Update has no environmental impact on wildfire exposure.

Mitigation Measure:

There are no feasible mitigation measures. Existing federal, State, and local regulations, in addition to the policies, strategies, and actions in the 2045 General Plan and 2024 CAAP Update cover the best available wildfire hazards reduction measures for new development and redevelopment in the county. Adherence to these regulations and policies would reduce significant impacts associated with wildfire hazard exposure to the extent possible, outside of prohibiting all development in High to Very High FHSZs and WUI areas.

Furthermore, no new mitigation measures were proposed during the public review period and circulation of the Initial Study, and, as described in the Initial Study, the proposed project does not result in any change to the existing land use pattern or development potential as analyzed in the GPEIR. Therefore, no new, reasonable mitigation measures or alternatives have been identified or are required. As described in the Statement of Overriding Considerations, the County has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide and statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

Impact 5.18-5: Exposure to Wildfire Risks

2045 General Plan

As shown in Figure 5.18-1 in the GPEIR, the EIR Study Area includes land mapped within High and Very FHSZs, which are concentrated in areas with high slopes. Including the Briones Hills and Diablo Range. While much of this land is not designated for urban uses, portions of this land are designated for urban uses under the 2045 General Plan.

As discussed in Impact 5.18-2, the county is subject to strong easterly winds, also known as Diablo Winds, in the fall. These winds have high speeds and can shift suddenly, and they are often accompanied by low humidity. They create dangerous conditions for starting and spreading wildfires during the drier months of the year, and they also spread wildfire smoke hazards, as can prevailing winds. Future development under the 2045 General Plan and proposed project could exacerbate wildfire risks by adding people to wildfire-prone areas in the EIR Study Area and exposing people to pollutant concentrations from a wildfire. A wildfire combined with Diablo Winds could expose residents in the area to the uncontrolled spread of wildfire. In addition, the topography in wildfire-prone areas of the county is steeply sloped. Construction of future development projects and activities under the 2045 General Plan and proposed project in these areas may require grading and site

preparation activities that could change the slope of a single parcel or site. Other factors, such as vegetation, have the potential to exacerbate wildfire risks. The grassland and woodland areas of inland valleys in central Contra Costa are easily ignited, especially during late summer and fall when temperatures and winds are high and relative humidity is low. During these conditions, woodland vegetation can dry out, particularly in areas with unirrigated vegetation, becoming extremely flammable and increasing wildfire risks.

Though all urban development would occur within the ULL, outside the majority of the most wildfire-prone and inaccessible areas, the 2045 General Plan land use map would continue to allow residential and commercial development in FHSZs where topography is steeper and evacuation access is limited per Figure 5.9-4 in the GPEIR. However, the Health and Safety Element includes several policies and actions that would address potentially significant impacts from development within FHSZs. For example, Policy HS-P7.1 would require denial of entitlements for projects creating additional residential units (i.e., units not allowed by-right) in Very High FHSZs in the LRA or SRA, as well as to discourage such projects in High FHSZs in the SRA and discourage them in the LRA unless adequate fire protection services are provided. Other potential housing types including below-market-rate housing are discouraged in the WUI and FHSZ areas per Policy HS-P4.3. All development in High and Very High FHSZs in the LRA or SRA, or in areas that may be designated as the WUI must incorporate fire-safe design features that meet the State Fire Safe Regulations and Fire Hazard Reduction Around Buildings and Structures Regulation for road ingress and egress, fire equipment access, and adequate water supply, as stated in Policy HS-P7.2. Policy HS-P7.4 outlines the requirements for fire protection plans that must be implemented for subdivisions and projects requiring a land use permit in High and Very High FHSZs. The Health and Safety Element includes several other policies and actions under Goal HS-7 that would improve fire safety in the county.

Even with existing regulatory requirements and 2045 General Plan goals, policies, actions, and land use changes, implementation of the 2045 General Plan and proposed project could increase population, buildings, and infrastructure in wildfire-prone areas beyond those that exist today. The introduction of additional humans (through new development and redevelopment) and human activities (including the use of construction equipment) to fire-prone areas inherently exacerbates existing fire hazards. Though 2045 General Plan goals, policies, actions, and land use changes and mandatory State wildfire hazard reduction measures reduce risks in wildfire-prone areas, they would not reduce impacts to a less-than-significant level. Due to the programmatic nature of this analysis, the unknown details and potential impacts of specific future potential development projects under the 2045 General Plan and proposed project, and the potential for future development to be in wildfire-prone areas, out of an abundance of caution impacts are considered to be potentially significant.

2024 CAAP Update

As previously noted, the 2024 CAAP Update primarily results in beneficial impacts with regard to climate change-related hazards, including wildfire risk and exposure. In addition to including a suite of strategies that would reduce GHG emissions and thereby potentially reduce wildfire impacts related to increasing temperature and changing climate patterns, the 2024 CAAP Update's Chapter 5, *Climate Adaptation Strategy*, specifically addresses and outlines strategies related to improving the resiliency of the county's population and resources and protecting future development from wildfire hazards. Many of these strategies and actions reiterate and add detail to the policies and actions included within the Health and Safety Element, including the actions under Strategy NI-2, like denying new entitlements

for projects creating additional residential units in Very High FHSZs, discouraging such projects in High FHSZs, and requiring fire-safe designs and materials in addition to preparing, maintaining, and regularly implementing a fire protection plan for development in High and Very High FHSZs or areas that may be designated as the WUI. Therefore, the 2024 CAAP Update has no significant impact on wildfire exposure.

Mitigation Measures

There are no feasible mitigation measures. Existing federal, State, and local regulations, in addition to the policies, strategies, and actions in the 2045 General Plan and 2024 CAAP Update cover the best available wildfire hazards reduction measures for new development and redevelopment in the county. Adherence to these regulations and policies would reduce significant impacts associated with wildfire hazard exposure to the extent possible, outside of prohibiting all development in High to Very High FHSZs and WUI areas.

No new mitigation measures were proposed during the public review period and circulation of the Initial Study, and, as described in the Initial Study, the proposed project does not result in any change to the existing land use pattern or development potential as analyzed in the GPEIR. Therefore, no new, reasonable mitigation measures or alternatives have been identified or are required. As described in the Statement of Overriding Considerations, the County has determined that this impact is acceptable because specific overriding economic, legal, social, technological, or other benefits, including regionwide and statewide environmental benefits, of the proposed project outweigh its significant effects on the environment.

Section 15153/15162 Analysis

Environmental Setting Adequately Described. Pages 5.18-1 to 5.18-20 of the GPEIR provide the environmental setting specific to the analysis of wildfire hazards, including regulatory background and existing conditions. The environmental setting includes federal, State, and local regulations and is geographically limited to the unincorporated county. The proposed project is occurring in substantially the same regulatory and geographic/physical environment as was analyzed for the 2045 General Plan. Specifically, the proposed project encompasses all land in the unincorporated county, including areas within High or Very High FHSZs or the WUI, as mapped and defined by CAL FIRE. Therefore, the GPEIR adequately describes the environmental setting for the proposed project with respect to wildfire.

Impacts Adequately Described. As described above in *Impacts Evaluated*, the GPEIR concluded that impacts related to wildfire exposure and exacerbation of wildfire risk would be significant and unavoidable because communities already exist in areas subject to high fire danger and the County cannot completely prohibit development in at-risk areas.

The proposed project does not change any land use designations or authorize any new development. The proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, and does not change the development capacity/projection as described in the GPEIR and Initial Study. Nor does the proposed project modify the 2045 General Plan policies that will regulate, and in some cases mitigate impacts from, the projected future development under the 2045 General Plan. Accordingly, the proposed project does not change the

2045 General Plan Development Scenario utilized in the GPEIR. Development would continue to comply with existing regulations including the 2045 General Plan policies and County Ordinance Code provisions. For these reasons, the GPEIR adequately describes the potential impacts of the proposed project.

Alternatives and Mitigation Measures. The GPEIR concluded that no feasible alternatives or mitigation measures are available to mitigate wildfire risk impacts to less than significant. The GPEIR notes that while 2045 General Plan policies and existing State/federal regulations reduce impacts to the extent possible, development cannot be completely prohibited in FHSZs or the WUI. Therefore, wildfire risk impacts were considered significant and unavoidable.

As described in the Initial Study, the proposed project would result in the same impacts with respect to wildfire as analyzed in the GPEIR, and for the same reasons discussed in the GPEIR, no feasible mitigation measures are available to reduce impacts. Furthermore, no new, reasonable alternatives or mitigation measures were identified that would avoid or reduce Impacts 5.18-2 and 5.18-5.

Section 15162. The impacts of the proposed project with respect to wildfire are the same as those evaluated in the GPEIR, with impacts related to exacerbation of wildfire risk and exposure to wildfire risks remaining significant and unavoidable. Since the proposed project does not change the 2045 General Plan Development Scenario, it does not involve new impacts to wildfire that were not considered in the GPEIR. There are no new circumstances involving new impacts, and there is no new information related to wildfire requiring new impact analysis or verification. Additionally, there are no mitigation measures or alternatives previously considered to be infeasible that are now found to be feasible, or new mitigation measures or alternatives that would substantially reduce significant impacts. There would be no new impacts or increase in the significance of impacts related to wildfire. The proposed project would not result in any circumstances outlined in Section 15162 that would warrant preparation of a subsequent or supplemental EIR.

Findings

Section 15901 Finding for Significant Unavoidable Impacts:

- **Impact 5.18-2 Exacerbation of Wildfire Risks.** The County finds that there are no mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would substantially lessen or mitigate impacts related to development in or near SRAs or lands classified as Very High FHSZs that could exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire, to a less-than-significant level.
- **Impact 5.18-5 Exposure to Wildfire Risks.** The County finds that there are no mitigation measures that are feasible, taking into consideration specific economic, legal, social, technological, or other factors, that would substantially lessen or mitigate impacts related to exposure of residents to fire danger to a less-than-significant level.

Section 15153 Finding: The proposed project meets the criteria of CEQA Guidelines Section 15153. The GPEIR adequately describes the setting and impacts of the proposed project related to wildfire, in addition to the mitigation measures and alternatives related to wildfire impacts.

Section 15162 Finding: The proposed project would not meet the criteria identified in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR. The proposed project does not involve substantial changes or substantial changes to the circumstances under which the proposed project is taken that will require major revisions of the GPEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, there is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the GPEIR was certified, that shows: that the proposed project would result in one or more significant effect not discussed in the GPEIR; that the proposed project would result in an increase in severity for significant effects previously examined in the GPEIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the proposed project; or that mitigation measures or alternatives which are considerably different from those analyzed in the GPEIR would substantially reduce one or more significant effects on the environment.

IV. ALTERNATIVES TO THE PROPOSED PROJECT

An EIR must briefly describe the rationale for selection and rejection of alternatives. The lead agency may make an initial determination as to which alternatives are feasible, and therefore, merit in-depth consideration, and which are infeasible. Because the impacts of the proposed project are the same as those identified in the GPEIR, the following alternatives under the 2045 General Plan would also apply to the proposed project.

A. Alternatives Considered and Rejected During the Scoping/Project Planning Process

The following is a discussion of the alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the GPEIR.

1. Alternative Development Areas

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that can avoid or substantially lessen any significant effects of the project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (CEQA Guidelines Section 15126[5][B][1]). Given the nature of the 2045 General Plan and proposed project, it is not possible to consider an offsite alternative. For this reason, an offsite alternative was considered infeasible pursuant to State CEQA Guidelines Section 15126.6(c) and was rejected as a feasible project alternative.

2. Reduced Density Alternative

A reduced density/intensity alternative that would result in development of fewer residences and less commercial and industrial square footage would theoretically reduce traffic and thereby reduce community impacts such as air quality, GHG emissions, traffic, noise, and demand for utilities and public services. As discussed throughout, the proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, does not change the

development capacity/projection as described in the GPEIR and Initial Study, and thus has the same impacts as analyzed in the GPEIR. Thus, an analysis of the alternatives evaluated for the project considered in the GPEIR (adoption of the 2045 General Plan and 2024 CAAP Update) is also appropriate with respect to the current proposed project (2026 Urban Limit Line Renewal). As the 2045 General Plan and 2024 CAAP Update have now been adopted, the evaluated alternative, with respect to the proposed project, would feasibly occur through revisions to the proposed project to include amendments to the current 2045 General Plan. However, such an alternative would not achieve or would only partially achieve the project objectives of accommodating growth in the county, including the objective to increase density within the existing community cores and provide more employment opportunities within the county. Additionally, because the 2045 General Plan would implement the land use changes needed to meet the County's Regional Housing Needs Allocation (RHNA) for its 2023-2031 6th Cycle Housing Element, this alternative conflicts with the goals of the adopted Housing Element and State housing law. Moreover, the 2045 General Plan provides additional housing capacity that can be used to meet future RHNAs for the County beyond the 6th Cycle. This Alternative could result in the need for the County to redesignate and rezone additional land to be able to meet future RHNAs. As a reduced development density conflicts with regional plans to increase housing, and would not meet the project objectives, this option was not evaluated in the GPEIR.

3. Reduction of Industrial Uses Near Impacted Communities Alternative

This alternative would prohibit warehousing uses with heavy-duty trucks (as discussed in Section 5.3, *Air Quality*, of the GPEIR) within 1,000 feet of an Impacted Community.⁴ As discussed throughout, the proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, does not change the development capacity/projection as described in the GPEIR and Initial Study, and thus has the same impacts as analyzed in the GPEIR. Thus, an analysis of the alternatives evaluated for the project considered in the GPEIR (adoption of the 2045 General Plan and 2024 CAAP Update) is also appropriate with respect to the current proposed project (2026 Urban Limit Line Renewal). As the 2045 General Plan and 2024 CAAP Update have now been adopted, the evaluated alternative, with respect to the proposed project, would feasibly occur through revisions to the proposed project to include amendments to the current 2045 General Plan. As discussed in Section 5.3, development allowed by the 2045 General Plan and proposed project could result in new sources of TACs or PM_{2.5} near existing or planned sensitive receptors, resulting in significant and unavoidable impacts to cumulative health risk in the Bay Area. Under Mitigation Measure AQ-4, new industrial or warehousing development projects that either 1) have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered transport refrigeration units, and 2) are within 1,000 feet of a sensitive land use or Impacted Community must submit a health risk assessment to the County for review and approval. However, since emissions associated with these facilities cannot be determined or modeled until specific development projects are proposed, the potential impacts cannot be determined.

As shown in Table 3-2, *2045 Horizon-Year Growth Projections*, in GPEIR Chapter 3, *Project Description*, the 2045 General Plan and proposed project could result in development of approximately 5 million square

⁴ "Impacted Communities" refers to census tracts in the unincorporated county that are disproportionately burdened by pollution. As discussed further in Section 5.3, *Air Quality*, of the GPEIR, this designation has been applied to census

feet of new industrial uses within the 2045 General Plan's horizon year of 2045. Of these 5 million square feet, approximately 4 million square feet are within 1,000 feet of Impacted Communities. Approximately 3 million square feet of this projected square footage would result from approved and pending projects, 1.8 million square feet of which are within 1,000 feet of Impacted Communities. Therefore, while this Alternative would result in a reduction of industrial uses within proximity to Impacted Communities, reducing the associated health risk impacts, it would not prevent the development of the projects that have been approved by the County or are pending approval. As such, warehousing uses with heavy-duty trucks could still be developed within 1,000 feet of Impacted Communities.

The 2045 General Plan includes policy guidance that addresses impacts from heavy-duty trucks, including Policy HS-P1.8, which requires industrial projects resulting in 25,000 square feet or more of gross habitable floor area to be near zero-emission operations, including from the associated fleet, by providing zero-emission vehicle parking for all anticipated truck traffic to prevent idling and off-site queuing, providing electrified loading docks with receptacles allowing plug-in of refrigerated trucks, using heavy-duty trucks that are model year 2014 or later and expediting a transition to zero-emission trucks, and using a clean fleet of delivery vehicles. In addition, Policy SC-P1.6 directs the County to pursue community benefits agreements (CBAs) for projects with potential to negatively affect an Impacted Community. The CBAs would address the community's expressed needs, with the primary objective to mitigate project impacts to the greatest extent possible, including by exceeding the mitigation requirements of CEQA. This policy also directs the County to secure community benefits that exceed the inherent project benefits and support the community's objectives, especially as identified in the Community Profiles found in the Stronger Communities Element. Furthermore, future warehousing projects would be subject to the Bay Area Air Quality Management District's CEQA Air Quality Guidelines, which require an analysis of consistency of the 2045 General Plan with applicable Community Emission Reduction Plans (CERPs) and local Environmental Justice policies. In addition, the County established a moratorium on new or expanded warehousing uses in the North Richmond area, an Impacted Community, pursuant to Ordinance 2023-19, adopted in 2023.

Meanwhile, this Alternative would not meet an important objective of the project to locate jobs closer to Impacted Communities to support economic empowerment and reduced commute costs for Impacted Community members, while also reducing VMT. Given that a substantial amount of warehousing development would still be constructed near Impacted Communities and any proposed warehousing in this area would be subject to the health risk assessment and good neighbor policies described above, and because this Alternative would not meet a key project objective, this Alternative is rejected from further consideration.

B. Alternatives Selected for Further Analysis

Based on the criteria listed above, the following alternatives have been determined to represent a reasonable range of alternatives which have the potential to feasibly attain most of the basic objectives

tracts that score at or above the 72nd percentile for various pollution and population indicators in the California Office of Environmental Health Hazard Assessment's CalEnviroScreen program.

of the 2045 General Plan but may avoid or substantially lessen any of the significant effects of the 2045 General Plan and proposed project.

1. No Project/Existing Plans Alternative

The No Project Alternative is required to discuss the existing conditions at the time the notice of preparation is published and evaluate what would reasonably be expected to occur in the foreseeable future if the proposed project was not approved (CEQA Guidelines, Section 15126.6[e]). Under the No Project/Existing Plans (Existing Measure L ULL) Alternative, the 2026 ballot measure asking Contra Costa County voters to amend the Land Use Element of the 2045 General Plan and the 65/35 Contra Costa Land Preservation Plan Ordinance would not be approved, and none of the changes proposed under the 2026 Urban Limit Line Renewal would occur. Specifically, under this Alternative, the 65/35 Land Preservation Plan Ordinance adopted under Measure L, which incorporates the ULL, would expire on December 31, 2026.

The proposed project does not change the Development Scenario evaluated in the GPEIR nor does it change the land uses adopted in the 2045 General Plan. The No Project Alternative would therefore maintain the existing Development Scenario and 2045 General Plan land uses. The same impacts that would occur under the 2045 General Plan would occur under the proposed project and these impacts would continue to occur regardless of whether the proposed project is approved. However, this Alternative would prevent adoption and implementation of the ULL protections present under the proposed project's ULL renewal, such as the requirement for a four-fifths vote of the Board of Supervisors to adopt a ULL expansion of any acreage and the countywide voter approval requirement for expansions greater than 30 acres.

Policies in the General Plan, such as Policies LU-P2.2 through LU-P2.4 and COS-P3.7, refer to the ULL as a boundary line. Under this Alternative, the existing ULL boundary shown in the 2045 General Plan would remain, though it could be amended through the normal process to amend the General Plan as opposed to the more rigorous process prescribed under the proposed project. Further, because the proposed project would not change any land use designation, the existing land use pattern would remain. The No Project Alternative would remove a constraint to later land use changes; however, as a discretionary action, future changes would be subject to their own environmental analysis and legislative action. Regardless, the No Project Alternative, like the proposed project, does not make any changes to the adopted 2045 General Plan Land Use Plan or Development Scenario, and therefore results in the same impacts as the proposed project.

Finding:

This Alternative is rejected because it would not meet any of the project's objectives. Additionally, this Alternative does not reduce any impacts when compared to the proposed project. Therefore, this Alternative is eliminated from further consideration.

2. Increased Density Near Transit Priority Areas

As discussed in GPEIR Section 5.16, *Transportation*, the GPEIR Study Area includes two Transit Priority Areas (TPAs), as defined by California Public Resource Code, Section 21099, along a Bay Area Rapid Transit (BART) line. This includes one in Contra Costa Centre and one in Pittsburg/Bay Point. Senate Bill (SB) 743 (2013) (see Section 5.16) declared that aesthetic and parking impacts of a

residential, mixed-use residential, or employment center project on an infill site within a TPA shall not be considered significant impacts on the environment. SB 743 also provides streamlining opportunities for projects in TPAs under the assumption that development in these areas would result in less overall environmental impacts.

This Alternative proposes a policy to increase the minimum allowed density of all new development and redevelopment within these two TPAs, which include all potential development sites within a half-mile of the BART stations in Contra Costa Centre and Bay Point. Under this Alternative, all projects within these boundaries would be required to achieve at least 90 percent of their sites' maximum allowed density. As discussed throughout, the proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, does not change the development capacity/projection as described in the GPEIR and Initial Study, and thus has the same impacts as analyzed in the GPEIR. Thus, an analysis of the alternatives evaluated for the project considered in the GPEIR (adoption of the 2045 General Plan and 2024 CAAP Update) is also appropriate with respect to the current proposed project (2026 Urban Limit Line Renewal). As the 2045 General Plan and 2024 CAAP Update have now been adopted, the evaluated alternative, with respect to the proposed project, would feasibly occur through revisions to the proposed project to include amendments to the current 2045 General Plan.

As noted in Chapter 3, Section 3.7.5, *Estimate Buildout*, in the GPEIR, the planning horizon projections developed for the 2045 General Plan and analyzed in the GPEIR assume that 75 percent of the maximum allowed density will be built in the Residential Very-Low, Low, and Low-Medium Density designations. In the remaining residential designations, the GPEIR assumes that 80 percent of the maximum allowed density will be built. As such, this Alternative evaluates the potential impacts of requiring a higher minimum density in the TPAs that extends beyond the development potential assumed in the EIR.

As shown in Table 7-2, *Increased Density Near TPAs Alternative Comparison to Proposed Project*, in the GPEIR, this Alternative would result in 23,400 new housing units, 1.2 million square feet of new commercial space, and 5 million square feet of new industrial space, overall contributing 66,300 new residents within the unincorporated county by 2045. When compared to the 2045 General Plan's and proposed project's development projections, this Alternative would result in 200 additional new housing units while commercial and industrial space would remain the same. These growth estimates are based on an assumption that sites that are currently vacant or underutilized would develop. Because many of the sites within the TPA are already developed, the growth projection is relatively modest. While more redevelopment could occur and result in higher growth, such redevelopment is speculative and not included in the estimate.

This Alternative would result in increased impacts to population and housing, public services and recreation, and utilities and service systems. This Alternative would result in similar impacts to aesthetics, agriculture and forestry resources, biological resources, cultural and tribal cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, and wildfire. This Alternative would result in decreased impacts to air quality, energy, greenhouse gas emissions, land use and planning, noise, and transportation.

Finding:

This Alternative would meet all project objectives but would not reduce any identified significant and unavoidable impacts of the 2045 General Plan and proposed project to less than significant. This Alternative is rejected because it would not considerably reduce impacts when compared to the proposed project. Therefore, this Alternative is eliminated from further consideration.

3. No Urban Development within High or Very High Fire Hazard Severity Zone Alternative

This Alternative would prohibit new urban development (i.e., housing, commercial, and industrial space) within High or Very High FHSZs, as designated by the Office of the State Fire Marshal and the California Department of Forestry and Fire Protection (CAL FIRE). As discussed in GPEIR Section 5.18, *Wildfire*, the EIR Study Area contains land mapped within CAL FIRE's High or Very High FHSZs. A majority of this land is already within the County's ULL and other portions are designated as Public and Semi-Public, Parks and Recreation, and Resource Conservation under the 2045 General Plan, and largely owned by public agencies who intend to conserve the land. Additionally, the proposed project includes a contraction of 4,368 acres of land with development constraints, including land in high or very high fire hazard zones. Nevertheless, urban development under the 2045 General Plan and proposed project could occur in FHSZs. These areas are subject to increased risk of wildfire hazards and as concluded in GPEIR Section 5.18, impacts associated with wildfire hazard risk would be significant and unavoidable under the 2045 General Plan and proposed project.

This Alternative would ensure that no urban development under the 2045 General Plan and proposed project would occur within High or Very High FHSZ, thereby reducing Impact 5.18-2 and Impact 5.18-5 to less than significant. As discussed throughout, the proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, does not change the development capacity/projection as described in the GPEIR and Initial Study, and thus has the same impacts as analyzed in the GPEIR. Thus, an analysis of the alternatives evaluated for the project considered in the GPEIR (adoption of the 2045 General Plan and 2024 CAAP Update) is also appropriate with respect to the current proposed project (2026 Urban Limit Line Renewal). As the 2045 General Plan and 2024 CAAP Update have now been adopted, the evaluated alternative, with respect to the proposed project, would feasibly occur through revisions to the proposed project to include amendments to the current 2045 General Plan. Other changes to project impacts associated with this Alternative would largely be associated with the reduction of available sites for urban development within the county. As shown in Table 7-4, *No Urban Development with a Fire Hazard Severity Zone Alternative Comparison to Proposed Project*, in the GPEIR, when compared to the 2045 General Plan's and proposed project's development projections, this Alternative would result in 3,700 fewer new housing units, 6,400 fewer square feet of new commercial space, and 177,300 fewer new square feet of new industrial space.

This Alternative would result in similar impacts to land use and planning and decreased impacts to all other resources topics (aesthetics, agriculture and forestry resources, air quality, biological resources, cultural and tribal cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, mineral resources, noise, population and housing, public services and recreation, transportation, utilities and service systems, and wildfire).

Finding:

This Alternative is rejected because it would limit opportunities for economic development within communities with large overlaps of High and Very High FHSZ lands, thereby meeting the project objectives to a lesser extent than the 2045 General Plan and proposed project. Therefore, this Alternative is eliminated from further consideration.

4. Increased TPA Density and No Urban FHSZ Development Combined Alternative

This Alternative would combine the two proposed actions in the “Increased Density Near Transit Priority Areas” and “No Urban Development within a High or Very High FHSZ” Alternatives. As such, this Alternative would involve requiring residential development within the county’s two TPAs to achieve at least 90 percent of the sites’ maximum allowed density in addition to prohibiting new urban development within High and Very High FHSZs. This Alternative would have the benefit of increasing density near transit, thereby reducing VMT and related impacts, in addition to reducing wildfire impacts to less than significant. As discussed throughout, the proposed project facilitates implementation of the 2045 General Plan as intended, through continuation of the 65/35 Plan and ULL, does not change the development capacity/projection as described in the GPEIR and Initial Study, and thus has the same impacts as analyzed in the GPEIR. Thus, an analysis of the alternatives evaluated for the project considered in the GPEIR (adoption of the 2045 General Plan and 2024 CAAP Update) is also appropriate with respect to the current proposed project (2026 Urban Limit Line Renewal). As the 2045 General Plan and 2024 CAAP Update have now been adopted, the evaluated alternative, with respect to the proposed project, would feasibly occur through revisions to the proposed project to include amendments to the current 2045 General Plan.

As shown in Table 7-6, *Increased TPA Density and No Urban FHSZ Development Combined Alternative Comparison to Proposed Project*, in the GPEIR, when compared to the 2045 General Plan’s and proposed project’s development projections, this Alternative would result in 3,500 fewer new housing units, 6,400 fewer square feet of new commercial space, and 177,300 fewer new square feet of new industrial space. This Alternative would result in increased impacts to land use and planning and decreased impacts to all other resource topics (aesthetics, agriculture and forestry resources, air quality, biological resources, cultural and tribal cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, mineral resources, noise, population and housing, public services and recreation, transportation, utilities and service systems, and wildfire).

This Alternative would meet most of the objectives of the 2045 General Plan and proposed project. It would focus more housing development within the community cores and would adopt the 2045 General Plan and CAAP, with the exceptions of density increases in the TPAs and prohibiting new urban development within High and Very High FHSZs. Like the FHSZ Alternative, this Alternative would however decrease the overall development capacity of the county, resulting in fewer economic opportunities for the communities affected by this prohibition of new urban development. This Alternative would reduce the most impacts and meets the most project objectives when compared to the other alternatives. Therefore, this Alternative is considered the “environmentally superior alternative.”

Finding

This Alternative would reduce the most impacts and meets the most project objectives when compared to the other alternatives. Therefore, this Alternative is considered the “environmentally superior alternative.” However, this Alternative would not meet the project objectives to the extent of the 2045 General Plan and proposed project. Therefore, this Alternative is rejected.

V. STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires decision makers to balance the benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the proposed project. If the benefits of the proposed project outweigh the unavoidable adverse effects, those effects may be considered “acceptable” (State CEQA Guidelines § 15093[a]). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are infeasible to mitigate. Such reasons must be based on substantial evidence in the Final EIR or elsewhere in the administrative record (State CEQA Guidelines § 15093[b]). The agency’s statement is referred to as a Statement of Overriding Considerations.

The following provides the justification for adopting a statement of overriding considerations.

A. Project Benefits in Support of the Statement of Overriding Considerations

The following section describes the benefits of the proposed project that outweigh the proposed project’s unavoidable adverse effects and provides specific reasons for considering the proposed project acceptable. Accordingly, the County has prepared this Statement of Overriding Considerations regarding potentially significant adverse environmental impacts resulting from the proposed project, as set forth below. Pursuant to CEQA Guidelines § 15093(c), the Statement of Overriding Considerations is included in the record of the project approval and will be noted in the Notice of Determination. Each of the benefits identified below provides a separate and independent basis for overriding the significant environmental effects of the proposed project. As noted throughout this document, while the significant effects under the proposed project are the same as those identified in the GPEIR, the proposed project would result in no new significant impacts.

Having reduced the potential effects of the proposed project through feasible mitigation measures as described previously herein, and balancing the benefits of the proposed project against its potential unavoidable adverse impacts on agricultural and forestry resources, air quality, cultural and tribal cultural resources, mineral resources, noise, transportation, and wildfire, the County finds that the legal requirements and benefits of the proposed project individually and collectively outweigh the potentially significant unavoidable adverse impacts for the following reasons:

1. Promotes Protection of Open Space and Agricultural Land

The primary function of the County’s ULL and by extension its renewal under the proposed project is to support implementation of the County’s 65/35 Land Preservation Plan (the “65/35 Plan”). A component of the 65/35 Plan, the 65/35 Land Preservation Standard (the “65/35 Standard”), states that no more than 35 percent of the land within the county may be designated for urban uses (residential, commercial, industrial, etc.), and at least 65 percent must be designated for non-urban uses, such as agriculture, open space, and parks. The ULL establishes a regulatory boundary beyond which

no land may be designated for urban land uses. If approved by the voters, the proposed project would result in a net contraction of 9,495 acres, with 11,098 acres moving outside the ULL. While this land is largely already designated for non-urban uses, and the proposed project involves no land use changes, its position outside the ULL would limit opportunities for it to be redesignated to an urban land use in the future. Therefore, the proposed project would maintain the ULL's current protection of agricultural and open space land outside of the ULL and result in additional agricultural and open space land outside moving outside the ULL.

2. Limits Sprawl and Inefficient Use of Land

As noted above, the primary purpose of the County's ULL is to support implementation of the County's 65/35 Plan and 65/35 Standard. The intent behind the ULL and 65/35 Standard is to prevent land use patterns that are inefficient due to their consumption of raw land and lack of proximity to existing urban areas. "Sprawl" is the term typically associated with this kind of development. It results in higher dependence on vehicles and longer vehicle trips which in turn result in more air quality and greenhouse gas emissions. Sprawl also typically requires construction of new and previously unplanned/unanticipated infrastructure to serve these outlying areas and is associated with development types (i.e., single-family homes) that consume more resources (water, energy) than clustered, denser development types.

The proposed project maintains the existing ULL protections in place and would apply these protections to additional land with the intention of limiting sprawl in these areas.

3. Limits Development in Hazardous Areas

The County's ULL process contains several criteria and factors that guide determinations on whether land should be placed outside the ULL. These criteria and factors, which would be modified under the proposed project, include environmental constraints that could result in hazardous conditions for development. For example, land designated as High or Very High Fire Hazard Severity Zones on maps published by CAL FIRE, lands at risk of substantial inundation from flooding or anticipated sea level rise, and lands with slopes of 26 percent or greater are generally considered poor locations for urban development and strong candidates for placement outside of the ULL. These hazards are topics addressed under CEQA and development associated with land under these conditions could increase environmental impacts. Under the proposed project, 4,403 additional acres of land that has such constraints, including potential environmental hazards, would be moved outside of the ULL. This action therefore promotes risk reduction for future development in the county.

4. Fixes Inconsistencies in the Current ULL Map

The proposed project involves various changes to the existing ULL that would resolve inconsistencies and anomalies or improve consistency of the map with respect to the boundaries of other agencies. Such changes include: moving land with permanent development restrictions to outside the ULL; moving land set aside as buffers around subdivisions, cemeteries, and industrial facilities to outside the ULL; aligning the ULL with boundaries of incorporated cities and their respective ULLs or urban growth boundaries; moving already developed land with urban land use designations inside the ULL; smoothing the ULL along the shoreline; and eliminating fragments and "islands" created by

annexations. Overall, these changes would help to improve the practical administration and use of the ULL.

5. Maintains the County ULL's Effectiveness for a 25-Year Period

One of the primary aims under the proposed project is to provide voters with the opportunity to renew the County's 65/35 Plan and ULL with their full suite of protections, which expire under Measure L-2006 on December 31, 2026. While the 2045 General Plan contains provisions that maintain the intent of the 65/35 Plan and ULL, and the ULL itself would remain in place, the proposed project would allow voters to ensure that the complete protections afforded by the 65/35 Plan and ULL are maintained through December 31, 2051. For example, without renewal, the 65/35 Standard would cease to exist and the existing rigorous process for expanding the ULL would be weakened.⁵ Whereas any expansion of the ULL currently requires a supermajority vote of the Board of Supervisors, without ULL renewal the ULL could be expanded by a simple majority vote of the Board. The proposed project would also require review of the ULL boundary concurrently with State-mandated General Plan Housing Element update cycles.

6. Promotes Implementation of the 2045 General Plan

Many policies in the 2045 General Plan support the intent of the 65/35 Plan and ULL including the following:

- **LU-P2.2:** Enhance the ULL's effectiveness by supporting efforts to acquire and permanently protect land along the ULL boundary.
- **LU-P2.3:** Limit development outside the ULL to non-urban uses, such as agriculture, mineral extraction, wind and solar energy production, natural carbon sequestration, other resource-based uses, and essential infrastructure.
- **LU-P2.4:** Deny applications for major subdivisions outside the ULL. Discourage minor subdivisions outside the ULL that would subdivide any parcel created by a subdivision map recorded after November 5, 2024.
- **LU-P2.8:** Discourage extension of water and sanitary sewer lines into areas outside the ULL, except to serve public and semipublic uses that are not growth inducing, or when such extension is necessary to address a declared public health emergency. When lines are extended outside the ULL, they should be designed to service the intended use only, and not allow for additional future service connections.
- **LU-P10.3:** Preserve the rural character of the following areas, which are displayed in Figure LU-6 [of the 2045 General Plan]:
 - a. Alhambra Valley/Briones
 - b. Tassajara Valley
 - c. Delta Primary Zone
 - d. Agricultural Core between Brentwood and Discovery Bay

⁵ Expansion of the ULL by 30 or fewer acres is allowed under a four-fifths vote of the Board of Supervisors after holding a public hearing and making at least one of seven findings, as proscribed in the General Plan and County Ordinance Code, based on substantial evidence in the record. Expansion of the ULL by more than 30 acres is subject to the same process with the addition of countywide voter approval.

- e. Crockett Hills between Crockett and State Route 4
- f. Franklin Canyon/State Route 4 corridor between Hercules and Martinez
- g. Bollinger Canyon Road corridor between Las Trampas Regional Wilderness and Crow Canyon Road
- h. Norris Canyon Road corridor between San Ramon and the Alameda County line Marsh Creek Road corridor between Clayton and
- i. Byron Highway
- j. Kirker Pass Road corridor
- k. Morgan Territory Road corridor
- l. Deer Valley Road corridor

Pay special attention to potential aesthetic impacts in these areas and ensure such impacts are adequately mitigated.

- **LU-P10.4:** Maintain agricultural preserves in the Briones Hills and Tassajara Valley areas through agreements with adjacent cities to retain these areas for agricultural, open space, and other non-urban uses.
- **COS-P1.3:** Discourage conversion of land designated Resource Conservation or Parks and Recreation to urban uses. If such conversion is to occur, require mitigation through permanent protection of other open space or park lands for habitat, scenic, or recreation benefits at a ratio to be determined based on the biological, scenic, or recreational value of the land, but not less than 3:1.
- **COS-P2.1:** Preserve large, contiguous areas of the county for agricultural production. Deny applications for projects that would lead to fragmentation of agricultural areas.
- **COS-P2.2:** Preserve and protect productive agricultural land from conversion to urban uses, especially land designated as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland on the Important Farmland Map prepared by the California Department of Conservation; land containing Class 1 or Class 2 soils; and land designated Agricultural Core.
- **COS-P2.3:** Require a 40-acre-minimum parcel size for subdivisions of prime productive agricultural land (i.e., Class 1 and Class 2 soils).
- **COS-P2.5:** Require new projects adjacent to agriculture to establish buffers on their properties as necessary to minimize conflicts and protect agriculture. Determine appropriate buffers in consultation with the County Agricultural Commissioner.
- **COS-A2.2:** Work with the agricultural community, Contra Costa LAFCO, and cities to establish programs and mechanisms to protect agricultural resources, such as preservation agreements, conservation easements, an agricultural soils trust fund, and agricultural mitigation fees.
- **COS-A2.3:** Conduct a study of potential Transfer or Purchase of Development Rights (TDR/PDR) programs to address development pressures and preserve agricultural land. The study should determine:
 - a. Overall feasibility and usefulness toward implementing the County's agricultural preservation goals.
 - b. Specific mechanisms that could be used.
 - c. Geographic areas where these mechanisms could be used.
 - d. Organizational and administrative requirements.
 - e. Cost to the County and potential revenue sources.

- **COS-P4.1:** Maintain ecologically significant resource areas in their natural state to the greatest extent possible. Limit development in and near these areas to compatible low-intensity uses with adequate provisions to protect sensitive resources, including setbacks around resource areas. Prohibit projects that would lead to fragmentation of ecologically significant resource areas.

By maintaining the ULL, the proposed project would promote and help implement these 2045 General Plan policies.

7. Avoids Violation of the Contra Costa Growth Management Program

Without a voter-approved ULL, the County would be in violation of the Contra Costa Growth Management Program, jeopardizing approximately \$2 million the County receives annually to support road maintenance.

B. Conclusion

The County has balanced the proposed project's benefits against the significant unavoidable impacts. The Board of Supervisors finds that the proposed project's benefits outweigh the proposed project's significant and unavoidable impacts, and these impacts, therefore, are considered acceptable in the light of the proposed project's benefits. The County finds that each of the benefits described above is an overriding consideration, independent of the other benefits, that warrants approval of the proposed project notwithstanding the proposed project's significant unavoidable impacts.

VI. FINDINGS ON RESPONSES TO COMMENTS ON THE GPEIR AND REVISIONS TO THE FINAL EIR

The Final EIR contains responses to comments, revisions, clarifications, and corrections to the Initial Study and GPEIR.⁶ The focus of the response to comments is on the disposition of significant environmental issues as raised in the comments, as specified by State CEQA Guidelines Sections 15088(a) and 15088(b). The County provided written responses to each comment made by a public agency, as set forth in Section 3 of the Final EIR, pursuant to State CEQA Guidelines Section 15088(b).

County staff has reviewed this material and determined that none of this material constitutes the type of significant added information that requires recirculation of the GPEIR and Initial Study for further public comment under CEQA Guidelines Section 15088.5. None of this new material indicates that the proposed project will result in a significant new environmental impact not previously disclosed in the GPEIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5 of the CEQA Guidelines.

⁶ Note: No revisions to the GPEIR were required.