

FINAL MITIGATED NEGATIVE DECLARATION/INITIAL STUDY
State Clearinghouse Number (SCH) 2025010220

Rodeo – Second Street Minor Subdivision and Residential Development Plan Project
County File CDMS23-00003/CDDP23-03046

May 30, 2025

I. Introduction:

This document constitutes the Final Mitigated Negative Declaration/Initial Study (MND) for the Rodeo Second Street Minor Subdivision and Residential Development Plan Project that consists of proposed Vesting Tentative Map which would divide a 28,800 square-foot lot into four parcels (Parcel “A”, Parcel “B”, Parcel “C”, and Parcel “D” which range from 5,175 to 10,400 square feet in area. The project includes the construction of a single-family residence on each resultant parcel. The proposed project includes private access improvements, storm drain improvements, and connection to existing water, sanitary sewer, and electrical services provided via existing infrastructure located within the rights-of-way which abut the project site to the south. The above-described improvements require a tree permit for dripline encroachment for two code-protected trees, and front setback deviations for homesites on Parcel A and Parcel B.

On January 13, 2025, the Contra Costa County Department of Conservation and Development, Community Development Division (CDD), published a draft MND that analyzed potential significant adverse environmental impacts of the proposed project. Pursuant to Section 15073 of the California Environmental Quality Act (CEQA), which requires a minimum 20-day public review period, the draft MND included a comment period that ended on February 3, 2025. The purpose of the public review period is for the public to submit comments on the adequacy of the environmental analysis in the MND. CDD received written comments from five correspondences with comments in response to the publication of the draft MND.

Two neighbors expressed concern that they did not receive the Notice of Intent to Adopt the proposed MND. CDD staff sent direct mailing to owners and occupants of property contiguous to the project, consistent with the requirements specified under CEQA Guidelines section 15072(b)(3). CEQA guidelines section CEQA Guidelines section 15072(b) also requires the lead agency to mail a notice of intent to organizations and individuals who have previously requested such notice in writing. CDD staff did not receive any such written requests prior to the publication of the draft MND. The two concerned neighbors were included in subsequent public notification lists prepared for the Zoning Administrator hearing.

The Final MND includes the comments received on the draft MND, responses to the comments received, and four staff-initiated text changes, either to provide additional clarifying information or to correct typographical errors. The text changes are not the result of any new significant adverse environmental impact, do not alter the effectiveness of any mitigation included in the pertinent section, and do not alter any findings in the section. The County Zoning Administrator will consider the environmental record including the draft MND, the Final MND, and the findings therein prior to taking action on the project as a whole.

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II. Comments Received and Responses:

During the January 13, 2025, to February 3, 2025, public review period on the draft MND, CDD received written comments from one agency (East Bay Municipal Utility District), and additional written comments from three Rodeo residents. All correspondence received by CDD in response to the draft MND prepared for this project are listed below. Following the list of comments received is a summary of the written comments and staff responses to the comments. The comments and responses are organized by CEQA topic. Staff identifies each comment with a number followed by a lowercase letter (#.x). The number, between 1 and 5, corresponds to the numbered comment letters listed below, whereas the letter corresponds to a specific comment or statement identified by staff therein. A copy of each comment letter, including staff annotations labeling each comment in the manner described above is included herein as Attachment A.

1. East Bay Municipal Utility District – Letter received January 30, 2025
2. Carmen Gray, 212 Sharon Ave. Rodeo - Letter received January 29, 2025.
3. Carmen Gray, 212 Sharon Ave. Rodeo – Email correspondence received January 31, 2025.
4. Cindi Collins Erickson, 122 3rd Street, Rodeo – Letter received on February 3, 2025.
5. Willow Zarlow, 124 3rd Street, Rodeo – Letter received on February 3, 2025.

A. Surrounding Land Use and Setting, MND Section 9

Comment 4f: The commenter disagrees with staff’s characterization of the surrounding developed areas east and south of the project as “high density”, suggesting such characterization implies that the project is surrounded by multi-family redevelopment.

Response: Section 9 of the MND includes a general description of the land uses and setting surrounding the project. The second sentence in this section specifies that “the immediate vicinity consists of high density single-family residential development”. Since this section specifically describes the single-family residential nature of the surrounding area, this is an accurate characterization of the surrounding neighborhood. Nevertheless, staff recognizes that the County Board of Supervisor’s November 5, 2024 adoption of the Contra Costa County 2045 General Plan, which does not differentiate between single-family and multi-family residential densities, the subject property’s new designation of Residential Medium Density (RM) may be construed as contradictory to this characterization. Prior to the adoption of the new General Plan, the subject property had a Single-Family Residential High Density (SH) Land Use Designation. For the purpose of reviewing this project, all staff analysis related to General Plan consistency will consider the former (SH) designation that was applicable when the project was vested prior to the adoption of the 2045 General Plan. Therefore, all references to the County General Plan Policies and/or Figures included within the Draft MND are specifically in reference to the now-superseded 2005-2020 General Plan. Given this context describing the area in terms consistent with the superseded General Plan remains appropriate for this project.

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The comment does not allege that any new environmental impacts not considered within the Draft MND would occur in relation to this issue. Therefore, no additional mitigation measures are necessary to address this comment. To provide added clarity, staff has revised the General Plan Designation (MND Section 6), to specify both the current and former general plan designations.

B. Aesthetics, Environmental Checklist Section 1

Comment 4a: The commenter notes that unpermitted grading activity has occurred on site and states that this activity was detrimental to views existing from neighboring residents. The comment questions whether the project grading would further increase the grade on site relative to present conditions.

Response: The draft MND circulated for this project concluded that the project would not have a substantial adverse effect on a scenic vista based on the urbanized nature of the surrounding area, and the lack of project-related impacts on County-designated scenic routes, ridgeways, or waterways. The draft MND acknowledged that views from adjoining private properties may be affected. Such impacts on views from adjoining private lands are not considered potentially significant in the context of this environmental review because there are no zoning ordinances or General Plan policies protecting such views in this area of the County. Therefore, the comments do not establish a potentially significant impact that was not evaluated by the draft MND, and no additional mitigation measures are necessary to address this comment.

With respect to project grading activities, according to the Tentative Map, existing site elevations range from ± 30 feet above sea level at its lowest point along easterly parcel boundaries, to a high point of ± 41 feet above sea level near the center of the project site. The project grading plan does not propose to increase the existing site elevation.

Comment 4g/5g: The project is not consistent or compatible with the surrounding area in terms of architectural design and/or finishing materials, resulting in aesthetic impacts to the surrounding residential neighborhood and to pedestrians/cyclists utilizing the San Francisco Bay trail immediately north of the project.

Response: Staff received comments from two neighboring property owners expressing concern with the design of the homes. The project consists of a four-parcel minor subdivision, and the construction of a single-family residence upon each of the resultant parcels. The proposed residences are of a two-story contemporary style, having an appearance that is distinctly modern in appearance relative to nearby homes. One neighbor, Ms. Erickson, states that they perceive the buildings as commercial in appearance and would prefer the “design and materials to reflect a residential use”. The neighbor did not identify specific architectural elements which they perceive as evocative of nonresidential use. The project would use stucco siding and wooden trim, materials that are traditionally utilized in residential construction. The surrounding area features an eclectic mix of architectural styles amongst existing one- and two-story homes. Existing homes in the vicinity often bear little resemblance to those on

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adjoining parcels. Thus, given the lack of a cohesive architectural style prevalent throughout the neighborhood, the architectural design of the proposed project would not result in substantial impacts on the surrounding neighborhood in terms of aesthetics. The home designs are substantially consistent with residential design guidelines for the Rodeo area-wide P-1 district. Furthermore, the design of the home is not regulated by any zoning ordinances or General Plan policies governing scenic vistas or scenic quality, which is the principal consideration in analysis of Aesthetic impacts presented within the draft MND. While acknowledging that the proposed residential design may not align with the commenter's personal preferences, this does not amount to a potentially significant aesthetic impact which was not evaluated by the published draft MND. Therefore, no substantial revision of the document or additional mitigation measures are appropriate in response to comments on the home designs.

Ms. Erickson also expresses concern that the project “would be unpleasant and an eyesore to pedestrians and bike riders enjoying the scenic open space along the San Francisco Bay Trail”. The project would not inhibit the use or enjoyment of the San Francisco Bay Trail to any significant degree due to the fact that the project is entirely located on private property and will have no impact on the quality or visibility of scenic vistas observable to recreationists utilizing this trail. The mere fact that the project would be visible from portions of the Bay trail adjacent to the development does not constitute a significant impact to a scenic vista, waterway, or ridgeline. The project is conditioned to require vegetative screening along the western boundary of the subdivision as a visual buffer between the adjoining land uses. The project will not have a significant aesthetic impact, therefore no substantial revision of the draft MND or new mitigation measures are necessary in response to this comment.

Ms. Erickson suggests that the project is inconsistent with General Plan Policy LU-P4.2 which supports community appearances by “requiring high-quality design and materials that complement their surroundings, with emphasis on public spaces and historic and cultural resources”. In cumulative consideration of the above discussion on design and impacts to trails, the project does not conflict with this policy because it does not consist of low-quality, marginal design which detracts from the neighborhood aesthetics. The residential nature of the project is compatible with long-established residential land uses in the immediate project vicinity and will provide vegetative screening as a visual buffer between the project and adjoining open space land. The project does not conflict with General Plan Policy LU-P4.2, nor does it result in a potentially significant environmental impact which was not evaluated within the draft MND. Therefore, no substantial revision to the MND or new mitigation measures are appropriate in response to this comment.

Comment 4i/5c: The two-story design will adversely affect existing Bay views from nearby residences.

Response: Staff received comments from two neighboring residents expressing this concern, both owning properties on Third Street approximately 400 feet south of the project site. One commenter, Ms. Erickson, states that the published draft MND did not adequately characterize view impacts on neighboring properties, and that as many as 15 homes would have views obstructed by the project.

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Although the comment does not specifically identify the 15 properties to which they attribute a project-related loss of view, staff assumes the principal area of concern to be immediately south of the project site, consisting of 14 residential parcels within one-square-block bounded by 2nd Street, 3rd Street, Sharon Avenue, and Harris Avenue.

The primary basis for the draft MND conclusions finding less than significant aesthetic impacts was not related to the number of neighbors potentially experiencing view obstruction, rather, it is the fact that the project does not violate any applicable zoning ordinances or policies governing scenic quality, nor will it affect any County designated scenic routes, scenic ridgeways, or scenic waterways. The project's potential to impact views from southerly parcels is acknowledged in Aesthetics section 1a of the draft MND. The southern adjacent parcel (201 Sharon Avenue), located opposite 2nd Street from the project site, is identified as the parcel experiencing the highest degree of view obstruction because it is a two-story residence overlooking the project site and the bay beyond. The two-story residence at 201 Sharon Avenue, and numerous mature trees bordering the southern boundary of that property, constitute existing view obstructions for parcels south of that home. It is for this reason, along with the prevailing topography, that view impacts for more southerly parcels were not specifically considered within the draft MND. It is possible that some two-story homes along Third Street, (including the commenters residing at 122 & 124 Third Street) may experience further view obstructions from their second-story windows facing the project site, but this is not considered a potentially significant impact due to the fact that that County has no applicable ordinances or policies governing scenic quality in this area of the County. Therefore, no substantial revision to the MND or new mitigation measures are necessary in response to this comment.

C. Biological Resources, Environmental Checklist Section 4

Comment 2a/3a: The project construction activities will displace monarch butterflies and other animals living in the area.

Response: Section 4b of the draft MND discusses the potential project related impacts to special-status species of plants and wildlife. Monarch Butterflies were not identified as a special status species having potential to occur on site. Based on the findings of the *Biological Resource Assessment for 2nd and Sharon, Rodeo, CA*, prepared by Coast Ridge Ecology, LLC., it was determined that no special status plant species exist or were likely to occur on site. Additionally, the consulting biologist identified five (5) special status wildlife species having a “low” potential to occur on site, including Western Bumblebee (*Bombus occidentalis*), Crotch Bumblebee (*Bombus crotchii*), Obscure Bumblebee (*Bombus caliginosus*), Hoary Bat (*Lasiurus cinerus*), and Saltmarsh common yellowthroat (*Geothlypis trichas sinuosa*). The consulting biologist's recommendations to reduce project-related impacts on special status wildlife species were incorporated as mitigation measure **BIO-1** within the published draft MND. Given the low potential for any of these species to occur on or near the project site, the project was determined to have a less than significant impact on any special status species of plant or wildlife with implementation of Biological Mitigation Measure **BIO-1**. Therefore, the draft MND

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adequately analyzes the projects potential impact to Biological Resources, including special status plant and wildlife species, and no substantial revision to the MND or new mitigation measures are appropriate in response to this comment.

Comment 2b/3b: Prior tree removal activity that occurred on site has displaced avian and/or raptor habitat.

Response: This comment is in reference to the prior removal of two (2) trees from the subject property without first obtaining a tree permit. Typically, minor tree removal activities are not associated with significant environmental impacts. Contra Costa County routinely approves tree permits for residential development projects that are exempt from CEQA review. Considering the small number of trees removed, and the fact that there is no documented occurrence of special status avian or raptor species in the immediate project vicinity, the prior tree removal should not be considered a significant environmental impact. The proposed project includes a tree permit to legalize the prior tree removal pursuant to the County's tree ordinance (Chapter 816-6 of the County Ordinance Code). Section 4e of the draft MND concludes that the project will not conflict with the County's Tree Protection Ordinance due to the fact that this project includes a tree permit review pursuant to said ordinance. The project is conditioned to require new plantings as restitution for the unpermitted tree removal, but this condition is not a mitigation measure for a potentially significant environmental impact resulting from the project. The applicant's compliance with applicable tree conditions, including restitution plantings, ensures that the project does not conflict with Chapter 816-6 of the County Ordinance Code. Therefore, no substantial revision to the MND or new mitigation measures are appropriate in response to this comment.

Comment 4e: The project should be required to plant restitution plantings for the previously removed trees.

Response: As discussed in the above response to comments #2b and #3b, the project is conditioned to require new plantings as restitution for the unpermitted tree removal, but this condition is not a mitigation measure for a potentially significant environmental impact resulting from the project. Therefore, no substantial revision to the MND or new mitigation measures are appropriate in response to this comment.

D. Geology and Soils , Environmental Checklist Section 7

Comment 4g/5g: This comment raises concerns regarding the stability of soils on the subject property and whether unpermitted grading activity has compromised the suitability of these soils for structural development.

Response: The stability of soils on the project site is discussed in CEQA Checklist item #7c. The project is not located within a Seismic Fault Zone, Landslide Hazard Zone, or Liquefaction Hazard Zone, as

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mapped by the California Geological Survey, which warrant substantial soil-stability concerns. The presence of undocumented fill on the subject property was noted in a preliminary Geotechnical Investigation dated January 10, 2023, prepared by Friar Associates, Inc. The site-specific recommendations provided within the Geotechnical Investigation include excavation to remove undocumented fill so that the new construction rests on firm native soils. Compliance with the recommendations of the consulting geotechnical engineer and sound foundation design will ensure that existing soil conditions will not adversely affect the suitability of the site for residential development. Therefore, no substantial revision to the MND or new mitigation measures are appropriate in response to this comment.

E. Hazards and Hazardous Materials, Environmental Checklist Section 9

Comment 1a: The East Bay Municipal Utility District's Standard Site Assessment report indicates the potential for contaminated soil or groundwater to be present within the project site boundaries.

Response: The comments from EBMUD staff advise that the district will not install piping or services in contaminated soil or groundwater (if groundwater is present at any time during the year at the depth piping is to be installed). According to EBMUD staff, the project site was flagged for potential contamination due to the fact that the project is located within ¼ mile of two active cleanup sites appearing on the State Water Resources Control Board's [GeoTracker](#) Database. The active cleanup sites are Joseph's Marina and Lone Tree Point site (13 Pacific Avenue, Rodeo) approximately 700 feet north of the project, and the Southern Pacific Pipelines (no address) located along the waterfront approximately 400 feet west of the project.

A Phase 1 Environmental Site Assessment was prepared by Korbmacher Engineering Inc. Based on a review of regulatory and environmental database records, observations, and the historical use of the subject property, the report concludes that there are no current recognized environmental conditions (REC), controlled REC, or historically recognized environmental conditions (HREC) on the subject property. The report also concludes that off-site properties identified in the regulatory databases, including the two active cleanups at Joseph's Marina/Lone Tree Point, or Southern Pacific Pipeline sites, are not likely to impact the soil or groundwater beneath the property. The Phase 1 evaluation did not recommend further assessment for potential contaminants on site. Considering that there is no evidence in the record that any contamination exists on site, the risk of such conditions to affect the development is relatively low.

In the event that future testing performed for service connections to EBMUD infrastructure reveals contaminants, the developer will be required to provide a remediation plan consistent with the district's "clean utility corridor" guidelines as a condition of the district providing water service to the project. According to the EBMUD website ([New Meter Installation FAQ :: East Bay Municipal Utility District](#)), this would involve the installation of "over-excavated" water line trenches that would be approximately two-feet wider and deeper than standard utility trenches. The trench would also be lined with geotextile

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fabric at a minimum and filled with engineered compacted fill. Since these actions would be limited to the areas already experiencing ground disturbance as a result of the project, the installation of a clean utility corridor would not result in any new environmental impacts that were not discussed in the draft MND. Therefore, since the project site does not appear on any environmental databases and there is no evidence of contaminants existing on the project site, no substantial revision to the MND or new mitigation measures are necessary in response to this comment.

Comment 4c: Unpermitted fill deposited on the project site could be contaminated. A Level 2 Environmental Assessment should be completed for the project.

Response: A Phase 1 Environmental Site Assessment was prepared by Korbmacher Engineering Inc. Based on a review of regulatory and environmental database records, observations, and the historical use of the subject property, the report concludes that there are no current recognized environmental conditions (REC), controlled REC, or historically recognized environmental conditions (HREC) on the subject property. The Phase 1 evaluation did not recommend further assessment for potential contaminants on site. The commenter did not provide any substantiation for their stated belief that contaminants may exist on the project site. Since the project site does not appear on any environmental databases and there is no evidence of contaminants existing on the project site, no substantial revision to the MND or new mitigation measures are appropriate in response to this comment.

F. Hydrology and Water Quality, Environmental Checklist Section 10

Comment 4j/5f: The project would exacerbate existing drainage problems downhill of the project at the intersection of Second Street and Harris Avenue.

Response: The project is subject to Division 914 (Collect and Convey) of the County Ordinance Code, which requires that stormwaters originating on site or traversing the site to be directed into an adequate storm drain system or natural watercourse. As discussed in section 10c of the draft MND, the preliminary drainage plan for this project includes the use of four bio-retention basins, each having a capacity of 1,500 gallons as a means of collecting and conveying stormwater onsite. The purpose for these basins is to allow stormwater to be directed from impervious surfaces resulting from the project for temporary onsite retention. The onsite retention system would increase the amount of stormwater that is able to percolate into the ground on site before being discharged offsite. The preliminary drainage plan has been reviewed by Engineering Services Division staff with the County Department of Public Works and have deemed the plan adequate for planning purposes. The project is conditioned to require the final drainage plan to be subject to further review, including hydrological calculations demonstrating that the project meets the County's collect and convey requirement. The project's compliance with all project conditions will ensure that the project drainage meets the County's collect and convey requirements and will not exacerbate existing drainage conditions in the area. Therefore, no substantial revision to the MND or new mitigation measures are appropriate in response to this comment.

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G. Land Use and Planning, Environmental Checklist Section 11

Comment 4l/5b: The project will adversely affect the availability of on-street parking in the area.

Response: Section 11b of the Draft MND concludes that the project will have no impact resulting from a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, finding the project consistent with zoning development standards (including minimum off-street parking requirements) as well as applicable general plan policies for the Rodeo area. The comments do not allege a conflict with any off-street parking regulations codified within the County Ordinance Code. Therefore, no substantial revision to this section of the draft MND or new mitigation measures are appropriate in response to this comment.

Comment 4f: General Plan conservation and open space policies require consultation with East Bay Regional Park District and the establishment of buffers as necessary to minimize conflicts with adjoining open space lands.

Response: Section 9 of the MND Section 11b of the Draft MND concludes that the project will have no impact resulting from a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Numerous residential properties exist adjacent to the public open space lands immediately north of the project site owned by the East Bay Regional Park District (EBRPD). On May 3, 2023, the project was forwarded to the EBRPD with a request for comment. County staff did not receive a response prior to the publication of the draft MND. However, in an email dated February 10, 2025, EBRPD staff requested the inclusion of vegetation screening for parcels abutting the connector trail abutting the western boundary of the project site to provide visual screening. The EBRPD comments do not identify any concerns with the residential land use conflicting with the use of the trail. The project is conditioned to require the installation of the vegetative screening along westerly property boundaries requested by the district. Thus, County staff has consulted the EBRPD regarding this project consistent with the requirements of applicable General Plan open space policies. Therefore, no substantial revision to this section of the draft MND or new mitigation measures are appropriate in response to this comment.

H. Noise, Environmental Checklist Section 13

Comment 5a: Construction activities will result in noise impacts on surrounding neighbors.

Response: Section 13a of the draft MND discusses temporary noise impacts that will result from construction activities. Such impacts are typical of residential construction that routinely occurs in residential neighborhoods throughout the County. Considering the relatively small scale of the project, involving the construction of four single-family homes and associated access improvements and utility connections on the subject property, the project will not require a lengthy construction period. The draft

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MND includes mitigation measures **NOI-1** through **NOI-6** intended to reduce the impact of construction noise on surrounding residents by limiting the hours of construction on weekdays, prohibiting work on weekends/holidays, requiring mufflers on equipment utilizing internal combustion engines, and notifying neighbors within 300 feet of the project site at least one week in advance of construction/grading activities. Although noise impacts are generally unavoidable during construction within developed neighborhoods, the implementation of mitigation measure **NOI-1** through **NOI-6** reduces these impacts to less than significant levels. Therefore, no substantial revision to this section of the draft MND or new mitigation measures are appropriate in response to this comment.

I. Transportation, Environmental Checklist Section 17

Comment 4g/5g: The project will result in more traffic in the area.

Response: As discussed in section 17b of the draft MND, the applicable framework for analyzing transportation impacts relating to vehicle miles travelled (VMT) resulting from the project. Contra Costa County Transportation Analysis guidelines provide VMT screening criteria to assess an individual project's potential transportation impact. These guidelines state that certain project types, including a residential project consisting of 20 units or less, should be expected to cause a less than significant impact under CEQA, and would not require further VMT analysis. Since the project is well under 20 residential units, the project is assumed to have a less than significant impact on traffic. Since the addition of four new homes would only marginally increase traffic in the area and the project has been reviewed consistently with County Transportation Analysis guidelines, traffic is not considered a potentially significant impact resulting from the project. Therefore, no substantial revision to this section of the draft MND or new mitigation measures are appropriate in response to this comment.

J. Utilities and Service Systems, Environmental Checklist Section 19

Comment 4k/5d: The existing sewer system is overtaxed and the addition of new homes will further strain the system.

Response: As discussed in section 19c, the project site is located within the service boundaries of the Rodeo sanitary district (RSD). County staff has forwarded the project to RSD staff for comment and received no indication that the system lacks adequate capacity to accommodate the project in response. Thus, the wastewater provider has made no such determination that the existing sewer system cannot accommodate four additional homes within their service area.

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III. Staff-Initiated Text Changes

This section includes edits to the text of the draft MND. Deleted text is shown with ~~strikethrough text~~ and new text is indicated by double underlined text. The text changes are in the following locations.

General Plan Designation, MND Section 6

This section is revised as follows:

Residential Medium Density (RM) (Formerly Single-Family Residential High Density [SH])

Description of Project, MND Section 8

This fourth sentence of this section is revised as follows:

The project includes development plans for the construction of a single-family residence on each of the four resultant lots- including front setback deviations for homesites proposed on Parcel A & Parcel B.

Environmental Checklist Section 4. Biological Resources

The first sentence of the discussion in Section 4.e of the MND initial study is revised to correct typographical errors and to clarify that the project does not require removal of existing trees, as follows:

The project ~~site~~ does not involve ~~tree removal activities~~ the removal of any existing tree. ~~as~~ The project site and surrounding area generally lacks significant tree cover, with the exception of two Oak trees located in open space lands just north of the project site.

Environmental Checklist Section 7. Geology and Soils

The fifth sentence in the discussion in Section 7.b of the MND Initial Study is revised to correct a typographical error, as follows:

The plan has been reviewed and deemed adequate for planning purposes by County Public Works officials, with more detailed scrutiny deferred to such a time when final improvement plans are submitted for the individual lots.

Environmental Checklist Section 17. Transportation

The third sentence of the discussion in Section 17.b is revised to correct a typographical error as follows:

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Since the project is well under 20 residential units, the project ~~will~~ is assumed to have a less than significant impact on traffic.

ATTACHMENT A

January 30, 2025

Adrian Veliz, Senior Planner
Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, California 94553

Re: Notice of Public Review and Intent to Adopt a Proposed Mitigated Negative Declaration for the Rodeo – Second Street Minor Subdivision and Residential Development Plan, Rodeo (County File CDMS23-000003/CDDP23-03046)

Dear Mr. Veliz:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Mitigated Negative Declaration (MND) for the Rodeo – Second Street Minor Subdivision and Residential Development Plan located at 0 Second Street between Sharon Avenue and Harrison Avenue in Rodeo in unincorporated Contra Costa County (County). EBMUD has the following comments.

GENERAL

Attachment 2, Project Plans, Permit Set Sheet 5 of 8, Utility Plan indicates EBMUD in the legend for the proposed gravity sewer line. Please note that the project is outside EBMUD's wastewater service area.

WATER SERVICE

EBMUD's Maloney Pressure Zone, with a service elevation range between 0 and 200 feet, will serve the proposed development. A main extension, at the project sponsor's expense, will be required to serve the proposed development. Please see the attached EBMUD documents for California (Waterworks Standards) Code of Regulations, Title 22, Section 64572 (Water Main Separation) and EBMUD requirements for placement of water mains. When the development plans are finalized, the project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions for providing water service to the proposed development. Engineering and installation of water mains and services require substantial lead time, which should be provided for in the project sponsor's development schedule.

1a

EBMUD's Standard Site Assessment Report indicates the potential for contaminated soils or groundwater to be present within the project site boundaries. The project sponsor should be aware that EBMUD will not install piping or services in contaminated soil or groundwater (if groundwater is present at any time during the year at the depth piping is to

be installed) that must be handled as a hazardous waste or that may be hazardous to the health and safety of construction and maintenance personnel wearing Level D personal protective equipment. Nor will EBMUD install piping or services in areas where groundwater contaminant concentrations exceed specified limits for discharge to the sanitary sewer system and sewage treatment plants. The project sponsor must submit copies to EBMUD of all known information regarding soil and groundwater quality within or adjacent to the project boundary and a legally sufficient, complete, and specific written remediation plan establishing the methodology, planning and design of all necessary systems for the removal, treatment, and disposal of contaminated soil and groundwater.

EBMUD will not design piping or services until soil and groundwater quality data and remediation plans have been received and reviewed and will not start underground work until remediation has been carried out and documentation of the effectiveness of the remediation has been received and reviewed. If no soil or groundwater quality data exists, or the information supplied by the project sponsor is insufficient, EBMUD may require the project sponsor to perform sampling and analysis to characterize the soil and groundwater that may be encountered during excavation. Alternatively, EBMUD may perform such sampling and analysis at the project sponsor's expense. If evidence of contamination is discovered during EBMUD work on the project site, work may be suspended until such contamination is adequately characterized and remediated to EBMUD standards.

WATER CONSERVATION

The project presents an opportunity to incorporate water conservation measures. EBMUD requests that the County include in its conditions of approval a requirement that the project sponsor comply with Assembly Bill 325, "Model Water Efficient Landscape Ordinance," (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). The project sponsor should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense.

If you have any questions concerning this response, please contact Sandra Mulhauser, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-7032.

Sincerely,



David J. Rehnstrom
Manager of Water Distribution Planning

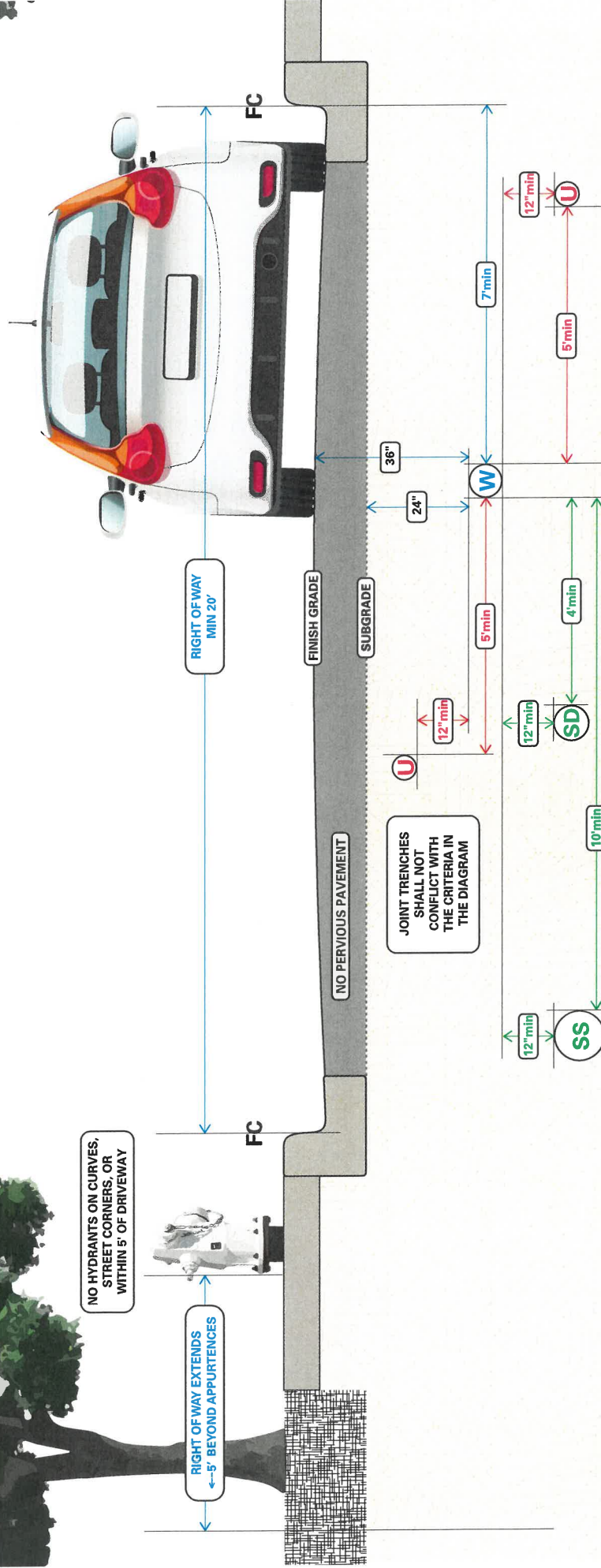
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wdpd25_012 Rodeo - Second Street Minor Subdivision and Residential Development Plan.docx

cc: Michael McGhee
507 Parker Avenue
Rodeo, CA 94572



APPLICANT PIPELINE DESIGN CRITERIA



W = WATER	U = UTILITY	SS = SANITARY SEWER	SD = STORM DRAIN	FC= FACE OF CURB
24" cover to subgrade	min 12" vertical clearance	min 12" below water	min 12" below water	
36" cover to final grade	min 5' horizontal clearance	min 10' horizontal clearance	min 4' horizontal clearance	
7' inset from face of curb				



Applicant Pipeline Design Criteria

EBMUD values applicant pipeline projects and is committed to providing a thorough and efficient design. To ensure an efficient design process and to avoid significant delays the design criteria below should be adhered to when submitting improvement plans.

Design Criteria

- Water mains shall be seven (7) feet from face of curb.
- Water mains shall maintain a minimum one (1) foot vertical and five (5) foot horizontal clearance from other utilities.
- Gas mains shall meet the one (1) foot vertical separation requirement by installing the gas main below the water main only.
- Water mains shall maintain a minimum ten (10) foot horizontal clearance (O.D. to O.D.) and be located a minimum one (1) foot above any sewer main. Title 22 CCR
- Water mains shall maintain a minimum four (4) feet horizontal clearance (O.D. to O.D.) and be located a minimum one (1) foot above any storm drain. Title 22 CCR
- Water mains shall have a 36-inch cover to final grade and 24-inch cover to pavement subgrade.
- Joint trenches that are in conflict with the criteria above may delay the project. Submit to EBMUD final joint trench plans (no intent plans) which include the size of the joint trench and the utilities located inside.
- Water mains shall not be installed under pervious pavement.
- Water mains installed under decorative pavement, pavers, or stamped concrete will require an additional paving agreement.
- Hydrants shall not be located on curved sections of street, street corners, or within five feet of a driveway.
- Right of ways for 6-inch and 8-inch water mains shall be a minimum of 20 feet wide and extend five (5) feet past the water main centerline.
- Right of ways for 12-inch to 24-inch water mains shall be a minimum of 20 feet wide and extend eight (8) feet past the water main centerline.

Please contact the New Business Office representative assigned to your project if there are any questions regarding the requirements listed above. Meeting this criteria will enable the most efficient design possible.

From: Carmen Gray
212 Sharon Ave
Rodeo CA 94572

RECEIVED on 01/29/2025 CDMS23-00003
By Contra Costa County
Department of Conservation and Development

- Comments for Project at Rodeo-Second Street Minor subdivision and residential development plan
- County file number CDMS23-00003/CDDP23-03046

Mr Adrian Veliz

Regarding the referenced project, I don't know if you are aware of the existence of Monarch butterflies in the area

I have seen Monarch butterflies hanging out between the corner of Sharon Ave and 2nd street and the eucaliptus trees NE of the lot in question

2a

During their season butterflies watchers come to observe them. I'm pretty sure the construction will displace them among other animals that live in the area.

2b

Before the 2 trees that were in the lot were cut there were a lot of wild life living there including all kinds of birds like barn owls, blue jays, hummingbirds, hawks and a lot more which I don't know their scientific names. I hope this information is taken in consideration.
Kindly
Carmen Gray

From: [Carmen Gray](#)
To: [Adrian Veliz](#)
Subject: Project at Rodeo-Second Street minor subdivision and residential development plan
Date: Friday, January 31, 2025 12:48:39 PM

Hi Adrian,

Regarding County file number CDMS23-00003/CDDP23-03046 for the project at the corner of second st and Sharon ave, I have a couple of comments:

3a

I don't know if anybody there is aware of the existence of Monarch butterflies in this area. I have seen them flying between the corner of second and Sharon and the eucalyptus trees NE of the lot in question. As a matter of fact butterflies watchers come to see them.

3b

When the people that own the lot got rid of the 2 trees located inside the property they displaced a whole bunch of wild life including all kinds of bird species and animals.

I'm afraid when they start constructing the butterflies won't come back.

I hope this is taken into consideration.

Kindly
Carmen Gray

CINDI COLLINS ERICKSON
P.O. BOX 93
RODEO, CA 94572
cindicr@gmail.com

**COMMENTS TO NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT
A PROPOSED MITIGATED NEGATIVE DECLARATION**

Project Title:	Rodeo- Second Street Minor Subdivision and Residential Development Plan
County File Number:	CDMS23-00003/CDDP23-03046
Lead Agency:	Contra Costa County, Department of Conservation and Development
Lead Agency Contact Person:	Adrian Veliz, Senior Planner (925) 655-2879 Adrian.veliz@dcd.cccounty.us
Project Location:	0 Second Street (north of Sharon Avenue intersection) Rodeo, CA 94572 (Assessor's Parcel Number: 357-371-005, -006, -007, -008, -013, -014, & -015)
Applicant's Name, Address, and Phone Number:	Michael McGhee, 507 Parker Avenue, Rodeo, CA 94572 (510) 409-8072

EXTENSION FOR COMMENTS REQUESTED

I am very frustrated and unhappy about not being notified or sent a copy of this Notice. Two years ago, I put in a request to the planner handling this matter to be notified about anything relating to this project.

Only four neighbors and the East Bay Regional Parks District (EBRPD) were sent a notification of this document. This Notice was dated January 13, 2025. In paragraph 9 of this Notice, it states the County "will be accepting comments... during a 30-day public comment period." With the comment period ending on February 3, 2025, there was only a 21-day comment period. An extension to give the public the full 30 days to permit more comments should be granted. Also, the link in the Notice to the full report was not working for several days.

When this matter was on the Rodeo Municipal Advisory Council's agenda approximately two years ago, 24+ interested neighbors attended the meeting to voice their concerns. There was a sign-up sheet that went around that contained everyone's information that was interested in receiving notifications. It was collected by the County Supervisor's representative at the end of the RMAC meeting.

Noticing

Site grading

4a

This site has already been graded and filled **without** the proper County permits or soil testing. A cease-and-desist order was posted on the property by the County, but the dumping of soils continued.

The elevation increase from this illegal dumping has already blocked residents' views on Second Street. There will be a substantial amount of grading for this project. What will the proposed elevation be after grading compared to what it is now?

Quality of Soil

4b

- Did a soils engineer prepare a report on existing soil conditions and approve the fill soil previously brought to the site (dozens of dump truckloads) to ensure the integrity of the soil to support structures? The fill soil brought to the site could be contaminated.

4c

- A Level 2 environmental assessment of the soil should be completed. If contamination is found, mitigation by replacement soil is required to protect the public health and safety, as well as the protected areas surrounding the property.

4b

- How much dirt was actually brought in, compacted and leveled? The dirt came from numerous different sites, and the dirt piles were of various different colors.

Tree Impacts

4d

Existing Offsite: The offsite oak trees adjacent to the north property line of the subject site should be fenced to avoid grading within the drip line of the trees to protect the life of the trees. This proposed document states that grading activities will encroach within the driplines.

4e

Previously existing trees were illegally removed by the **current owner** (not the previous owner) as indicated in the Mitigated Negative Declaration. What will the penalty be for the removal of these protected trees? Each protected tree removed should be replaced by planting three trees either on or offsite or in accordance with the Contra Costa County requirements as mitigation. There are photographs of the trees actually being cut down.

Surrounding Land Use and Setting

4f

Referring to the surrounding area of this site to east and south as “high density” is **not correct**. “High density” usually refers to multi-family, condominiums and townhouses. The actual existing uses include single family homes, with varying designs and old town charm.

Aesthetics

The Contra Costa County General Plan lists policies applicable to the proposed project.

4g

LU-P4.2: Continuously improve community appearance by requiring high-quality designs and materials that complement their surroundings, with emphasis on enhancing public spaces and historic and cultural resources.

Comment: The proposed buildings look like they could be an office or for commercial use and are **in no way compatible** with the neighborhood. The proposed design and materials should reflect a residential use compatible with materials in the neighborhood. The proposed plan will change the dynamic of our neighborhood.

A paint chip/color and materials board should be submitted to the County for design review prior to approving the site plan.

Also, the proposed design would be unpleasant and an eyesore to the pedestrians and bike riders enjoying the scenic open space along the San Francisco Bay Trail that circles part way around the subject site on the north and west sides.

4h

Conservation and Open Space Policy (COS-P1.4): Requires new projects adjacent to protected open space areas (such as EBRPD lands) to establish buffers on their properties as necessary to minimize conflicts and protect the open space.

If conflicts arise between the protected open spaces and other uses, prioritize maintaining the viability of the open space functions.

Actions-COS-A1.1: Convene an annual staff-level meeting with conservation agencies, such as the East Contra Costa County Habitat Conservancy and EBRPD, and conservation organizations (land trusts, watershed stewardship groups, et cetera) to review current and planned efforts to protect and maintain open space and habitat.

Comment: Meet with EBRPD for this specific project.

U-P4.4: Requires site and building reconfigurations, setback increases, landscaping enhancements, screening, or other design solutions wherever necessary to minimize potential conflicts between uses.

Comment: The positive transition between open space and residential could be achieved with proper landscaping and buffering, and the use of natural open space colors and building materials. A buffer of trees on the subject site along the north and west property line would provide that buffer between the homes and open space providing a smooth transition between uses.

4i

Height of Project/Loss of Views: Ideally, four single-story homes would achieve this goal and also maintain better views for neighbors to the south on Third Street, Harris Avenue, Sharon Avenue, and to the east on Garretson. There are 15+ houses that will lose their view or create a partial view and will cause our property values to go down.

↑ Therefore, the following language in the proposed mitigated negative declaration **is incorrect**:

“However, considering the prevailing topography of the area, such obstructions would expectedly be limited to the corner parcel immediately south of the project site, opposite Second Street. Although the project would obstruct northerly views when viewed from south of the site, this impact would not be considered substantial given that the development is consistent and compatible with the established residential neighborhood. The southern adjacent parcel that would experience the highest degree of view obstruction would expectedly maintain their views through the open space lands immediately west of the site, partially preserving existing bay views.”

The proposed mitigated negative declaration needs to be corrected to reflect the actual impact on the number of homes. The best mitigation would be to have one-story homes.

4j

Drainage: A major drainage problem already exists at Second Street and Harris Avenue. When it rains, substantial water pools and extends all the way across Second Street. The proposed Mitigated Negative Declaration indicates that all drainage from this project will be going out to the gutter on Second Street, which is one-half a block above the existing problem. This will seriously cause further water impacts and a traffic problem.

Also, this proposed project is on a west-to-east slope, not vice versa.

Water Retention Basins: Four 1,500-gallon capacity basins each.

Comment: What will these large basins be for? Where will these large basins be located? This is a tremendous amount of water. Post-project, there will be substantially more water being released into an already-existing problem area.

4k

Sewage: Historically, the sewage line on Second Street and Sharon Avenue has had back-up problems. Adding four houses to an already over-taxed sewage line will cause further failures.

Comment: Meet with County Planning, County Engineering, and County Public Works to discuss and review the plans for the project prior to approval of the mitigated negative declaration.

4l

Parking: On-street parking in front of the proposed project will become a problem. Many trail users and people going fishing park there regularly. Even though the proposed homes will have garages, there will be residents that park on the street.

Request for Notification: I am requesting to be notified in the future about anything related to this proposed project at: Cindi Erickson, PO Box 93, Rodeo, CA 94572, and cindicr@gmail.com.

Summary: In summary, the mitigated negative declaration will need to be revised for accuracy and mitigation measures as mentioned in my comments.

- Extension of time to allow the full 30 days for public comments (only four residents notified)
- Illegal site dumping/grading by current owner
- Illegal tree removal by current owner/penalties
- Level 2 environmental assessment of the soil completed/mitigation
- Offsite oak trees adjacent to north property line be fenced to avoid grading within the driplines of these trees to protect the life of these trees
- Address the incorrect representation of “high density” to single family homes with varying designs and old town charm
- The proposed buildings are in no way compatible with the neighborhood
- Design review: Paint chip/color and materials board should be submitted prior to approving this plan
- Projects adjacent to open space – establish buffers on project to minimize conflicts and protect open space environment
- Positive transition between open space and residential with landscaping and buffering on the north and west property lines.
- Use of natural open space colors and building materials
- Single-story homes
- Views are obstructed on Second Street, Third Street, Sharon Avenue, Harris Avenue, and Garretson resulting in loss of property values
- Change the incorrect language in the proposed Mitigated Negative Declaration regarding prevailing topography and loss of views
- Address the major drainage problem one-half block away at Second and Harris Avenue
- 4 water retention basins – Where located and what used for
- Address existing sewage problems
- Parking concerns
- Request for notification by mail of anything related to this project
- Be able to access copies of plans that are readable

Also, before the mitigated negative declaration is approved, myself and any interested public should be able to meet with the County Engineer to review plans for drainage and sewage mitigation. We should also be able to meet with the Planning Department to review the building design and materials prior to approval of the mitigated negative declaration to ensure compatibility with the neighborhood.

The print of the plans provided with the proposed Mitigated Negative Declaration were so small it was impossible to read them.

Respectfully submitted,

Cindi Collins Erickson



Willow Zarlow
124 3rd St
Rodeo, CA 94572

RECEIVED on 02/03/2025 CDMS23-00003
By Contra Costa County
Department of Conservation and Development

510-245 7383
Willowtigger @ SBC Global. Net

Dear Adrian Veliz Senior Planner
Dept of Conservation + Development
925) 655-2879
Adrian.Veliz @ dcd.cccounty . US

Alont Project title - Rodeo - Second st
Minor Subdivision + Residential Development
O 2nd st (N of Sharon Ave intersection) Plan
Rodeo, Ca 94572
Parcel # 357-371-005, 006, 007-008
-013-014 + 015

for Michael Meber
507 Parker Ave
Rodeo, Ca 94572
510-409-8072

I am Very upset about this project +
I know everyone in the neighborhood
is also + will be negatively impacted
by this project in many ways.

5a It will be a noisy dusty mess for a
long time and the parking on 2nd
street will be a nightmare. If the
5b tenants fill up their garages with junk -
which they will - They will park on
2nd st

5c all of our Views that we have enjoyed
will no longer exist.

5d The extra sewage will impact our already
overloaded 3rd st sewage problem
as it is pumped from 2nd to 3rd st.

(2)

5e

More Traffic

5f

The storm drainage will go down into the ^(wet land) swamp & over the Tracks & also down 2nd st & down the hill to Harris where it will sit indefinitely & impede Traffic There.

Noticing

I would like to be notified with anything to do with this project. I see only 5 notices were sent out even though we all wrote down our info at the last meeting & there were over 30 interested home owners There.

Thankyou
Willow Earls
Roder Resident
25 yrs.

5g

PS And the project will be hudge & ugly & not fit in with the style of the neighborhood.

CEQA ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** Rodeo Second Street Minor Subdivision and Residential Development Plan
County File #CDMS23-00003, CDDP23-03046
2. **Lead Agency Name and Address:** Contra Costa County
Department of Conservation and Development
30 Muir Rd.
Martinez, CA 94553
3. **Contact Person and Phone Number:** Adrian Veliz, Senior Planner – (925) 655-2879
adrian.veliz@dcd.cccounty.us
4. **Project Location:** 0 2nd Street (between Sharon Ave. and Harrison Ave.),
Rodeo, CA 94549
APN: 357-371-005, -006, -007, -008, -013, -014, -015
5. **Project Sponsor's Name and Address:** Michael McGhee
507 Parker Ave
Rodeo, CA 94572
6. **General Plan Designation:** Residential Medium Density (RM) (Formerly Single-Family Residential High Density [SH])
7. **Zoning:** Planned Unit District (P-1)
8. **Description of Project:** The applicant requests approval of a Vesting Tentative Map to subdivide an approximately 28,800 square-foot project site into four (4) parcels ("Parcel A", "Parcel B", "Parcel C" and "Parcel D"). The proposed vesting tentative map shows Parcels A and B each having 5,175 square feet in area, while Parcel C and Parcel D have an area of 8,050 and 10,400 square feet respectively. The project site is considered one legal lot, consisting of seven (7) assessor's parcel numbers (APN) having a combined total area of 28,800 square feet. The project includes development plans for the construction of a single-family residence on each of the four resultant lots, including front setback deviations for homesites proposed on Parcel A & Parcel B. The subdivision and residential development project includes the following elements:
 - Private Access Improvements: The subject property is bounded to the south by 2nd Street, which is a publicly maintained roadway. The vesting tentative map includes a proposed paved private roadway, providing vehicular access to each resultant parcel within a proposed 25-foot-wide private access and utility easement. The private roadway would extend northward from 2nd Street for approximately 150 linear feet, ending at the southern boundary of proposed Parcel D.
 - Site grading: The project requires grading on the subject property involving approximately 1,430 cubic yards of combined earthwork (720 Cut / 710 C.Y. Fill)

for the proposed roadway and for preparation of the individual building pads identified on each proposed parcel. Grading activities would disturb approximately 20,000 square feet of the project site.

- Site Drainage: The project is proposed on a moderate east to west slope, with storm water presently draining down an unimproved hillside towards parcels lower in elevation to the east. The stormwater control plan includes on site storm drain improvements directing run off from residential down spouts, driveways, and private roadway into one of four (4) proposed basin retention areas. Each retention area has minimum 1,500-gallon capacity and sump pump system regulating discharge. Ultimately, stormwaters collected on site would be discharged near property boundaries into an existing gutter along the 2nd Street right of way. The proposed system is designed to meter flow from the system such that post project conditions are substantially similar to pre-project conditions.
- Service Connections for Utilities: All utility connections serving the subdivision would be located underground. The subject property is presently served by existing water and sanitary sewer mains located within the 2nd Street right-of-way. The project includes connection to these existing mains and extension northward within a 25-foot private access and utility easement to provide sanitary sewer and water service to the subdivision. Electrical distribution lines exist above-ground within the 2nd Street right-of-way, however, all electrical connections within the subdivision will be underground. The proposed access and utility easement includes a joint trench, where underground electrical and communication lines would be extended from the public right-of-way to establish service connections within the subdivision.
- Tree Impacts: Tree permit approval is requested for the prior removal of two code protected trees shown on prior surveys of the subject property. Although the removal occurred under prior ownership of the property and the species of the trees are not known, survey data indicates that they were both of sufficient diameter (9 inches and 18 inches) to be considered code-protected, as a tree of any species exceed 6.5 inches in diameter is considered protected on vacant lots in unincorporated Contra Costa County. Additionally, site grading activities would encroach within the driplines of two Coast Live Oak trees located off-site near the northern property boundaries. Therefore, the project also includes a tree permit to legalize the prior tree removal activity, as well as for the proposed construction activities within the driplines of two Coast Live Oak trees.

9. **Surrounding Land Uses and Setting**: The subject property is located in an established residential neighborhood in the Old Town area of Rodeo, just south of the waterfront. The immediate vicinity consists of high density single-family residential development on parcels generally between 3,000 to 6,000 square feet in area, with some larger parcels between ½-to-1 acre also in the vicinity. The high-density residential neighborhoods extend east and south from the project site. Lands immediately north and west of the

project are publicly accessible lands, including the San Francisco Bay Trail, subject neighborhood has a semi-rural character defined by rolling hillsides connecting to open space areas in the greater project vicinity. The project vicinity generally lacks sidewalk and curb/gutter improvements along public and private roadways serving the area. Parker Avenue, located approximately 0.3 miles east of the site, is the main throughfare providing ingress/egress for the Rodeo community. Highway 4 and Interstate 80 are located 1.75-miles and 1-mile south of the project site respectively.

10. Other public agencies whose approval may be required (e.g., permits, financing, approval, or participation agreement:

County Building Inspection Division
Rodeo Hercules Fire Protection District
Rodeo Sanitary District
County Department of Public Works
East Bay Municipal Utility District
East Bay Regional Park District

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

In accordance with Section 21080.3.1 of the California Public Resources Code, a Notice of Opportunity to Request Consultation was sent on August 12, 2024 to the Villages of Lisjan Nation and to the Wilton Rancheria, the California Native American tribes that have requested notification of proposed projects within unincorporated Contra Costa County. Pursuant to section 21080.3.1(d), there is a 30-day time period for the Wilton Rancheria and/or the Villages of Lisjan Nation to either request or decline consultation in writing for this project. Staff did not receive a request for consultation in response to these notices.

Environmental Factors Potentially Affected


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

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Services Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

Environmental Determination

On the basis of this initial evaluation:

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



Adrian Veliz
Senior Planner
Contra Costa County
Department of Conservation & Development

05/30/2025

Date

ENVIRONMENTAL CHECKLIST

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS – <i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) **No Impact:** The subject property is located at an urbanized area of the County. Surrounding high density residential development exists to east and south of the project site. The 28,800 square-foot project site is located atop a mildly sloped hillside and offers views of the San Francisco Bay and surrounding shorelines. There are no provisions in the Contra Costa County zoning ordinance which protect views in this area of the County. The project proposes the development of a two-story single-family residence on each resultant parcel. Since the site is presently vacant, the future construction activities could potentially obstruct existing views of the bay enjoyed by neighboring parcels. However, considering the prevailing topography of the area, such obstructions would expectedly be limited to the corner parcel immediately south of the project site, opposite Second Street. Lands east of the site are at a lower elevation and westerly views across the project site are presently obstructed by dense vegetation as well as the eastern facing hillside on the project site.

Although the project would obstruct northerly views when viewed from south of the site, this impact would not be considered substantial given that the development is consistent and compatible with the established residential neighborhood. The southern adjacent parcel that would experience the highest degree of view obstruction would expectedly maintain their views through the open space lands immediately west of the site, partially preserving existing bay views. Therefore, the project would have less than significant impacts resulting in substantial adverse impacts on a scenic vista.

- b) **Less Than Significant Impact:** The project will not alter any existing buildings, and there are no rock outcroppings existing on the subject property. The project does not require the removal of any code-protected trees, however, it would legalize the prior removal of two trees as well as dripline encroachment of an two code-protected trees that are located offsite, but have limbs

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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overhanging the area of work. The project proponent has consulted with ISA Certified Arborist Sherri McEllistram (WE-12441AT), who evaluated the project plans and opined that the trees will not present any significant problems in developing the site. There are no scenic ridgeways or scenic routes in the project vicinity that could be affected by the project, however, the project may be partially visible when viewed from the San Francisco Bay – which the County General Plan designates as a scenic waterway. However, given that views from the Bay would be from over 400 feet distant and from a substantially lower elevation, the project would not be prominently visible from the waterway given its surrounding amongst the surrounding residential neighborhood. Therefore, in cumulative consideration of the above, the project would have less than significant impact on scenic resources in the County.

- c) **No Impact:** The County does not have any applicable zoning or other regulations governing scenic quality in this urbanized area of the County. Therefore, the project will have no impact in this respect.
- d) **Less Than Significant Impact:** The project involves the creation of four new parcels, each of which (Parcels A, B, C, & D) would be developed with a new single-family residence. Typically, the construction of a single-family residence is not associated with the creation of substantial light or glare. Single-family homes generally include exterior light fixtures near garage, patio, and other outdoor yard areas. The use of such lighting for the proposed project would be consistent with the surrounding neighborhood and would not significantly affect nighttime views. Therefore, considering the nature and scale of the proposed project, it is not expected to have a significant adverse effect on daytime or nighttime views in the area.

Sources of Information:

- Contra Costa County General Plan 2005-2020
- Contra Costa County Ordinance Code
- Civil Plans by Upright Engineering, stamped received by CDD December 4, 2024
- Vesting Tentative Map by Bay area Land Surveying Inc., received by CDD December 4, 2024
- Architectural Plans by Nick Sowers, stamped received by CDD November 10, 2023

2. AGRICULTURAL AND FOREST RESOURCES – Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

a-e) **No Impact:** According to the California Department of Conservations 2020 *Contra Costa County Important Farmland* map, the subject property and its immediate surroundings consist of “Urbanized and Built-Up Land”. Neither the subject property, nor its surroundings, are within an agricultural zoning district. No Williamson Act contract exists for the subject property. There are no Forestlands, Timberlands, or Timberland Production zones which could be affected by the proposed project. Therefore, there is no reasonable expectation that the project would have any impact to Agricultural or Forest Resources.

Sources of Information:

- Contra Costa County Important Farmland Map (2020)

3. AIR QUALITY – Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) **Less Than Significant Impact:** Contra Costa County is within the San Francisco Bay air basin, which is regulated by the Bay Area Air Quality Management District (BAAQMD) pursuant to the *Bay Area 2017 Clean Air Plan*. The purpose of the *Clean Air Plan* is to bring the air basin into compliance with the requirements of Federal and State air quality standards and to protect the climate through the reduction of criteria pollutants and greenhouse gases. The potential air quality impacts for this project were evaluated using the BAAQMD 2022 CEQA guidelines screening criteria. Pursuant to these guidelines, if a project does not exceed the screening criteria size it is generally expected to result in less than significant impacts relating to criteria air pollutants and precursors. The BAAQMD screening criteria for the proposed use (single-family residential) are presented in the table below:

<u>Land Use Type</u>	<u>Operational Criteria Pollutant Screening Size</u>	<u>Construction-Related Screening Size</u>
Single-Family Residential	421 dwelling units	254 dwelling units

As demonstrated in the table above, the project proposal represents a marginal percentage of the screening threshold. Therefore, the project, resulting in four new single-family dwellings, is not expected to produce criteria pollutants in significant quantities. Since the 2017 Clean Air Plan generally involves a multi-pollutant strategy to reduce ozone, particulate matter and toxic air contaminants, and BAAQMD screening criteria indicate that a development of this scale would not produce significant quantities of such criteria pollutants, the project would not conflict with BAAQMD's implementation of the Clean Air Plan.

- b) **Less Than Significant Impact:** As discussed above, pursuant to BAAQMD screening criteria, the proposed project would not result in significant emissions of criteria air pollutants during the construction period or during project operation (i.e., occupancy of the single-family dwellings). Although the proposed project would contribute incrementally to the level of criteria air pollutants in the atmosphere, the scale of the project, involving the construction and eventual habitation of four residential dwellings, the project would expectedly have a less than significant adverse environmental impact on the level of any criteria pollutant.
- c-d) **Less Than Significant Impact:** The type and scale of the project proposal is not typically associated with the generation of criteria pollutants in any significant quantity. If approved, the expected activities would include the construction and occupancy of four additional dwelling units within an established single-family residential neighborhood. Land uses that involve processes, which could potentially result in the substantial concentration of air pollutants and/or malodors, are generally not allowed in the single-family residential designated areas within the Rodeo Planned Unit (P-1) zoning district, in which the subject property is located. Therefore, if approved, the project is not expected to cause significant localized emissions that could expose sensitive receptors to substantial pollutant concentrations or malodors.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Likewise, the scale of the project represents a small fraction of the construction-related screening thresholds for criteria pollutants. Consequently, the expected temporary impacts to air quality are also considered less than significant, pursuant to BAAQMD screening guidelines.

Sources of Information:

- Bay Area Air Quality Management District 2022 CEQA Guidelines [CEQA Thresholds and Guidelines Update \(baaqmd.gov\)](https://www.baaqmd.gov/ceqa-thresholds-and-guidelines-update) accessed October 1, 2024
- Bay Area Air Quality Management District [2017 Clean Air Plan \(baaqmd.gov\)](https://www.baaqmd.gov/2017-clean-air-plan), accessed October 1, 2024

4. BIOLOGICAL RESOURCES – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a-b) **Less Than Significant with Mitigation:** The project site consists of an approximately 28,800 square vacant lot. The project site is essentially surrounded by dense urban development and residential communities. According located at the periphery of an existing high density residential

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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neighborhood. According to the 2005-2020 Contra Costa County General Plan, the site is not within an identified “Significant Ecological Resource Area”, however, public open space lands immediately north/west of the site, known as Lone Tree Point, are identified in General Plan Figure 8-1 as a significant ecological resource area. A Biological Resources Assessment (BRA) was conducted Coast Ridge Ecology, LLC, to evaluate potential project impacts. The June 2024, Coast Ridge Ecology (CRE) BRA included an assessment of special status plant and animal species with the potential to occur and field reconnaissance visits to observe flora and fauna on the project site and its immediate surroundings. The BRA characterizes the dominant plant community of the project area as *Avena* spp. – *Bromus* spp. Herbaceous Semi-Natural Alliance, wild oats and annual borne grassland.

The project site is adjacent to contiguous open space along the shoreline of the San Francisco Bay. Most of the surrounding habitat is ruderal, dominated by slender oat and invasive mustards, and little tree cover exists in the area. The contiguous open space adjacent to open water likely provides a corridor for common wildlife species such as black-tailed deer and racoon, amongst others. The project would not convert any existing open space designated lands for residential use, thus minimizing potential project impacts on this existing wildlife corridor adjacent to the site. A freshwater wetland exists off-site, approximately 150-feet northeast of the project site, comprised of arroyo willow and emergent wetland that provide suitable habitat for amphibians such as Pacific treefrog (*Pseudacris regilla*), and birds such as green heron (*Butorides virescens*), Wilson’s warbler (*Cardellina pussilla*), song sparrow (*Melospiza melodia*), and mallard (*Anas platyrhynchos*), amongst others.

Special Status Species

The project site is not located within any United States Fish and Wildlife Service (USFWS) designated Critical Habitat (CH). The closest CH, designated for Contra Costa goldfields (*Lasthenia conjugens*) is located 1.8 miles to the southeast, and CH for Delta Smelt (*Hypomesus transpacificus*) is located 2.9 miles to the north. Special status species were evaluated for potential occurrence on site based on habitat requirements and known occurrences that have been documented in the project vicinity. Up to 14 endangered species are known to occur in this general region, all of which were determined to have little potential to occur on site by CRE.

Special Status Plant Species

No special status plant species were observed on site. Special status plant species that grow in the region are mostly found in habitat types that are not present on the property, such as native grassland habitats, chapparal, and vernal pools. The biological survey conducted for the project occurred in late April, a suitable time of year to detect most special status species based on their bloom period.

Contra Costa goldfields (*Lasthenia conjugens*) is a federally Endangered species which is currently known to occur in 22 extant populations, one of which is approximately 2.3 miles from

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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the site (CNDDDB 2024). This species is found in grassland and open woodland habitats, within vernal pools, swales, and other depressions in these habitats, typically on alkaline soil. This species typically blooms between March and July and was not observed during the late April biological site survey. The lack of depressions on the project site and thick weedy vegetation likely precludes this species, and it is not expected to occur in the project area.

Carquinez goldenbush (*Isocoma arguta*) is a range-limited endemic species found on both sides of the Carquinez Strait and is a CNPS Rank 1B.1 species. The project site is located approximately 0.1 miles from the known range of this species (CNDDDB 2024). Carquinez goldenbush occurs primarily in subalkaline grasslands and is generally associated with alkaline swales and ephemeral streams and is currently known to be restricted to nine extant populations. This conspicuous subshrub was not seen during the site survey and is not expected to occur in the project area due to soil conditions and lack of known observations in the immediate vicinity.

Special Status Animal Species

According to the Biological Resources Analysis prepared for the project by CRE, five special status animal species with potential to occur on site, as presented in the table below:

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u>	<u>Potential of Occurrence</u>
Western Bumblebee	<i>Bombus occidentalis</i>	CA candidate endangered	Low
Crotch Bumblebee	<i>Bombus crotchii</i>	CA candidate endangered	Low
Obscure Bumblebee	<i>Bombus caliginosus</i>	CDFW special animals list	Low
Hoary Bat	<i>Lasiurus cinerus</i>	CDFW special animals list	Low
Saltmarsh common yellowthroat	<i>Geothlypis trichas sinuosa</i>	CA species of statewide concern	Low

Bumblebee Species

The three special status bumblebee species having potential to occur in the area (Crotch bumblebee, Obscure bumblebee, and Western Bumblebee) are known to nest underground, in structures, or in decaying wood. Widespread use of pesticides and habitat fragmentation has led to severe declines in the populations of all three species, and due to the difficulty of identifying these species, verified sightings are infrequent. In addition to CNDDDB, citizen scientist data repository iNaturalist was searched for any sightings near the project site, as well as Bumble Bee

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Watch, a collaborative project between several universities and non-profit entities that vets bumble bee sightings submitted by the public.

While the western bumble bee was historically found in California throughout the Coast Ranges and the Sierra Nevada, the extant range appears to be restricted to high elevations in the Sierra Nevada and scattered coastal sites. All CNDDDB observations within three miles of the site are from 1965 or earlier, and one observation approximately 9 miles away was recorded in Richmond in 1991 (CNDDDB 2024). No observations were recorded close to the site on iNaturalist or Bumble Bee Watch.

Crotch’s bumble bee was previously found throughout southern California and the Central Valley, but is now nearly absent from the Central Valley. No extant sightings have been recorded within 15 miles on the databases searched since a 1964 observation in Martinez (CNDDDB 2024), and the closest recent observations were in Berkeley (Bumble Bee Watch 2024).

The obscure bumble bee occurs along the Pacific Coast from southern California to southern British Columbia. No recent records were found within 15 miles of the project site, and the closest scattered observations in iNaturalist were from sites near Fairfield, 14 miles northeast of the site (iNaturalist 2024).

All three of these species have a low potential to be present at the project site due to the broad range of the species potential habitat, and the presence of flowering species. However, no potential nesting habitat was observed as vegetative cover is likely too dense and rodent burrows were not observed on site.

Salt Marsh Species

Given the proximity of the project site to the San Francisco Bay, four special status species that are salt marsh specialists have been recorded within three miles of the project site. These species are Alameda song sparrow (*Melospiza melodia pusillula*), salt-marsh harvest mouse (*Reithrodontomys raviventris*), California Ridgway’s rail (*Rallus obsoletus obsoletus*) and salt-marsh wandering shrew (*Sorex vagrans halicoetes*). All of these species are non-migratory residents of salt marshes in the San Francisco Bay. These species are threatened by urban development, which has led to substantial loss and fragmentation of salt marsh habitat in the San Francisco Bay, and they are all limited by a lack of suitable dispersal corridors between remnant salt marshes. The project site lacks the tidal influence and stands of native marsh vegetation such as cordgrass (*Spartina*) and pickleweed (*Salicornia*) that are consistent with salt marsh habitat. The nearby freshwater wetland lacks tidal influence and associated plant species to provide habitat for these salt marsh specialists. Saltwater marsh habitat was not found within ¼ mile of the project site.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Saltmarsh common yellowthroat

The saltmarsh common yellowthroat is a California Species of Special Concern. This species is a wetland specialist that is endemic to the San Francisco Bay Area. Unlike the salt marsh specialists discussed above, the species has much broader habitat tolerances, and will utilize small, isolated patches of habitat where groundwater is close enough to the surface to encourage the establishment of dense stands of rushes or other emergent vegetation. Saltmarsh common yellowthroats construct open-nest cups that are hidden in tall grasses, tule patches, and willow thickets, and nesting sites generally have thick, continuous vegetative cover from the nest down to the water surface. This species will occasionally nest in drier environments (Hobson et al. 1986).

The documented breeding range for the saltmarsh common yellowthroat in Contra Costa County includes the coastline from Crockett southwest to Point Pinole, which includes the project area (Shuford and Garaldi 2008). Although the project site does not provide suitable nesting habitat, the nearby freshwater wetland could provide suitable nesting habitat. This wetland is over 150 feet from the project site, and CDFW typically recommends a 100-foot buffer for songbird nests. Therefore, no impact to this species is expected.

Special Status Heron and Egret Species with Potential for Occurrence

Three heron and egret species known to use freshwater wetlands have potential to utilize freshwater wetlands, the San Francisco Bay shoreline, and adjacent grasslands. These include black crowned-night heron (*Nycticorax nycticorax*), snowy egret (*Egretta thula*), and great blue heron (*Ardea herodias*). All of these species nest in trees, either solitary or in colonies (rookeries). Federal and state protections for these species extend only to nesting and rookery habitat. The project site does not provide any suitable nesting/rookery habitat for these species. Furthermore, the thick herbaceous cover on the project site would provide only very marginal potential foraging habitat for these generalist species.

Special Status Raptor Species with Potential for Occurrence

The Cooper's hawk is a CDFG watch list species. Cooper's hawks inhabit dense stands of oak woodlands, riparian deciduous forests, or other forest habitats often near water and suburban areas. This woodland raptor hunts in open woodlands, along forest edges and suburban areas for medium-sized birds and mammals. Typical nest site selection is characterized by mature trees with significant canopy cover, although the species will nest in suburban areas in a variety of trees. The trees that are adjacent to the project site do not have adequate structure to support a nest, but there is a low potential for foraging in the project site.

The San Francisco Bay shoreline provides foraging and nesting habitat for primarily piscivorous raptors such as bald eagle (*Haliaeetus leucocephalus*) and osprey (*Pandion haliaetus*). These species may forage over the surrounding area, however the project site does not provide any

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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suitable nesting or foraging habitat due to the lack of trees suitable for nesting and lack of aquatic features. The northern harrier (*Circus hudsonius*) has some potential for foraging and nesting in the surrounding area, but the dense tall non-native grasses and weeds, lack of significant rodent activity observed, and human activity (trail users) near the project site likely precludes this species from nesting.

Hoary Bat (*Lasiurus cinereus*)

The hoary bat appears on the CDFW special animals list, and is categorized as a moderate-priority species by the Western Bat Working Group. The hoary bat is the most widespread North American bat species, and is found in a variety of habitats throughout California, most often in association with forested habitats near water. They are foliage-roosters, generally roosting in medium to large trees, often in edge habitat with access to open habitat mosaics.

Hoary bats do not breed in the San Francisco Bay Area, but have been recorded in the East Bay during the non-breeding season, and are known to use coastlines for navigation during migration (Craig et al. 2005). The small, 10-15 foot tall coast live oaks just outside the project area on the northern border of the site do not likely provide suitable roosting habitat, as this species prefers medium to large-sized coniferous and deciduous trees. This species could potentially use larger trees in the surrounding area such as Eucalyptus or pine trees when migrating through during the non-breeding season.

Nesting Birds

Almost all nesting birds are protected by the Migratory Bird Treaty Act¹, with the exception of non-native birds such as European starling (*Sturnus vulgaris*) and rock pigeon (*Columba livia*). The dense ruderal herbaceous vegetation and lack of tree cover on the project site precludes many bird species from nesting, however certain species that have broad nesting habitat requirements and utilize dense ruderal vegetation, (such as red-winged blackbird (*Agelaius phoeniceus*) or song sparrow (*Melospiza melodia*), may nest within the project area.

The USFWS Information for Planning and Consultation (IPaC) report for the site includes 43 migratory birds with ranges that include the project area (USFWS 2024c). Of these, most are not likely to occur onsite due to lack of substantial woodland, wetland, or aquatic habitat. Three species from the report have a low likelihood of occurrence: Allen's hummingbird (*Selasphorus sasin*), Bullock's oriole (*Icterus bullockii*), and saltmarsh common yellowthroat (*Geothlypis trichas sinuosa*). The report also includes gulls, shorebirds, and waterbirds that may be observed in the area but are not likely to utilize the project site due to lack of aquatic features or rocky or sandy shoreline, as well as raptors such as bald eagle and northern harrier that may be observed in the surrounding area, discussed above. No suitable habitat for nesting for any of these species is present in the project site due to lack of suitable trees and shrubs, or rocky or sandy shoreline.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Based on the analysis above, the consulting biologist concluded that the project has minimal potential to impact special status plant and animal species, primarily due to a lack of suitable habitat on the project site. Thus, no species-specific mitigation measures were recommended for the project. However, the BRA does note the presence of several trees along the northern property boundary with branches overhanging into the area of work. Ground disturbance associated with the project during bird nesting season could result in a *potentially significant impact* on nesting passerine birds or raptors if they are present in the nearby tree line. The implementation of the below mitigation measure **BIO-1** will ensure that such impacts are reduced to less than significant levels.

Potential Impact BIO-1: *Development activities occurring during the nesting period for birds (approximately February 1 – August 31), including site grading, soil excavation, and/or tree removal and vegetation pruning/removal poses potential risk to nesting passerine and raptor bird species.*

Mitigation Measure BIO-1: *No more than seven (7) days prior to ground disturbing activities occurring during the nesting period for birds (approximately February 1 – August 31), a nesting bird survey shall be performed by a CDFW qualified biologist to ensure that the project avoids impacting any active nests. If active bird nests are detected, a suitable nest buffer should be installed (typically 100 feet for passerines, and up to 500 feet for raptors, depending on species). Preconstruction surveys are not necessary prior to project activities occurring outside of nesting bird season.*

- c) **No Impact:** There are no areas on the project site that would be subject to the Corps jurisdiction. No wetlands, vernal pools or waters of the United States or State of California have been observed on the project site. Therefore, no impacts to wetlands are expected.
- d) **Less Than Significant Impact:** There are no waterways, wildlife corridors, or wildlife nursery sites on the subject property or the immediate vicinity. Additionally, the fact that the project site is surrounded by existing residential development in all directions isolates the site from migratory wildlife corridors. Thus, the project would have little potential for adverse impacts on wildlife species or native residents. When also considering the urbanized nature of the surrounding area, the project would result in less than significant impacts to wildlife.
- e) **Less Than Significant Impact:** The project does not involve the removal of any existing tree. The project site and surrounding area generally lack significant tree cover, with the exception of two Oak trees located in open space lands just north of the project site. Dripline encroachment resulting from the project is being considered as part of this residential development project consistent with the provisions of the County's Tree Ordinance (County Code Chapter 816-6). There are no additional ordinances or policies pertaining to biological resources applicable to the proposed subdivision in this urbanized area of the County. Therefore, the project will have no impact in this respect.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- f) **No Impact:** The East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (ECCC HCP/NCCP) was adopted by the County in October of 2006. The purpose of this plan is to provide a framework to protect natural resources while streamlining the environmental permitting process for impacts to covered special status species within the rapidly expanding region of Eastern Contra Costa. The proposed project site is not located within an area of Contra Costa County that is covered by the ECCC HCP/NCCP. Therefore, the project is exempt from HCP/NCCP Ordinance No. 2007-53.

Sources of Information:

- Contra Costa County General Plan 2005-2020
- Contra Costa County Ordinance Code
- *Biological Resource Assessment for 2nd and Sharon, Rodeo, CA*; June, 2024, Coast Ridge Ecology, LLC

5. CULTURAL RESOURCES – Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a-c) **Less Than Significant With Mitigation:** Historical resources are defined in the California Environmental Quality Act Guidelines Section 15064.5 as a resource that fits any of the following definitions:

- Is listed in the California Register of Historic Places and has been determined to be eligible for listing by the State Historic Resources Commission;
- Is included in a local register of historic resources, and identified as significant in a historical resource survey that has been or will be included in the State Historic Resources Inventory; or
- Has been determined to be historically or culturally significant by a lead agency.

The is not within the boundaries of any designated historical district. The project site is not listed on the Contra Costa County Historic Resources Inventory, or the California Department of Conservation's list of historical resources, the California Register of Historic Places, or in the

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Contra Costa County Historical Resources Inventory. Additionally, no buildings or structural development exists on site, so the project has no potential to result in the demolition and/or alteration of historic buildings. Therefore, the project is not expected to significantly impact any known historical resources.

The archaeological sensitivity map of the County's General Plan (Figure 9-2), identifies the project area as "Largely Urbanized Area," excluded from the archaeological sensitivity survey, but which may still contain significant archeological resources. While unlikely since the subject property and surrounding area have been substantially disturbed by residential development activity, subsurface construction activities always have the potential to damage or destroy previously undiscovered historic and prehistoric resources, or to uncover human remains. Historic resources can include wood, stone, foundations, and other structural remains; debris-filled wells or privies; and deposits of wood, glass, ceramics, and other refuse. If during project construction, subsurface construction activities damage previously undiscovered historic and prehistoric resources, there could be a potentially significant impact. The following mitigation measures (CUL-1 through CUL-4) would reduce the potential impact of ground-disturbance related to future construction activities to a less than significant level.

Potential Impact CUL-1 – CUL-4: Construction activities requiring excavation or earth movement could uncover previously unrecorded significant cultural resources and/or human remains. The following mitigation measures will ensure that, in the event cultural resources are discovered, the proper actions are taken to reduce the adverse environmental impacts to cultural resources to a less than significant level.

Mitigation Measure CUL-1: *Should archaeological materials be uncovered during grading, trenching, or other on-site excavation(s), all earthwork within 30 yards of the materials shall be stopped until a professional archeologist who is certified by the Society for California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA) and any Native American tribe(s) that have requested consultation and/or demonstrated interest in the project site has had an opportunity to evaluate the significance of the find, and, if deemed necessary, suggest appropriate mitigation(s).*

Mitigation Measure CUL-2: *If any significant cultural materials such as artifacts, human burials, or the like are encountered during construction operations, such operations shall cease within 100 feet of the find, the Community Development Division (CDD) shall be notified within 24 hours, and a qualified archaeologist contacted and retained for further recommendations. Significant cultural materials include, but are not limited to, aboriginal human remains, chipped stone, groundstone, shell and bone artifacts, concentrations of fire cracked rock, ash, charcoal, and historic features such as privies or walls and other structural remains.*

Mitigation Measure CUL-3: *Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human*

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remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may be those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the land owner for treatment and disposition of the ancestor's remains. The land owner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

Mitigation Measure CUL-4: *Appropriate mitigation of any discovered cultural resources may include monitoring of further construction and/or systematic excavation of the resources. Any artifacts or samples collected as part of the initial discovery, monitoring, or mitigation phases shall be properly conserved, catalogued, evaluated, and curated, and a report shall be prepared documenting the methods, results, and recommendations. The report shall be submitted to the Northwest Information Center and appropriate Contra Costa County agencies.*

Sources of Information:

- Contra Costa County General Plan 2005-2020
- [California Register of Historical Resources](#) (Accessed October 1, 2024)
- [Contra Costa County Historic Resources Inventory](#) (Accessed October 1, 2024)

6. ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a-b) **Less Than Significant Impact:** The project may require temporary electrical power during construction. The General Contractor would be required to apply for a temporary power permit from the County and to comply with all applicable building standards for a temporary power connection. Therefore, the impact of construction on electrical energy resources is anticipated to be less than significant.

In December 2015, a Climate Action Plan (CAP) was adopted by the Contra Costa County Board of Supervisors in order to identify and achieve a reduction in greenhouse gas (GHG) emissions by the year 2020 as mandated by the State under AB32. The design and operation strategies set

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forth in the CAP for reducing GHG emissions include measures such as installing energy efficient finishing materials, insulation, roofing and lighting that would reduce the project's consumption of energy resources. The CAP is considered a long-range planning document consisting of macro-level policy recommendations more so than guidelines for individual development projects. Thus, the minor residential project has little potential to conflict with the CAP. The project will be required to comply with all California Code Title 24 (CalGreen) building energy efficiency standards that are in effect at the time that building permit applications to develop Parcels A-D are submitted, including standards requiring the provision of solar energy and battery storage systems. If approved, the project will be reviewed under all current energy standards as part of the plan check process. Compliance with all applicable regulations will ensure this development will not have a significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy.

Sources of Information

- [2015 Climate Action Plan | Contra Costa County, CA Official Website](#), (Accessed October, 1 2024)

7. GEOLOGY AND SOILS – Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

a) *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:*

- i) **Less Than Significant Impact:** The project is not within an Alquist-Priolo (A-P) fault zone. The nearest recognized earthquake faults are the Hayward Fault and Concord Fault, located 5.5, 10.1 away respectively. Although, the lack of nearby active faults limits the project potential for adverse impacts resulting from a fault rupture, the project is still likely to experience some degree of ground movement within its lifetime as a result of seismic activity on one or more nearby faults. It is expected that soundly engineered building foundations and compliance with applicable seismic building design parameters within the California Building Code and/or the California Residential Code will ensure that the project is resilient to seismic activity on nearby faults based on site specific soil characteristics and maximum probable earthquake magnitude expected from the nearby faults. Consequently, the project would have less than significant adverse impacts resulting from fault rupture.

- ii) **Less Than Significant Impact:** As discussed above, there are no known active faults in the immediate project vicinity. The nearest known active faults include the Hayward fault ± 5.5 miles west of the project, and the Concord Fault, located ± 10.1 miles east of the project. According to the General Plan Safety Element (Table 10-4), the nearest active fault (the Hayward Fault) has a “likely” approximate probability to produce an earthquake having a magnitude between 6.0 – 7.0 over a 50-year period, and an intermediate probability for a magnitude 7.0 to 7.5 earthquake. Such earthquake events would be associated with severe to violent intensity (VIII – IX on the Modified Mercalli Intensity Scale). Generally, earthquakes of this intensity can result in substantial damage even in specially designed structures. Construction plans for the single-family residences on Parcels A, B, C & D will be subject to review and approval by County Building and Grading officials under then-current code requirements. It is expected that the adherence to the California Residential Code for construction-level plans for future development on the new parcels will ensure that the buildings are designed with appropriate site-specific seismic considerations, thereby minimizing future risks associated with ground shaking. Therefore, less than significant impacts are expected in this regard.

- iii) **Less Than Significant Impact:** The project site is not within a Liquefaction Hazard Zone, as mapped by the California Department of Conservation. According to the County General Plan Safety Element (Figure 10-5 – Estimated Liquefaction Potential), the project vicinity has “generally low” liquefaction potential. Future residential development on site for

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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building and/or grading permits will require subsurface investigation to provide site-specific engineering recommendations to ensure that building and foundations are designed with appropriate consideration of the site's soil characteristics. With sound foundation design and adherence to current Residential Building Code requirements, the project will have less than significant impacts relating to liquefaction.

- iv) **Less Than Significant Impact:** The subject property is not mapped within a Landslide hazard area no landslides have previously occurred on the subject property. The site is on a small hilltop having a moderate downslope to the east. Given the developed nature of the surrounding high-density residential area, and the lack of steep hillsides, the project has little to no risk of being adversely affected by an uphill landslide. Sound engineering for the residential foundations will ensure that the project is Accordingly, the project will result in less than significant impacts with respect to landslides.

- b) **Less Than Significant Impact:** The project involves the division of a lot in a developed residential neighborhood. Site preparation for the proposed subdivision consists of approximately 1,430 cubic yards of combined earth quantities (720 C.Y. Cut / 710 C.Y. Fill), primarily in the easterly area of the project site where the slope is steepest. The applicant has provided a preliminary grading and drainage plan, including a hydrology & hydraulics report analyzing onsite and offsite analysis for pre- and post-construction conditions. Based on the preliminary grading and drainage plan, the subdivision is expected to detain stormwaters originating or passing through the site in an on-site detention system with a manifold/dissipation to mitigate runoff in a manner that mimics pre-construction flow. The plan has been reviewed and deemed adequate for planning purposes by County Public Works officials, with more detailed scrutiny deferred to such a time when final improvement plans are submitted for the individual lots. Since the project drainage plan is designed to maintain the existing drainage pattern, the project has relatively low potential to result in substantial erosion or loss of topsoil. Final site improvement plans will be subject to review by County Building Inspection Division and Department of Public Works officials for compliance with all applicable provisions of County Building and Grading Ordinances. The review of these plans by these County officials, prior to the issuance of building and/or grading permits will ensure the project's compliance with applicable erosion control standards. Therefore, the potential for the project resulting in significant erosion or loss of topsoil is less than significant.

- c) **Less Than Significant Impact:** As previously mentioned, the subject property is not located within an area with known geologic hazards. The surrounding area has been extensively developed with single family residential dwellings and associated access and utility infrastructure. There is no evidence in the record indicating that the project site or vicinity consist of an unstable geologic unit, or that the project could result in unstable conditions resulting in landslide, lateral spreading, subsidence, liquefaction or collapse. With appropriate foundation design, and adherence to requirements of applicable residential building codes in effect at the time when

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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building permit applications are submitted, the project would have less than significant impacts in this regard.

- d) **Less Than Significant Impact:** The subject property is plotted on the Soil Conservation Service Web Soil Survey as type Tierra Loma (TaE). The LhF is characterized as moderately well drained, very-high runoff class lands consisting of slopes between 15 to 30 percent. These soils are considered to have a moderate shrink-swell potential. The fact that the subject soils are consistent with those mapped within the developed residential neighborhood immediately adjacent to the project suggests that the soil composition of the subject property can feasibly support the residential development project. Thus, it is expected that with appropriate foundation design, and adherence to recommendations from consulting geotechnical and structural engineers as well as with applicable provisions of California residential building codes, the underlying soil conditions would not result in significant adverse effects relating to expansive soil.
- e) **No Impact:** The project does not propose the use of a septic system, or any other means of private wastewater disposal. The project site is within the service boundaries of the Rodeo Sanitary District (RSD), and RSD staff indicate no comment on the proposed project. Thus, it is assumed that capacity exists within the system to accommodate the project. Thus, the project would have no impacts arising from the use of a private wastewater disposal system.
- f) **Less Than Significant Impact:** There are no known paleontological resources on the subject property. The project site and its surroundings have been previously disturbed by residential development in the immediate vicinity. Considering the extensive previous disturbance of the urbanized project area and the relatively minor amount of grading required to implement the project, impacts to paleontological resources are expected at less than significant levels. With the implementation of Cultural Mitigation Measures CUL1-CUL4, previously identified within this study, the project ensures that the discovery of heretofore unknown paleontological resources on the project site will not result in significant impacts to such resources.

Sources of Information:

- Contra Costa County General Plan 2005-2020
- Contra Costa County Ordinance Code
- Civil Plans by Upright Engineering, stamped received by CDD June 28, 2023
- Architectural Plans by Nick Sowers, stamped received by CDD November 10, 2023
- USDA Web Soil Survey - [Web Soil Survey \(usda.gov\)](https://websoilsurvey.sc.egov.usda.gov/) accessed October 1, 2024

8. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) **Less Than Significant Impact:** As discussed in the Air Quality section of this study, the Bay Area Air Quality Management District (BAAQMD) adopted the *Bay Area 2017 Clean Air Plan* that addresses Greenhouse Gas (GHG) emissions at a regional scale. The construction and habitation of four additional single-family residences is likely to generate some GHG emissions; however, the amount generated would not result in a significant adverse environmental impact. This determination has been made using the screening criteria provided in the 2022 BAAQMD CEQA Guidelines. The 2022 BAAQMD CEQA Guidelines state that projects that are consistent with a local GHG reduction strategy meeting the criteria under State CEQA Guidelines section 15183.5(b). The 2015 Contra Costa County Climate Action Plan (CAP) has been adopted at the local level in compliance with State CEQA Guidelines section 15183.5(b). The GHG reduction strategies incorporated therein include measures designed to increase energy efficiency, promote alternative modes of transportation, reduce vehicle miles traveled, and reducing reliance on fossil fuel energy sources. Future development of a single-family residence on resultant Parcels A-D will be subject to Title 24 Energy Efficiency standards as well as the County's all electric ordinance prohibiting the use of natural gas in household appliances. The existing County Ordinance also requires the provision of solar energy and the installation of outlets suitable for electric vehicle charging within new single-family residences. Therefore, considering the type and scale of the project, the County's implementation of Title 24 energy efficiency standards and other ordinances discouraging the use of natural gas and requiring the installation of solar panels in new residential development, the future construction and habitation of four new dwellings would have a less than significant impact with respect to the generation of GHG.
- b) **Less Than Significant Impact:** Within the *2017 Clean Air Plan* is an ambitious GHG reduction target to reduce Bay Area GHG emissions to 80% below 1990 levels by the year 2050. The 2017 control strategy includes all feasible measures to reduce emissions of ozone precursors – reactive organic gases (ROG) and nitrogen oxides (NO_x) – and reduce transport of ozone and its precursors to neighboring air basins. In addition, the plan builds upon and enhances the BAAQMD's efforts to reduce emissions of fine particulate matter and toxic air contaminants. The BAAQMD's approach to assessing the climate impact thresholds of significance at the project level consist of an analysis of project design elements or the project's consistency with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).

In 2015, the County adopted a Climate Action Plan (CAP), which identifies strategies and policies to reduce GHG levels in Contra Costa County and is consistent with State CEQA Guidelines Section 15183.5(b). The CAP is a broad document, with macro policies for the County in general, more so than at the individual project level. However, the project will be consistent with such

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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county wide strategies due to ordinances requiring provision of solar energy and energy efficient construction materials, as required under current residential building code. Additionally, the use of best management practices during project construction would ensure the project is consistent with the *2017 Clean Air Plan* as well as the CAP. The project will be conditioned to print best management practices on all building and grading plans associated with building permits applications for the project. Therefore, the project does not conflict with local plans designed to reduce emissions of greenhouse gases.

Sources of Information:

- Bay Area Air Quality Management District 2022 CEQA Guidelines [CEQA Thresholds and Guidelines Update \(baaqmd.gov\)](#) accessed October 1, 2024
- Bay Area Air Quality Management District [2017 Clean Air Plan \(baaqmd.gov\)](#), accessed October 1, 2024
- [2015 Climate Action Plan | Contra Costa County, CA Official Website](#), (Accessed October, 1 2024)

9. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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SUMMARY:

- a-b) **Less Than Significant Impact:** The proposed subdivision, the anticipated residential development, and eventual habitation of four single-family residences, do not generally involve the routine transport or handling of hazardous materials. Although small quantities of commercially available hazardous materials may be used for cleaning, and potentially for landscape maintenance, these materials are unlikely to be used in sufficient quantities to pose a threat to human or environmental health. Therefore, the potential for impacts associated with handling, storing, and dispensing of hazardous materials from habitation would be less than significant.

There would be associated use of fuels, lubricants, paints, and other construction materials during the construction phase of the project. The use and handling of hazardous materials during construction would occur in accordance with applicable federal, state, and local laws, including California Occupational Health and Safety Administration (Cal/OSHA) requirements. With adherence to existing regulations, the project would result in less than significant construction impacts.

- c) **Less Than Significant Impact:** There are no schools located within a quarter mile of the project site. The nearest school is Rodeo Hills Elementary, which is located at 545 Garretson Avenue in Rodeo, approximately 0.27 miles southeast of the site. Additionally, the project does not involve the use of significant quantities of hazardous materials either during the construction or eventual habitation of the residential project. Therefore, the project will have no significant impact in this respect.
- d) **No Impact:** The California Department of Toxic Substances Control maintains an updated list of Hazardous Waste and Substance Sites (Cortese List). The subject property is not listed on the Cortese List and is not categorized as a hazardous materials site. Therefore, the project will have no impact in this respect.
- e) **No Impact:** There are no airports in the vicinity of the project site, therefore, no impact.
- f) **Less Than Significant Impact:** The proposed project is a minor subdivision within a residential area in the Rodeo community in unincorporated Contra Costa County. The subject property is located north of the intersection of Second Street and Sharon Avenue, both of which are public roadways. Second street provides access to Parker Avenue, which is the route likely to be used in the event of an emergency requiring evacuation of the local neighborhood as it is the nearest arterial roadway providing vehicular access from the subject neighborhood to nearby Interstate 80 and State Route 4. The project involves predominantly onsite improvements and would not involve the construction of substantial improvements within public rights-of-way. Any activities within the public right of way, such as for driveway connections or the installation of service connections to existing water or sanitary sewer infrastructure are subject to the prior approval of

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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an encroachment permit by the County’s Department of Public Works. The project’s compliance with all encroachment permit requirements will ensure that no project elements substantially interfere (if at all) with vehicular ingress or egress in the subject neighborhood. Additionally, the proposed project will not affect any existing communication/utility structures such as power poles or telecommunications towers, which may be necessary for an existing emergency response or evacuation plan. Accordingly, the project would have a less than significant impact on emergency response and emergency evacuation plans.

- g) **Less Than Significant Impact:** The project site and immediate surroundings are classified as “Urban Unzoned”, according to local responsibility area (LRA) fire hazard severity zone mapping by CALFire. The surrounding neighborhood also consists of lands having the urban unzoned designation. Considering that the project is located in a developed residential neighborhood and is outside of mapped high and very high fire hazard severity zones, the proposed subdivision possesses relatively low potential to result in impacts exposing people or structures to substantial wildfire risk relative to present conditions. Any future construction activity on the resultant parcels would be subject to then-current building code and fire code, including those requiring the installation of automatic fire sprinklers, fire hydrants, or other fire suppressive improvements. Therefore, the project will not result in a significant direct or indirect risk of exposing people to loss, injury, or death involving wildland fire.

Sources of Information:

- Contra Costa County GIS Data layers
- Cortest List [EnviroStor \(ca.gov\)](https://envirostor.ca.gov) (Accessed October 1, 2024)
- CALFire Wildfire Hazard Severity Zone Mapping, Local Responsibility Area (LRA)

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
10. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a, e) **Less Than Significant Impact:** In the San Francisco Bay Region, the Regional Water Quality Control Board (RWQCB) includes permit requirements for stormwater runoff under the National Pollution Discharge Elimination System (NPDES) program. The RWQCB regulates stormwater runoff from construction activities under the NPDES permit from the State Water Resources Control Board (SWRCB). The applicant has provided a preliminary Stormwater Control Plan (SWCP) for review by Engineering Services Division staff with the County Department of Public Works, which has been deemed adequate for purposes of processing the planning application. The project is required to comply with all rules and regulations of the NPDES. If approved, the applicant will be required as a condition of approval to submit a final SWCP to the County Department of Public Works which shall be reviewed for compliance with the NPDES Permit and shall be deemed consistent with the County's Stormwater Management and Discharge Control Ordinance. Thus, project compliance with applicable water quality standards and/or discharge standards, as verified during the plan check process prior to project construction, ensures that the project will not significantly degrade water quality.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) **Less Than Significant Impact:** The project is located within the service boundaries the East Bay Municipal Utility District, and the project would utilize this municipal water supply for the new residences on each of the resultant parcels (Parcels A-D). EBMUD staff have reviewed the project and provided comments indicating that additional water service is available to the subdivision, with the installation of new water meters and associated service connections to each lot to be performed at the expense of the developer. Additionally, the project drainage plans incorporates on site detention and manifold/dissipation designed to allow stormwaters to percolate into the subject property before discharging off site, thus increasing the opportunity for groundwater recharge. Given the fact that the project will not draw groundwater to serve the subdivision, it would not substantially interfere with groundwater recharge and will have less than significant impacts on groundwater management.

c) **Less Than Significant Impact:**

i-iv) The subject property fronts the northern side of Second Street near its western terminus at the Sharon Avenue intersection. Presently, stormwaters drain downhill on unimproved hillsides towards open space waterfront lands immediately north of the project site, towards the existing residential neighborhood east of the project site. The project will not substantially alter the established drainage pattern in the area with the implementation of the onsite detention facility dissipation incorporated into the preliminary grading and drainage plan designed for the project. Additionally, there are no streams, rivers, or waterways on or near the project site, the course which could be altered or impeded by the grading activities associated with the subdivision.

The subdivision, including access improvements and anticipated future single-family residential development, would result in approximately 14,783 square feet of new impervious surface. Runoff from downspouts and paved roadway/driveway areas within the subdivision would be directed into one of four onsite bio filtration areas (one on each resultant parcel). A basin retention area is proposed immediately adjacent to each bio filtration area, each having a minimum 1,500-gallon capacity to capture overflow from the filtration areas to prevent uncontrolled discharge of high volumes of stormwaters during heavy rain storm events. The project drainage plan and preliminary stormwater control plan (SWCP) have been forwarded to the Engineering Services Division staff with the County Department of Public Works for preliminary review and approval. Staff has received no indication that downstream storm drain system has insufficient capacity to accommodate the project. Given that the project drainage is designed to maximize on site detention and to discharge stormwaters at a rate substantially similar to that under present conditions, the project will not substantially alter the existing drainage pattern on site. Final site development plans will be subject to additional review to ensure that the project is in compliance with applicable County drainage ordinances. Based on the forgoing, the nature and scale of the project are such that the project is unlikely to alter the project

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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site/surroundings resulting in substantial erosion, siltation, increased runoff exceeding existing infrastructure capacity, or otherwise impede or redirect flood flows. Therefore, the project will have less than significant impact in this regard.

- d) **Less Than Significant Impact:** The project is not located within a special flood hazard zone mapped by the Federal Emergency Management Agency (FEMA). Additionally, the project site is not located within a tsunami hazard zone, as mapped by the California Department of Conservation. As such, the project would have less than significant impacts resulting from flood hazards, including tsunami and/or seiche wave hazards.

Sources of Information:

- Contra Costa County GIS Data layers
- [Contra Costa County Tsunami Hazard Areas \(ca.gov\)](https://www.ca.gov/)
- Civil Plans by Upright Engineering, stamped received by CDD December 4, 2024

11. LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) **No Impact:** The project site consists of vacant unimproved hillside located at the periphery of an established single-family residential neighborhood in the unincorporated Rodeo community. The surrounding neighborhood is generally characterized by high-density single-family residential development and associated improvements amongst rolling hillsides. The eventual construction of four additional residences would be a continuation of the established development pattern in the area, and therefore, would not physically divide an established community.
- b) **No Impact:** At the time when this application was submitted, the subject property was within a Single Family Residential High Density (SH) General Plan land use designation, and within the Rodeo area-wide Planned Unit Zoning District (P-1). As of November 5, 2024, after the application had already been deemed complete, the General Plan land use designation was changed to Residential Medium Density (RM). Thus, the project shall be evaluated for consistency with the land use policies of the 2005-2020 General Plan, including the former SH designation. The proposed subdivision, and the eventual construction of four new single-family residences, is consistent with the allowed land uses for the P-1 district and SH General Plan designation. All proposed parcels comply with minimum the 4,500 square-foot minimum parcel area and 45-foot minimum average width development standards. The subdivision also building sites on each of the resultant parcels meeting all setback requirements for the Old Town area of the Rodeo P-1

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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district, in which the project is located. Thus, the subdivision and associated residential development is consistent with development standards for the P-1 district and with the underlying general plan land use designation. There are no other land use policies applicable to this area of the County which conflict with the project. Therefore, the project will have no impact causing significant environmental impacts due to conflict with applicable land use policies for the Rodeo area.

12. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

a-b) **No Impact:** Neither the project site, nor its' surroundings are mapped on General Plan Figure 8-4 (Mineral Resource Areas) as an area with mineral resources. Additionally, the project vicinity has been developed extensively and there are no known mineral resources on the project site. Consequently, the project is not expected to have impacts leading to the loss of availability of a known resource, or mineral resource recovery site.

Sources of Information

- Contra Costa County General Plan 2005-2020

13. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a-b) **Less Than Significant with Mitigation:** The project consists of a subdivision resulting in four new developable parcels, identified on the VTM as Parcels A, B, C & D. The noise element of the County General Plan specifies noise exposure levels between 55-70 dB as conditionally acceptable in single-family residential settings. Additionally, the residential building code prohibits interior noise levels above $L_{DN}45$ dB within residential units. Thus, the project will be required to utilize construction materials and techniques designed to reduce interior noise levels to 45 dB or below as required by the residential building code. The applicant has provided a noise study prepared by Resonance Acoustics, which analyzes existing noise levels in the project vicinity and evaluates potential noise impacts resulting from the project. The noise study includes long-term noise measurements taken from the project site and immediate vicinity, and which measures noise throughout a 48-hour period occurring between May 7 – May 9, 2024. The results of the long-term noise measurements found noise levels consistently below 60 dB and within the acceptable noise levels specified in the noise element of the General Plan (55-70 db). Therefore, the projects compliance with building code design requirements for reducing interior noise levels will be sufficient to ensure that future occupants are not exposed to unacceptable noise levels within interior areas of the homes. The future habitation of four new single-family residences would not expectedly increase ambient noise levels in the area to a significant degree. However, potentially significant temporary noise impacts could arise during construction activities associated with the development of new residences on the resultant parcels. Such noise-related impacts are typical of routine residential construction, and impacts arising therefrom can be substantially mitigated with standard measures such as limiting construction hours, traffic flow, and the usage of certain heavy equipment. Incorporation of the following mitigation measures will ensure that the project, including anticipated future construction activity, will have less than significant noise-related impacts:

Potential Impacts – Temporary noise levels due to construction

Impact NOI-1 – NOI-6: During project construction, a temporary increase in ambient noise levels would occur, and there may be periods of time when there would be ground borne vibrations or loud noise from construction equipment, vehicles, and tools. The temporary activities during the construction phase of the project have the potential for generating noise levels in excess of standards described in the Noise Element of the County General Plan. Therefore, the developer is required to implement the following noise mitigation measures throughout the construction phase to reduce impacts from ground borne vibrations and temporary increases in ambient noise levels to less than significant levels:

Mitigation Measure NOI-1: *Unless otherwise authorized by the Zoning Administrator in writing, all construction activities, including delivery of construction materials, shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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New Year's Day (State and Federal)
Birthday of Martin Luther King, Jr. (State and Federal)
Washington's Birthday (Federal)
Lincoln's Birthday (State)
President's Day (State)
Cesar Chavez Day (State)
Memorial Day (State and Federal)
Juneteenth National Independence Holiday (Federal)
Independence Day (State and Federal)
Labor Day (State and Federal)
Columbus Day (Federal)
Veterans Day (State and Federal)
Thanksgiving Day (State and Federal)
Day after Thanksgiving (State)
Christmas Day (State and Federal)

Mitigation Measure NOI-2: *Transportation of heavy equipment (e.g., graders, cranes, excavators, etc.) and trucks to and from the site shall be limited to weekdays between the hours of 9:00 AM and 4:00 PM and prohibited on Federal and State holidays. This restriction does not apply to typical material and equipment delivery or grading activities.*

Mitigation Measure NOI-3: *The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.*

Mitigation Measure NOI-4: *The applicant shall notify neighbors within 300 feet of the subject property at least one week in advance of grading and construction activities.*

Mitigation Measure NOI-5: *The applicant shall designate a construction noise coordinator who will be responsible for implementing the noise control measures and responding to complaints. This person's name and contact information shall be posted clearly on a sign at the project site and shall also be included in the notification to properties within 300 feet of the project site. The construction noise coordinator shall be available during all construction activities and shall maintain a log of complaints, which shall be available for review by County staff upon request.*

Mitigation Measure NOI-6: *Prior to the issuance of building permits, a preconstruction meeting shall be held with the job inspectors, designated construction noise coordinator, and the general contractor/onsite manager in attendance. The purpose of the meeting is to confirm that all noise mitigation measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed and in place prior to beginning grading or construction activities. The applicant shall provide written confirmation to CDD staff verifying the time and date that the meeting took place and identifying those in attendance.*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- c) **No Impact:** The project site is not in the vicinity of a private airstrip or within two miles of a public airport. Therefore, the project would have no impact exposing people to excessive noise, either relating to, or exacerbated by aviation activity.

Sources of Information

- Contra Costa County General Plan 2005-2020
- *Second Street Waterfront Houses – Environmental Noise Study*, by Resonance Acoustics, June 3, 2024

14. POPULATION AND HOUSING – Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) **Less Than Significant Impact:** The project would potentially increase the housing stock in Contra Costa County by four dwelling units, a change that would not amount to substantial population growth. The project proposes the provision of access and utilities to the subdivision via a private access and utility easement extending from Second Street northward through the interior of the subject property. No public infrastructure improvements are proposed for the subdivision project, as the subdivision would connect to existing public roadway and utility infrastructure existing along the southern boundary of the project site within the Second Street right of way. Therefore, the project would not have impacts inducing significant population growth in the County, either directly or indirectly.
- b) **No Impact:** The project site is completely devoid of buildings and structural improvements. Thus, there is no potential for the project to displace people by demolishing existing housing. The project would in fact create additional housing in Contra Costa County with the development of a single-family residence on each of the resultant parcels. Therefore, the project will have no impact resulting in displacement of existing housing necessitating the construction of replacement housing elsewhere.

Sources of Information

- Civil Plans by Upright Engineering, stamped received by CDD December 4, 2024
- Architectural Plans by Nick Sowers, stamped received by CDD November 10, 2023

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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15. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) **Less Than Significant Impact:** The Public Facilities/Services Element of the County General Plan requires fire stations to be located within 1.5 miles of developments in urban areas. The subject property is located approximately 0.2 miles northwest of Rodeo Hercules Fire Protection District Station #75, located at 326 Third Street in Rodeo. The project was referred to the Rodeo Hercules Fire Protection District for comment and staff did not receive a response indicating that the project would adversely impact fire protection services. Construction plans for the residential development associated with the subdivision will be subject to Fire District review for compliance with applicable fire codes that are in effect at the time when building permit applications are submitted. Thus, the projects compliance with the applicable fire codes in final development plans for the subdivision, the project will have a less than significant impact in this regard.
- b) **Less Than Significant Impact:** Police protection and patrol services in the project vicinity are provided by the Contra Costa County Sheriff's office. The Public Facilities/Services Element of the County General Plan requires 155 square feet of station area per 1,000 population in unincorporated Contra Costa County. The proposed project, resulting in four new parcels which would each be developed with a new single-family residence, would not substantially increase the population within this area of the County. The subdivision is subject to a per-parcel fee in the amount of \$1,000 for police services, which will be collected prior to the issuance of building permits for the establishment of a single-family residence on any resultant parcel. Therefore, with the payment of the per-parcel police services fee, the project would not impact the County's ability to maintain the General Plan standard of having 155 square feet of station area and support facilities for every 1,000 members of the population. Thus, the proposed project will have less than significant impact on police services and will not result in the need for expanded police protection facilities or services in the County.
- c) **Less Than Significant Impact:** Since the project would not significantly increase the population in the Rodeo area, it would have a less than significant impact on enrollment at existing local schools.
- d) **Less Than Significant Impact:** The policy for Parks and Recreation in the Growth Management element of the County General Plan indicates that a standard of three acres of neighborhood parks

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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per 1,000 persons should be maintained within the County. As stated previously, the project would not cause a significant population increase in the Rodeo area. Thus, the project would not result in a significant increase in the use of existing recreational public resources in the area. Since the project would only marginally increase population in the area, and has ample access to existing park and open space lands, including Lone Tree Point and Rodeo Beach located immediately north of the site, the project will not necessitate the provision of new park facilities.

- e) **Less Than Significant Impact:** The project would not significantly affect existing public facilities (e.g. Hospital, Library, etc.) because it is not expected to substantially induce population growth in the area.

Sources of Information

- Contra Costa County General Plan 2005-2020

16. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a) **Less Than Significant Impact:** Given the relatively minor scale of the project, resulting in the creation of four new parcels, and the construction of a new single-family dwelling on each, within an established neighborhood, the project would not significantly increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity of the project site. Building permit fees for new residences on proposed Parcels A, B, C, & D will be subject to park impact and park dedication fees, which fund the acquisition and maintenance of parks and recreational facilities in Contra Costa County. Given the minor scale of the project and its contribution of the aforementioned park fees, it is not expected to result in substantial physical deterioration of nearby public facilities, nor would the project accelerate such deterioration. Therefore, less than significant impacts are expected in this regard.
- b) **No Impact:** The project does not propose the construction of new recreational facilities, or the expansion of existing facilities. Therefore, the project will have no impacts in this respect.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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17. TRANSPORTATION – Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) **Less Than Significant Impact:** The subject site is located along the northern side of Second Street, approximately 1 mile northwest of Interstate 80. According to General Plan Figure 5-3 (Transit Network Plan), the project site and surrounding areas are outside of the major north/south transit corridor along Interstate 80, which traverses western Contra Costa County. The project does not include any substantial alterations to any public roadway. Considering that the project would result in four new single-family residences, and the lack of development within a major transit corridor, the potential for the project to substantially conflict with the regional circulation system is relatively low. Vehicular access to the project site is existing from Second Street. The site has convenient access to Parker Avenue, a local arterial connecting the subject neighborhood to nearby transit corridors within Contra Costa County. The subdivision project, including the future construction/habitation of four new residences, will have minimal effect on public rights-of-way and would not affect circulation on surrounding public roadways. Therefore, the project will have less than significant impacts in this respect.
- b) **Less Than Significant Impact:** The applicable CEQA Guidelines provide a framework for analyzing transportation impacts relating to vehicle miles travelled (VMT) resulting from the project. Contra Costa County Transportation Analysis guidelines provide VMT screening criteria to assess an individual projects potential transportation impacts. These guidelines state that certain project types, including a residential project consisting of 20 units or less, should be expected to cause a less than significant impact under CEQA, and would not require further VMT analysis. Since the project is well under 20 residential units, the project is assumed to have a less than significant impact on traffic. Therefore, the project does not conflict with CEQA guidelines section 15064.3(b).
- c) **Less Than Significant Impact:** The project involves the creation of four new residential parcels within an established residential neighborhood, and the development of a new single-family residence on each. The proposed land use is identical to that on privately held land immediately east and south of the site. North of the site consists of public open space lands along the waterfront, which is accessible to the public for recreational enjoyment. Thus, hazards from incompatible land

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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uses are not expected given that the project is consistent and compatible with the existing developed neighborhood. The project is accessed via Second Street and does not involve any substantial construction activity within a public right-of-way. The project does not require the alteration of any roadway in a manner that might result in a public hazard from a geometric design. The intersection of the proposed private roadway serving the subdivision connections with public roadways will be subject to the requirements of County Department of Public Works design specifications in order to ensure it meets all applicable safety standards. Thus, no significant transportation impacts, whether due to a design feature or incompatible land uses, are expected to result from the project.

- c) **Less Than Significant Impact:** The project has adequate access for fire safety via Second Street, which bounds the site to the east. The project was referred to the Rodeo Hercules Fire Protection District (RHFPD) for agency comments their response indicates that the proposed roadway design is sufficient for emergency vehicle access. Prior to occupancy of a new residence, construction plans will be subject to the RHFPD review for consistency with applicable Fire Codes that are in effect at the time when the application for a building permit is submitted. Therefore, the routine review of construction plans will ensure that final development plans for the resultant parcels will not result in a condition with inadequate emergency vehicle access.

Sources of Information

- Contra Costa County General Plan 2005-2020

18. TRIBAL CULTURAL RESOURCES – <i>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</i>				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a-b) **Less Than Significant Impact:** As discussed in the Cultural Resources section of this study, there are no known existing structures located at the project site that would be listed or eligible to be designated as historical resources. Additionally, there is no evidence in the record at the time of completion of this study that indicates the presence of human remains at the project site. On August 12, 2024, the County mailed a *Notice of Opportunity to Request Consultation*, pursuant to

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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section 21080.3.1 of the California Public Resources Code, to Wilton Rancheria and Confederated Villages of Lisjan Nation for their review of the project proposal. County staff did not receive a request for consultation in response to these notices.

Nevertheless, the possibility remains that buried archaeological resources and/or human remains could be present on the project site, and accidental discovery could occur during grading and other earthwork on the project site resulting in potentially significant impacts. However, with the implementation of mitigation measures CUL-1 through CUL-4 (identified previously within the Cultural Resources section of this report), would reduce potential impacts from accidental discovery to less than significant levels.

19. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) **Less Than Significant Impact:** The project does not involve the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage infrastructure. Water, gas, electrical, and sanitary sewer service would be extended into each resultant parcel via the proposed private access/utility easement from existing underground infrastructure within the Second Street public right-of-way. Thus, the project does not involve the relocation or construction of new or expanded facilities to provide such utilities to the subdivision. Therefore, less than significant impacts relating to the extension of utility services to the subdivision are expected to result from the project.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) **Less Than Significant Impact:** The project has been referred to the East Bay Municipal Utility District (EBMUD) for comment. In a memo dated May 15, 2023, EBMUD staff advised that the project site is located within EBMUD's service district boundaries, and that service is available to the project site via an existing water distribution pipeline within Second Street. The EBMUD memo further notes that the applicant will be required to install a main extension and water meters for the resultant lots at their own expense. If the subdivision is approved, an application to establish new water service to the subdivision is required and is subject to review/approval by EBMUD. It is the applicant's responsibility to contact EBMUD's New Business Office to establish new water service for the subdivision. Thus, the applicant's compliance with applicable EBMUD requirements for establishing new water service will ensure a sufficient supply of water is available to the project now and for the foreseeable future.
- c) **Less Than Significant Impact:** The project site is located within the Rodeo Sanitary District's (RSD) service boundaries. County staff has forwarded the application to RSD staff for comment and received no indication that the system lacks adequate capacity to accommodate the project in response. Therefore, the project would expectedly have less than significant impact in this regard.
- d) **Less Than Significant Impact:** The proposed project would generate construction solid waste and post-construction commercial solid waste. Construction on the project site would be subject to the CalGreen Construction and Demolition Debris Recovery Program administered by the Department of Conservation and Development. The Debris Recovery Program requires that at least 65% of construction job site debris (by weight) for most construction types, that would otherwise be sent to landfills, be recycled, reused, or otherwise diverted to appropriate recycling facilities. Thus, although the construction of a single-family residence on each of the four resultant parcels would incrementally increase construction waste in Contra Costa County, the administration of the CalGreen program ensures that the impact of the project-related increase would be less than significant.

Regular solid waste removal for households and businesses in the Rodeo area is provided by Republic Waste. The addition of up to four new single-family residences to the area is not expected to significantly increase the generation of residential solid waste relative to current local levels. As such, the potential for the proposed project to exceed the capacity of the currently utilized landfill is minimal. Therefore, the impact of the project-related waste would be considered less than significant.

- e) **Less Than Significant Impact:** The project would establish four new parcels, each of which may be developed with a new single-family residence within an established residential neighborhood. The project site and surrounding area receive residential waste disposal service from Republic Services. Republic Services provides weekly pickup service for solid waste, including containers for recyclables and green waste at no additional cost to the customer. The project does not conflict

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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with any federal, state, or local regulations relating to solid waste. Therefore, no significant impacts are expected in this regard.

20. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

SUMMARY:

- a-d) **No Impact:** The project site and the surrounding vicinity are designated “Urban Unzoned” according to Fire Hazard Severity Maps published by CAL Fire. The nearest “High” or “Very High” fire hazard severity zones are located at least 1.5 miles south/southwest of the site. Therefore, the project would have no impacts that expose people or property to elevated wildfire hazard relative to present conditions.

21. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUMMARY:

- a) **Less Than Significant Impact:** The project would not substantially degrade the quality of the natural environment due to the infill nature of the project within a developed residential neighborhood. There are no known endangered plants or animals occurring on the project site. Additionally, the fact that subject property and its surroundings have been extensively disturbed by development activity limits the potential for such occurrences on or around the project site. This study identifies potentially significant impacts in the areas of biological resources, noise, cultural resources, and tribal resources – with mitigations proposed to ensure that such impacts occur at less than significant levels, if at all.
- b) **Less Than Significant Impact:** The environmental impacts anticipated to result from the project, including biological resources, cultural resources, and noise impacts, are all related to the construction phase of the proposed project. Considering the built-out nature of the surrounding residential neighborhood, there is little potential for overlapping major construction projects in the vicinity. A recently approved development project of note in the Rodeo area of the County includes a Development Plan for a 67-unit Senior Housing complex at 700 Willow Avenue (County File #CDDP21-03019). That development plan was approved by the Zoning Administrator on May 16, 2022, but construction has yet to begin for that project. Although the senior housing project also included potential noise and cultural resources impacts during the construction phase of that project, these impacts wouldn’t necessarily become cumulatively considerable in connection with the proposed project due to the fact that they are separated by approximately 0.75 miles distance, and dense residential development existing in between sites ensures that noise impacts and cultural resource impacts prevents noise from traveling between sites. Additionally, the respective vacant lots are in two distinct areas of Rodeo (old town vs highlands areas) and the distance separating the sites makes it unlikely that a biological resource or cultural resource impact on one site does not necessarily portend a similar impact on the other site. Thus, the proposed residential development project would not result in cumulatively considerable noise, biological resource or cultural resource impact, beyond those considered in this report even if construction periods overlapped between this project and the nearby Senior Housing complex. Additionally, the project would not result in a significant increase in population for the Rodeo area with the introduction of four new dwellings to the local housing stock.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Considering the above and the fact that project results in a negligible increase in housing stock and population in Rodeo, its potential for cumulative impacts in connection with past, current, or future projects are considered less than significant.

- c) **Less Than Significant Impact:** The project involves routine residential development and minimal environmental disruption. The project does not involve the transportation and/or routine handling of hazardous materials in any significant quantities. The nature and scale of construction activities required to implement the proposed improvements do not typically result in adverse effects to human beings. With the mitigations identified for incorporation as part of the project, environmental impacts identified within this report would be reduced to a level that would not pose a significant hazard to human beings on or around the project site. Therefore, less than significant impacts are expected in this regard.

REFERENCES

In the process of preparing the Initial Study Checklist and conduction of the evaluation, the following references (which are available for review at the Contra Costa County Department of Conservation and Development, 30 Muir Rd., Martinez, CA 94553) were consulted:

- Contra Costa County Geographic Information System Data
- Contra Costa County Zoning Ordinance (Title 8)
- Contra Costa County 2005-2020 General Plan
 - Figure 5-3 (*Transit Network Plan*)
 - Figure 5-4 (*Scenic Routes Plan*)
 - Figure 8-1 (*Significant Ecological Areas and Selected Locations of Protected Wildlife and Plant Species*)
 - Figure 8-4 (*Mineral Resource Areas*)
 - Figure 9-1 (*Scenic Ridges and Waterways*)
 - Figure 9-2 (*Archaeological Sensitivity Map*)
- California Government Resources Code
- Architectural Plans by Nick Sowers, stamped received by CDD November 10, 2023
- Civil Plans by Upright Engineering, stamped received by CDD December 4, 2024
- Revised Vesting Tentative Map, stamped received by CDD December 4, 2024
- [California Register of Historical Resources](#) (Accessed October 1, 2024)
- [Contra Costa County Historic Resources Inventory](#) (Accessed October 1, 2024)
- *Biological Resource Assessment for 2nd and Sharon, Rodeo, CA*; June, 2024, Coast Ridge Ecology, LLC
- [2015 Climate Action Plan | Contra Costa County, CA Official Website](#), (Accessed October, 1 2024)
- California Department of Conservation *Contra Costa County Important Farmland Map* (2020)
- BAAQMD 2022 CEQA Guidelines ([CEQA Thresholds and Guidelines Update \(baaqmd.gov\)](#))
- BAAQMD Bay Area 2017 Clean Air Plan (2017) ([BAAQMD.GOV - 2017 Clean Air Plan](#))

- United States Department of Agriculture Natural Resource Conservation Service [Web Soil Survey \(usda.gov\)](https://websoilsurvey.sc.egov.usda.gov/)
- CA Dept. of Forestry Web Resource - [California Fire Hazard Severity Zones \(FHSZ\) | California State Geoportal](https://www.fire.ca.gov/hazard-severity-zones)
- California Department of Toxic Substances Control list of Hazardous Waste and Substance Sites (Cortese List) [EnviroStor \(ca.gov\)](https://envirostor.ca.gov/)
- USDA Web Soil Survey - [Web Soil Survey \(usda.gov\)](https://websoilsurvey.sc.egov.usda.gov/) accessed October 1, 2024

ATTACHMENTS

- 1. Vicinity Map**
- 2. Project Plans**
- 3. Mitigation Monitoring and Reporting Program**