

**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra  
Costa  
County**



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**Gabriel Lemus**  
Deputy Director

**July 1, 2025**

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

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the Contra Costa County Department of Conservation and Development, Community Development Division, has prepared an initial study evaluating the potential environmental impacts of the following project:

- 1. Project Title:** Oliveira Enterprises Compost Facility Land Use Permit
- 2. County File Number:** CDLP21-02042
- 3. Lead Agency Name and Address:** Contra Costa County  
Department of Conservation and Development  
30 Muir Road  
Martinez, CA 94553
- 4. Contact Person and Phone Number:** Grant Farington, Project Planner  
(925) 655-2868
- 5. Project Location:** 8005 Bruns Road in the Byron area of unincorporated Contra Costa County (Assessor's Parcel Nos. 001-041-057, 001-041-058, 001-041-059, 001-041-060)
- 6. Applicant / Project Sponsor's Name, Address, and Phone Number:** Brian Oliveira  
8005 Bruns Road  
Byron, CA 94514  
(209) 835-9382

- 9. Determination:** The County has determined that without mitigation the project may result in significant impacts to the environment. Therefore, pursuant to California Code of Regulations Section 15070, a Mitigated Negative Declaration/Initial Study has been prepared which identifies mitigation measures to be incorporated into the project that will reduce the impacts to less than significant levels. Prior to adoption of the Mitigated Negative Declaration, the County will be accepting comments on the Mitigated Negative Declaration/initial study during a 20-day public comment period.

The Mitigated Negative Declaration/Initial Study can be viewed online at the following link: [California Environmental Quality Act \(CEQA\) Notifications | Contra Costa County, CA Official Website](#) or upon request by contacting the project planner. Any documents referenced in the Mitigated Negative Declaration/Initial Study can be provided upon request by contacting the project planner.

**Public Comment Period** – The period for accepting comments on the adequacy of the environmental document will extend to **5:00 PM, Thursday, July 31, 2025**. Any comments should be submitted in writing to the following address:

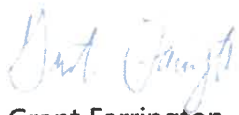
Contra Costa County  
Department of Conservation & Development  
**Attn: Grant Farrington**  
30 Muir Road  
Martinez, CA 94553

or via email to: [grant.farrington@dcd.cccounty.us](mailto:grant.farrington@dcd.cccounty.us)

The proposed Mitigated Negative Declaration and the proposed project will be considered at a meeting of the County Zoning Administrator. The hearing date before the County Zoning Administrator has not yet been scheduled. Hearing notices with instructions on how and/or where to attend the meeting will be sent out prior to the finalized hearing date.

**Additional Information** – For additional information on the Mitigated Negative Declaration and the proposed project, contact Grant Farrington by telephone at (925) 655-2868, or email at [grant.farrington@dcd.cccounty.us](mailto:grant.farrington@dcd.cccounty.us).

Sincerely,



Grant Farrington  
Project Planner  
Department of Conservation & Development

cc: County Clerk's Office (2 copies)

attachment: Project Vicinity

## CEQA ENVIRONMENTAL CHECKLIST FORM

1. **Project Title:** Oliveira Enterprises Compost Facility Land Use Permit  
County File Number – CDLP21-02042
2. **Lead Agency Name and Address:** Contra Costa County  
Department of Conservation and Development,  
Community Development Division  
30 Muir Road  
Martinez, CA 94553
3. **Contact Person and Phone Number:** Grant Farrington, Project Planner  
(925) 655-2868
4. **Project Location:** 8005 Bruns Road in the Byron area of unincorporated Contra Costa County (Assessor's Parcel Nos. 001-041-057, 001-041-058, 001-041-059, 001-041-060)
5. **Project Sponsor's Name and Address:** Brian Oliveira  
8005 Bruns Road  
Byron, CA 94514
6. **General Plan Designation:** AL, Agricultural Lands
7. **Zoning:** A-4, Agricultural Preserve District
8. **Description of Project:** The applicant (project sponsor) requests approval of a Land Use Permit to allow the continuing operation and expansion of a compost facility for windrow composting with a mobile chip and grind operation on the 89-acre Oliveira Enterprises property comprised of four parcels on Bethany Lane, approximately 1,170 feet east of Bruns Road, with a mailing address of 8005 Bruns Road. The compost facility is currently operating on three parcels, including 124 Bethany Lane (Assessor's Parcel 001-041-057), 131 Bethany Lane (Assessor's Parcel 001-041-060), and 136 Bethany Lane (Assessor's Parcel 001-041-058). The compost facility includes existing and proposed windrow composting areas, curing/storage areas, cattle feeding and receiving area, mulch storage areas, offices, off-street parking, and equipment storage areas. Windrow composting currently occurs across two of the parcels south of Bethany Lane, including 124 Bethany Lane and 136 Bethany Lane. Future windrow composting is proposed on the parcel at 148 Bethany Lane (Assessor's Parcel 001-041-059), also south of Bethany Lane. A future office, covered mulch storage, and uncovered mulch storage areas are proposed on the parcel at 131 Bethany Lane that is north of Bethany Lane. The project also includes creation of two water storage ponds, including one pond at 136 Bethany Lane and a second pond at 148 Bethany Lane.

Given the existing topography of the compost facility site that gently slopes downward from an elevation of 70 feet at the southwest corner to 50 feet along the northern property boundary, stormwater runoff

period for the Confederated Villages of Lisjan and the Wilton Rancheria to either request or decline consultation in writing for this project. To date, no response has been received from the Confederated Villages of Lisjan or the Wilton Rancheria.

Previously, the Wilton Rancheria had requested consultation in response to a Notice of Opportunity for a different project that led to a meeting between staff and a representative of the Wilton Rancheria. At that meeting, a tentative agreement was reached between staff and the Wilton Rancheria that the Native American tribe will be notified of any discovery of cultural resources or human remains on a project site. Subsequently, the Native American Heritage Commission (NAHC) requested that pursuant to State law, the NAHC shall be notified of any discovery of human remains rather than the Native American tribe. Standard Contra Costa County Department of Conservation and Development, Community Development Division (CDD) Conditions of Approval – see Conditions of Approval Cultural Resources 1 and Cultural Resources 2 in Environmental Checklist Section 5 (Cultural Resources) – provide for notice to the California Native American tribes of any discovery of cultural resources and notice to the NAHC of any discovery of human remains on the site. Any future construction activity on the project site would be subject to CDD Conditions of Approval Cultural Resources 1 and Cultural Resources 2.

## ENVIRONMENTAL CHECKLIST

Environmental Issues		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>1. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:</b>					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### **SUMMARY:**

- a) *Would the project have a substantial adverse effect on a scenic vista? (Less than Significant Impact)*

Figure COS-12 (Scenic Resources) of the Contra Costa County 2045 General Plan Conservation, Open Space, and Working Lands Element identifies the major scenic resources in the County, including scenic ridges and scenic routes, which should be considered when evaluating nearby development proposals. Views of these identified scenic resources are considered scenic vistas. The project site is located approximately 1,170 feet east of Bruns Road, which is a County-designated scenic route. The compost facility does not have any tall structures and is not readily visible from Bruns Road. Future development includes a new office and covered mulch storage; however, both are expected to be one-story structures. Therefore, the project will have a less than significant adverse impact on a scenic vista.

- b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway? (Less than Significant Impact)*

The California Department of Transportation (Caltrans) manages the State Scenic Highway program and maintains a list of eligible and officially designated State Scenic Routes on their website. There are no officially designated or eligible state scenic highways in the project in the project vicinity. Thus, the project would have no impact on scenic resources within a state scenic highway.

Figure COS-12 of the County General Plan Conservation, Open Space, and Working Lands Element identifies Bruns Road as a County designated scenic route, which is near the project

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>2. AGRICULTURAL AND FOREST RESOURCES – Would the project:</b>				
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>

**SUMMARY:**

- a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (No Impact)*

As shown on the California Department of Conservation's Contra Costa County Important Farmland 2020 map, the project site is located in an area that is defined as "Other Land" and does not contain farmland designated "Prime", "Unique", or of "Statewide Importance". is not Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project is the continuing operation and expansion of a compost facility for windrow composting with a mobile chip and grind operation. Therefore, the project would not result in any impacts related to the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use.

- b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract? (Less than Significant Impact with Mitigation)*

The project site is in the A-4 Agricultural Preserve District and is under existing Williamson Act Contract, AP No. 13-77. In the A-4 District, permitted uses include agricultural and compatible uses designated in writing in the Williamson Act Contract. Williamson Act Contract, AP No. 13-77, includes Exhibit B that states the structures and land uses allowed on the project site and includes no structures and "grazing and cultivated crops" as land uses. Uses requiring

The project is the continuing operation and expansion of a compost facility for windrow composting with a mobile chip and grind operation. These uses are allowed in the A-4 District with a valid Land Use Permit. Therefore, with approval of the Land Use Permit, the project will not conflict with existing zoning for agricultural use and will not result in conversion of farmland to non-agricultural use.

### Sources of Information

- Contra Costa County Ordinance Code, Title 8, Zoning Ordinance.
- Contra Costa County 2045 General Plan. *Land Use Element*.
- Williamson Act Contract, AP No. 13-77.
- California Department of Conservation. *Contra Costa County Important Farmland Map 2020*.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>3. AIR QUALITY – <i>Would the project:</i></b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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:

- a) *Would the project conflict with or obstruct implementation of the applicable air quality plan? (Less than Significant Impacts with Mitigation)*

The project site is within the San Francisco Bay Air Basin, which is regulated by the Bay Area Air Quality Management District (BAAQMD) pursuant to the *2017 Bay Area Clean Air Plan: Spare the Air, Cool the Climate* (CAP). The CAP serves as the regional Air Quality Plan for the Air Basin for attaining National Ambient Air Quality Standards (NAAQS) established by the United States Environmental Protection Agency (EPA). The EPA has established NAAQS for six of the most common air pollutants—carbon monoxide, lead, ground level ozone, particulate matter, nitrogen dioxide, and sulfur dioxide—known as “criteria pollutants”. The Air Basin is designated as nonattainment for State standards for 1-hour and 8-hour ozone, 24-hour respirable particulate matter 10 micrometers or less in diameter (PM<sub>10</sub>), annual PM<sub>10</sub>, and annual particulate matter 2.5 micrometers or less in diameter (PM<sub>2.5</sub>).

considered to result in a cumulatively considerable contribution to these regional air quality impacts.

The BAAQMD 2024 CEQA Guidelines include screening criteria for purposes of identifying development projects for potentially significant air quality impacts. 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, absent exclusionary conditions. As stated in section 3a, the compost facility will need to obtain an operating permit from Contra Costa Health. With the operating permit, the compost facility would be in compliance with the BAAQMD thresholds of significance.

Fugitive dust (PM<sub>10</sub> and PM<sub>2.5</sub>) would be generated during earthmoving activities but would largely remain localized near the project site. The BAAQMD does not recommend a numerical threshold for fugitive dust particulate matter emissions. Instead, the BAAQMD bases the determination of significance for fugitive dust on considering the control measures to be implemented. If all appropriate emissions control measures are implemented for a project as recommended by the BAAQMD, then fugitive dust emissions are not considered significant. **However, if emissions control measures are not implemented, fugitive dust could be significant during grading and other earthwork on the project site for both project operation and new construction, resulting in a potentially significant adverse environmental impact. Consequently, the applicant is required to implement mitigation measures Air Quality 1.**

**Air Quality 1:** The following dust control measures, as recommended by the Bay Area Air Quality Management District (BAAQMD), shall be implemented both during construction and project operation, and shall be included on all construction plans:

- All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and access roads) shall be watered at least two times per day and/or non-toxic soil stabilizers shall be applied to exposed non-paved surfaces.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered and/or shall maintain at least 2 feet of freeboard.
- All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- All trucks and equipment, including their tires, shall be washed off prior to leaving the site.

Projects that would site an odor source or a receptor farther than the applicable screening distance, shown in Table 1, would not likely result in a significant odor impact.

**Table 1: Odor Screening Distances**

Land Use/Type of Operation	Project Screening Distance
Wastewater Treatment Plant	2 miles
Wastewater Pumping Facilities	1 mile
Sanitary Landfill	2 miles
Transfer Station	1 mile
Composting Facility	1 mile
Petroleum Refinery	2 miles
Asphalt Batch Plant	2 miles
Chemical Manufacturing	2 miles
Fiberglass Manufacturing	1 mile
Painting/Coating Operations	1 mile
Rendering Plant	2 miles
Coffee Roaster	1 mile
Food Processing Facility	1 mile
Confined Animal Facility/Feed Lot/Dairy	1 mile
Green Waste and Recycling Operations	1 mile
Source: Bay Area Air Quality Management District., 2017. <i>Clean Air Plan</i> .	

The compost facility is in a non-urbanized agricultural area where there are no sensitive receptors within one mile of the project site. Also, the proposed project would not introduce sensitive receptors to the project site or the project area. As such, the proposed project would not become a source of odors near existing or planned sensitive receptors. Therefore, odor-related impacts would be less than significant.

#### **Sources of Information**

- [Final 2017 Clean Air Plan](#), 2024. *Spare the Air, Cool the Climate, Final 2017 Clean Air Plan*, Bay Area Air Quality Management District.
- [CEQA Thresholds and Guidelines Update](#), 2024. *CEQA Thresholds and Guidelines Update, 2022 CEQA Guidelines*, Bay Area Air Quality Management District.
- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information*.
- Integrated Waste Management Consulting, Inc., 2021, submitted October 4, 2021. *Draft Report of Composting Site Information, Oliveira Enterprises, Inc.*

Windrow composting currently occurs across two of the parcels south of Bethany Lane, including 124 Bethany Lane and 136 Bethany Lane. The compost facility does not include any part of the creek or restricted development area on the parcel at 124 Bethany Lane. Future windrow composting is proposed on the parcel at 148 Bethany Lane, also south of Bethany Lane. A future office, covered mulch storage, and uncovered mulch storage areas are proposed on the parcel at 131 Bethany Lane that is north of Bethany Lane. The project also includes creation of two water storage ponds, including a 2,960,000 gallon pond at 136 Bethany Lane and a 6,199,000 gallon pond at 148 Bethany Lane.

Due to the amount of ground disturbance at the current compost facility and the disked parcel east of the BBID water canal, and the avoidance of any compost facility activity within the restricted development area of the creek. It is highly unlikely that the project would affect any special-status plant species.

Regarding special-status wildlife species, in 2019, the California Department of Water Resources (DWR) completed an MND (State Clearinghouse No. 2019109084) for the repair and upgrade of the existing cap at the Old Banks Landfill, located approximately 1,380 feet northeast of Kelso Road, 1,295 feet west of Bruns Road, and approximately 2,500 feet (0.47 mile) west of the project site. The site was characterized by DWR as non-native grassland. DWR identified nine special-status wildlife species that may be adversely affected due to the immediate proximity of the Old Banks Landfill in relation to known occurrences of the special-status wildlife species. Special status species include those species:

- Listed as endangered or threatened under the Federal Endangered Species Act (FESA).
- Listed as endangered or threatened under the California Endangered Species Act (CESA).
- Designated as endangered or rare, pursuant to California Fish and Game Code Section 1901.
- Designated as fully protected, pursuant to California Fish and Game code Sections 3511, 4700, or 5050.
- Designated as a species of special concern by the California Department of Fish and Wildlife.

The nine special status wildlife species that may be adversely affected by the landfill cap repair and upgrade project include the California Tiger Salamander, California Red-Legged Frog, Western Pond Turtle, California Glossy Snake, San Joaquin Coachwhip, Burrowing Owl, California Horned Lark, American Badger, and San Joaquin Kit Fox.

California Tiger Salamander: The California Tiger Salamander is listed as Threatened under FESA. The species is also listed as Threatened under CESA per the California Natural Diversity Database (CNDDB) compiled by the California Department of Fish and Wildlife (CDFW). California Tiger Salamanders inhabit annual grasslands, open mixed woodlands and oak savanna, spending most of its life underground in small mammal burrows. Breeding occurs in

Burrowing Owl: The Burrowing Owl is identified as a Species of Special Concern in the CNDDDB and is found throughout California except at higher elevations. The Burrowing Owl primarily inhabits grasslands but is also found in desert and open shrub habitats. Burrowing Owls use burrows in areas with relatively short vegetation with sparse shrubs and can persist in human-altered landscapes. Individuals in agricultural environments nest along roadsides and water conveyance structures. According to DWR the closest recorded CNDDDB occurrence is 0.15 mile east of the landfill. DWR also stated that Burrowing Owls have been observed in the immediate vicinity of the landfill in Spring 2019. Thus, the compost facility parcels may be suitable areas for Burrowing Owl burrows.

California Horned Lark: The California Horned Lark is identified as a Watch List Species in the CNDDDB. The California Horned Lark has been observed in northern Baja California through California, in the Coast Range north to Humboldt County, and in the Central Valley. The California Horned Lark inhabits open areas dominated by sparse, low herbaceous vegetation or widely scattered low shrubs where it can forage on seeds and insects and nest in hollows on the ground. DWR reported that the closest recorded CNDDDB occurrence was 1.3 miles southeast of the landfill. Although the compost facility is currently operating on three parcels, and the fourth parcel east of the BBID water canal is regularly disked, there are opportunities for potential nesting and foraging habitat in the immediate vicinity of the project site.

American Badger: The American Badger is identified as a Species of Special Concern in the CNDDDB. American Badgers are found throughout California except the North Coast and can inhabit areas below sea level to over 12,000 feet. American badgers inhabit a variety of open, arid habitats but are most abundant in drier open stages of most shrub, forest, and herbaceous habitats with friable soils for burrowing. Natal dens are constructed in dry, sandy soil with sparse overstory. DWR reported that the closest recorded CNDDDB occurrence was 0.8 mile south of the landfill. The edges of the current compost facility and the edges of the fourth parcel may serve as habitat for the American Badger.

San Joaquin Kit Fox: The San Joaquin Kit Fox is listed as Endangered under FESA and Threatened under CESA. The San Joaquin Kit Fox is endemic to the Central Valley and inhabits areas from southern Kern County north to Contra Costa County. In the northern part of its range in the Contra Costa County area the fox occurs primarily in foothill grassland, valley oak savanna, and alkali grasslands. Dens, which are used for temperature regulation, shelter and protect them from adverse weather and predators. The dens are either dug by the foxes, are constructed by other animals, or consist of human-made structures (culverts, abandoned pipelines, or banks in sumps or roadbeds). Many dens may be used throughout the year, and individuals may change dens often. DWR reported multiple occurrences in the immediate vicinity of the landfill, with the most recent observation occurring in 1998. The edges of the current compost facility and the edges of the fourth parcel may serve as burrowing habitat, and there are opportunities for potential foraging and burrowing habitat in the immediate vicinity of the project site.

- J. Motorized equipment shall be kept clean and in good working condition and shall not be left idling while not in use for more than 5 minutes.
- K. Absorbent materials shall be available on-site. Any accidental leaks or spills shall be immediately cleaned up, and the equipment shall not return to the construction area until it has been repaired sufficiently to prevent further leaks or spills.

**Biological Resources 2:** To avoid and minimize impacts to the California Tiger Salamander and California Red-Legged Frog, the following measures shall be implemented in addition to the Biological Resources 1 measures.

- A. Construction will only be conducted during daylight hours and not during rain events.
- B. Any burrows or large cracks in the ground that will be temporarily impacted during construction will be covered with plywood to prevent collapse.

**Biological Resources 3:** To avoid and minimize impacts to the Burrowing Owl, the following measures shall be implemented in addition to the Biological Resources 1 measures.

- A. Prior to any ground disturbance related to project construction, the qualified wildlife biologist shall conduct a pre-construction survey in areas identified in the construction planning survey of Biological Resources 1 as having potential Burrowing Owl habitat. The survey will establish the presence or absence of the Burrowing Owl and/or habitat features and evaluate use by owls in accordance with CDFW survey guidelines.
- B. The qualified biologist shall survey the proposed disturbance site and a 250-foot radius from the perimeter of the disturbance site to identify burrows and owls. Adjacent parcels under different land ownership will not be surveyed. Surveys shall take place near sunrise or sunset in accordance with CDFW guidelines. All burrows or Burrowing Owls will be identified and mapped. During the breeding season (February 1– August 31), surveys will document whether Burrowing Owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1–January 31), surveys will document whether Burrowing Owls are using habitat in or directly adjacent to any disturbance area. Survey results will be valid only for the season (breeding or nonbreeding) during which the survey is conducted.
- C. If Burrowing Owls are found during the breeding season (February 1 – August 31), all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young shall be avoided. Avoidance will include the establishment of a non-disturbance buffer zone (described in D below). Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun

- i. If a San Joaquin kit fox is discovered within the project site, the den shall be monitored for 3 days by the qualified biologist using a tracking medium or an infrared beam camera to determine if the den is currently being used.
- ii. Unoccupied dens within the disturbance site shall be destroyed immediately to prevent subsequent use.
- iii. If a natal or pupping den is found, USFWS and CDFW shall be notified immediately. The den will not be destroyed until the pups and adults have vacated and then only after further consultation with USFWS and CDFW.
- iv. If kit fox activity is observed at the den during the initial monitoring period, the den shall be monitored for an additional 5 consecutive days from the time of the first observation to allow any resident animals to move to another den while den use is actively discouraged. For dens other than natal or pupping dens, use of the den can be discouraged by partially plugging the entrance with soil such that any resident animal can easily escape. Once the den is determined to be unoccupied it may be excavated under the direction of the biologist. Alternatively, if the animal is still present after 5 or more consecutive days of plugging and monitoring, the den may have to be excavated when, in the judgement of the biologist, it is temporarily vacant (i.e., during the animal's normal foraging activities).
- v. If dens are identified in the survey area outside the disturbance site, exclusion zones around each den entrance or cluster of entrances shall be demarcated. The configuration of exclusion zones should be circular, with a radius measured outward from the den entrance(s). No project activities will occur within the exclusion zones. Exclusion zone radii for potential dens will be at least 50 feet and will be demarcated with four to five flagged stakes. Exclusion zone radii for known dens will be at least 100 feet and will be demarcated with staking and flagging that encircles each den or cluster of dens but does not prevent access to the den by kit fox.

Implementation of the Biological Resources 1 through Biological Resources 4 mitigation measures would reduce the impacts on special-status wildlife species during new construction on the project site to less than significant levels.

- b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (No Impact)*

The project site is not located in a sensitive area shown on the California Fish and Wildlife Public Access Lands Map. Although not in an identified sensitive area, a creek is located in the western portion of the parcel at 124 Bethany Lane. As discussed in Environmental Checklist Section 4.a, there is no known riparian habitat within the existing creek bed, and the creek is located within a recorded restricted development area. Moreover, the compost facility does not

**Biological Resources 5:** If project grading or construction work is scheduled to take place between February 1 and August 31, a pre-construction nesting bird survey shall be conducted by a qualified biologist within 14 days of construction, covering a radius of 500 feet for non-listed raptors and 100 feet for non-listed passerines at all locations. Copies of the preconstruction survey shall be submitted to the Contra Costa County Department of Conservation and Development, Community Development Division (CDD) and the California Department of Fish and Wildlife (CDFW).

If an active bird nest is found within the survey radii, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. If an active nest is present, a minimum exclusion buffer of 100 feet shall be maintained during construction, depending on the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted prior to initiation of grading in the nest-setback zone. The qualified biologist shall serve as a biological monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. All buffers shall be shown on all sets of construction drawings.

Implementation of these mitigation measures would reduce the impact on the nesting birds to a less than significant level.

- e) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (No Impact)*

The Contra Costa County Tree Protection and Preservation Ordinance provides for the protection of certain trees by regulating tree removal while allowing for reasonable development of private property. The Ordinance applies to all agriculturally zoned parcels, such as the project site. The Ordinance requires tree alteration or removal to be considered as part of the project application.

The proposed project includes a future office and covered mulch storage on the parcel at 131 Bethany Lane, and the creation of two water storage ponds, including one pond at 136 Bethany Lane and a second pond at 148 Bethany Lane. At the time of application for a grading or building permit, trees on the project site would be evaluated to determine if any trees affected by construction activity would be protected under the Tree Protection and Preservation Ordinance. If any code-protected trees would be removed or have construction-related activity within their drip lines, the requirement for a Tree Permit will be evaluated by CDD staff pursuant to the Ordinance. Any tree permit approved for the proposed project would include conditions of approval for the restitution of any tree approved to be removed, protection of those trees where work may occur within the drip lines of the trees, and tree protection measures. As a result of CDD staff applying the Tree Protection and Preservation Ordinance to the proposed project, there would be no conflict with the Ordinance.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>5. CULTURAL RESOURCES – Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of 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) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to California Environmental Quality Act Guidelines Section 15064.5? (No Impact)*

Historical resources are defined in the California Environmental Quality Act Guidelines Section 15064.5 as a resource that fits any of the following definitions:

- It is listed in the California Register of Historic Places and has been determined to be eligible for listing by the State Historic Resources Commission;
- It 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
- It has been determined to be historically or culturally significant by a lead agency.

The compost facility is currently operating on three parcels of the project site, including 124 Bethany Lane, 131 Bethany Lane, and 136 Bethany Lane. A fourth parcel, 148 Bethany Lane, is located east of the BBID water canal that separates it from 136 Bethany Lane and is regularly disked. There is a creek running through the western portion of the parcel at 124 Bethany Lane within a recorded restricted development area. There is an office on 131 Bethany Lane and a single-family residence on 136 Bethany Lane. The project site and the structures are not in the State Historic Resources Inventory or the Contra Costa County Historic Resources Inventory.

The nearest historical resource is the John Marsh House in Brentwood, approximately 8.7 miles to the northwest of the project site, and therefore, continuing operation of the compost facility on the site will not have an impact on the John Marsh House.

- b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act Guidelines Section 15064.5? (Less than Significant Impact with Mitigation)*

The Northwest Information Center of the California Historical Resources Information System (CHRIS), submitted a letter dated November 1, 2021, stating that CHRIS has no record of any

No human remains or cemeteries are known to exist within or near the project site: however, there is a possibility that human remains could be present and accidental discovery could occur. Therefore, **future construction and/or grading activities on the site could result in a potentially significant adverse environmental impact due to disturbance of human remains. Consequently, the applicant is required to implement the following mitigation measures Cultural Resources 2.**

**Cultural Resources 2:** Should human remains be uncovered during grading, trenching, or other onsite 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 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 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 landowner for treatment and disposition of the ancestor's remains. The landowner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.

Implementation of this mitigation measure would reduce the impact on human remains during project construction to a less than significant level.

#### **Sources of Information**

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*
- Contra Costa County 2045 General Plan. *Conservation, Open Space, and Working Lands Element.*
- Contra Costa County, 2020. *Historical Resources Inventory*
- California Department of Conservation, 2025. *California Historical Resources.*
- California Historical Resource Information System, 2021. *Re: CDLP21-02042 / APNs 001-041-057 & 001-041-058 at 124 & 136 Bethany Lane / Brian Oliveira, November 1, 2021.*

- B. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

**Energy 2:** The following construction restrictions and requirements shall be implemented both during both project operation and new construction, and shall be included on all construction plans:

- A. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities 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:

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)

For specific details on the actual date the State and Federal holidays occur, please visit the following websites:

Federal Holidays: [Federal Holidays \(opm.gov\)](https://www.opm.gov)

California Holidays: [State Holidays \(ca.gov\)](https://www.ca.gov)

- B. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>7. GEOLOGY AND SOILS – <i>Would the project:</i></b>				
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? Refer to Division of Mines and Geology Special Publication 42.	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Less than Significant Impact)*

The California Geological Survey (CGS) has delineated Alquist-Priolo Earthquake Fault Zones along the known active faults in California. The nearest fault considered active by CGS is the Greenville Fault, which is mapped approximately 7.8 miles southwest of the project site. According to the California Earthquake Hazards Zone Application, implemented by the California Department of Conservation, the project site is not within

the report shall include evaluation of (iv) siting and design of the proposed bioswales and water storage ponds, and to address the hazard posed by seismic-related ground failure, (v) provide prevailing California Building Code seismic parameters. The required report shall provide specific criteria and standards for site grading, drainage and foundation design based on adequate subsurface data.

**Geology 2:** The geotechnical report required in Geology 1 shall be subject to review by the County Peer Review Geologist, and review and approval by the Contra Costa County Department of Conservation and Development, Community Development Division (CDD). Improvement, grading, and building plans shall carry out the recommendations of the approved report.

**Geology 3:** The geotechnical report required in Geology 1 routinely includes recommended geotechnical observation and testing services during construction. These services are essential to the success of the project. They allow the geotechnical engineer to (i) ensure geotechnical recommendations for the project are properly interpreted and implemented by contractors, (ii) allow the geotechnical engineer to view exposed conditions during construction to ensure that field conditions match those that were the basis of the design recommendations in the approved report, and (iii) provide the opportunity for field modifications of geotechnical recommendations with Contra Costa County Department of Conservation and Development, Building Inspection Division (BID) approval, based on exposed conditions. The monitoring shall commence during clearing, and extend through grading, placement of engineered fill, installation of recommended drainage facilities, and foundation related work. A hard hold shall be placed by the CDD on the "final" grading inspection for each residence, pending submittal of a report from the project geotechnical engineer that documents their observation and testing services during grading and drainage related improvements. Similarly, a hard hold shall be placed on the final building inspection for each residence by the CDD, pending submittal of a letter-report from the geotechnical engineer documenting the monitoring services associated with implementation of foundation-related geotechnical recommendations. The geotechnical monitoring shall include any pier hole drilling/ foundation preparation work/ installation of drainage improvements.

**Geology 4:** All grading, excavation and filling shall be conducted during the dry season (April 15 through October 15) only, and all areas of exposed soils shall be revegetated to minimize erosion and subsequent sedimentation. After October 15, only erosion control work shall be allowed by the grading permit. Any modification to the above schedule shall be subject to review and approval by the BID Grading Section.

Implementation of these mitigation measures would reduce the impact of liquefaction to a less than significant level.

combination with foundation and drainage design that is sensitive to the prevailing soils conditions. Thus, **expansive and corrosive soils on the project site could result in potentially significant impacts on the construction of new structures. Consequently, the project sponsor is required to implement mitigation measures Geology 1 through Geology 4.**

Implementation of these mitigation measures would reduce the impacts of expansive and corrosive soils to less than significant levels.

- e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Less than Significant Impact with Mitigation)*

As previously described, the project site is characterized by Brentwood clay loam and San Ysidro loam. Both Brentwood clay loam and San Ysidro loam have a permeability of 0.6 – 2.0 inches per hour, which is considered to be slow permeability and poses severe limitations for septic tanks. The project site currently has well water and a septic system that is permitted by the Contra Costa Health, Environmental Health Division. In order to issue a septic tank permit, the Environmental Health Division would review and inspect design plans for septic tanks ensure that the proposed septic system will not contaminate nearby surface and groundwater. However, the permitting process of the Environmental Health Division would not address the potential effect of the septic system on the groundwater basin. The project site is within the East Contra Costa Groundwater Basin. As shown on Figure COS-9 of the County General Plan Conservation, Open Space, and Working Lands Element, the project site is in an area of 70% to 90% threat to groundwater quality. Thus, **implementation of a new septic system on the project site could result in a potentially significant adverse environmental impact on the groundwater basin. Thus, the applicant is required to implement the following mitigation measure Geology 5.**

**Geology 5:** If a new septic system is proposed on the project site, the geotechnical report required in Geology 1 shall include evaluation of the effect of the effluent on the elevation of the water table. This task consists of several components: (i) review of the septic system plans, (ii) review of the effect of the anticipated volume of effluent on the elevation of the water table, (iii) performing a sufficiently broad-scoped investigation to adequately characterize subsurface conditions, and (iv) design-level recommendations for the septic system, as warranted.

Implementation of this mitigation measure would reduce the groundwater basin impact to a less than significant level.

- f) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Less than Significant Impact with Mitigation)*

Although there are no known unique paleontological resources or geologic features on the project site, **there is a possibility that buried fossils and other paleontological resources or hidden geologic features could be present on the project site and accidental discovery could**

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>8. GREENHOUSE GAS EMISSIONS – Would the project:</b>				
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"/>
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) *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Less than Significant Impact)*

Greenhouse gases are gases that trap heat in the atmosphere and contribute to global climate change. Greenhouse gases include gases such as carbon dioxide, methane, nitrous oxide, and various fluorocarbons commonly found in aerosol sprays. Typically, a single residential or commercial construction project in the County would not generate enough greenhouse gas (GHG) emissions to substantially change the global average temperature; however, the accumulation of GHG emissions from all projects both within the County and outside the County has contributed and will contribute to global climate change.

In an effort to reduce California’s contribution to climate change, the State Legislature enacted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires that California cap its GHG emissions at 1990 levels by 2020. Locally, the Contra Costa County Board of Supervisors adopted the Climate Action Plan in December 2015. Subsequently, the Board of Supervisors adopted the Contra Costa County Climate Action and Adaptation Plan 2024 Update on November 5, 2024. The 2024 Update is based on earlier sustainability and energy efficiency efforts in the County and includes a number of GHG emission reduction strategies that support energy efficiency. Strategy NI-4, Sequester carbon on natural and working lands in Contra Costa County, applies to the compost facility. Strategy NI-4 includes the following action: “Promote regenerative agricultural and landscaping techniques that incorporate cover crops, mulching, compost application, field borders, alley cropping, conservation crop rotation, prescribed grazing, and reduced tillage to promote healthy soil and soil conservation.”

On October 11, 2023, Integrated Waste Management Consulting submitted an email forwarding an email from the Alameda County Waste Management Authority. In its email, StopWaste states that instituting carbon farming at the Altamont Property by applying 3,500+ cubic yards of compost on 100+ acres, has increased soil carbon concentrations by 1.2 tons/acre-year. StopWaste further states that the Oliveira compost facility provided 1,700 cubic yards of compost material. Thus, the continuing operation of a compost facility on the project site would be consistent with the strategies of the adopted Climate Action and Adaptation Plan 2024 Update and would have a less than significant impact with respect to the generation of GHG.

Environmental Issues		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>9. HAZARDS AND HAZARDOUS MATERIALS – <i>Would the project:</i></b>					
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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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"/>

**SUMMARY:**

- a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Less Than Significant Impact)*

Planned future expansion of the compost facility would have associated use of fuels, lubricants, paints, and other construction materials during the construction period. On November 15, 2021, Contra Costa Health, Hazardous Materials Programs submitted an email stating that project construction may be subject to regulations requiring a Hazardous Materials Building Plan (HMBP). Contra Costa County Ordinance Code Chapter 450-2 provides regulations administered by Contra Costa Health, regarding hazardous material response plans, inventories, and risk management. Contra Costa County Ordinance Code Section 450-2.008(b) requires the establishment of a HMBP, if necessary, that specifies the use, quantities, storage, transportation, disposal and upset conditions for hazardous materials in accordance with state and county regulations. Thus, an HMBP may be required to ensure no significant public exposure from the operation of a compost facility on the project site. If the project is approved, a Condition of Approval will require evidence that it has complied with County Code Chapter 450-2 prior to

information, used by the State, local agencies and developers to comply with the California Environmental Quality Act. Considering that neither the project site nor the surrounding area is identified on the Cortese list, the project would expectedly have no impacts relating to hazardous materials sites.

- 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? (Less Than Significant Impact)*

The project site is located approximately 1.55 miles southeast of Byron Airport and is an area covered by the Contra Costa County Airport Land Use Compatibility Plan. The Contra Costa County Airport Land Use Compatibility Plan serves to promote compatibility between the airports of Contra Costa County and the land uses that surround them. In a letter dated December 17, 2021 letter, Airport Land Use Commission staff recommended that the project be evaluated under the Federal Aviation Administration (FAA) Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) to determine that no hazards to air navigation are created as a result of the proposed windrow composting. In a letter dated December 28, 2022, the OE/AAA states that the project has the potential to attract hazardous wildlife on or near the public-use airport and should adhere to the policies of Advisory Circular 150/5200-33. Section 2.2.5 addresses composting operations on or near airport properties and states that off-airport composting operations should be located no closer than 1,200 feet from any aircraft operations area. The existing compost facility is approximately 7,320 feet from the nearest portion of Byron Airport and thus the project will have less than a significant impact on potential hazards for the nearby public use airport.

- f) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Less Than Significant Impact)*

The project site on Bethany Lane is accessed from Bruns Road which connects with Byron Highway. As shown on Figure TR-4 of the County General Plan Transportation Element, Byron Highway is a County-designated arterial roadway that would be used in the event of an emergency requiring evacuation of the local neighborhood. Since the project does not involve any roadway modifications, and work within a public right-of-way would be subject to review by the Contra Costa County Public Works Department to ensure that such work will not disrupt vehicular travel on public roadways, the project is expected to have a less than significant impact on the implementation of an adopted emergency evacuation plan.

- g) *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Less Than Significant Impact)*

The parcel at 124 Bethany Lane is in the High Fire Hazard Severity Zone (FHSZ) in a State Responsibility Area (SRA), and the parcels at 131 and 136 Bethany Lane are in the Moderate and High FHSZs in an SRA, while the parcel at 148 Bethany Lane is in a Moderate FHSZ within a Local Responsibility Area (LRA) with the northern edge in a Non-Wildland Non-Urban zone

Environmental Issues		Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>10. HYDROLOGY AND WATER QUALITY – <i>Would the project:</i></b>					
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:				
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) *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (Less than Significant Impact)*

The project includes future windrow composting on the parcel at 148 Bethany Lane; a future office, covered mulch storage, and uncovered mulch storage areas on the parcel at 131 Bethany Lane; and creation of two water storage ponds, including one pond at 136 Bethany Lane and a second pond at 148 Bethany Lane. This construction would occur over approximately 48 acres and would be regulated pursuant to the National Pollution Discharge Elimination System (NPDES) program. The State Water Resources Control Board (SWRCB) has adopted a statewide General Permit that applies to most storm water discharges associated with construction activity. Pursuant to the General Permit, if the proposed construction activity would disturb more than one acre of land, an applicant would be required to develop and implement a Storm Water Pollution Prevention Plan (SWPPP) that includes Best Management Practices

The agricultural activities on 89-acre Oliveira Enterprises property rely on existing well water, and the addition two water storage ponds that would be created as part of the project. The primary agricultural activities include windrow composting, curing and product storage, and mulch storage. The use of an onsite well is regulated by the Contra Costa Health, Environmental Health Division, and must comply with the applicable standards, including, setback, sustained yield, water quality, and construction. Accordingly, the potential impact of the project on groundwater supplies would be less than significant.

The future water storage ponds and bioswales, along with pervious windrow composting areas, uncovered storage areas, and parking areas, would facilitate groundwater recharge and help offset new impervious surface area on the project site. Thus, the proposed project would have a less than significant impact on groundwater recharge.

- c) *Would the project substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

- i) *Result in substantial erosion or siltation on- or off-site? (Less than Significant Impact)*

As discussed in Environmental Checklist Section 7.b, runoff from Brentwood clay loam is slow and there is no hazard of erosion where the soil is tilled and exposed, and runoff from San Ysidro loam is slow and there is a slight hazard of erosion where the soil is tilled and exposed. Given the continuing operation of the site as a compost facility, there will not be any substantial erosion. Incorporation of the applicable geotechnical measures including drainage related improvements as described in Environmental Checklist Section 7.a.iii would further reduce the environmental impact related to substantial soil erosion.

- ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Less than Significant Impact)*

The project includes future windrow composting on the parcel at 148 Bethany Lane, and a future office, covered mulch storage, and uncovered mulch storage areas on the parcel at 131 Bethany Lane. As discussed above in Environmental Checklist Section 10.a, the applicant has submitted a preliminary SWCP, whereby storm water runoff would be collected from impervious surfaces that would be created on the project site and directed to multiple bioswales along the northern and eastern perimeter areas of the property. The Public Works Department will review the SWCP for compliance with the collect and convey drainage requirements of Division 914 of the County Ordinance Code. Through compliance of the project with the requirements of Division 914, the project would have a less than significant impact on surface runoff.

- iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Less than Significant Impact)*

of a seiche in the Bethany Forebay could extend onto the three parcels of the currently operating compost facility. As discussed in Environmental Checklist Section 9.b, aside from cow manure, project operation does not involve the handling, use, or storage of substances that are considered hazardous. As a result, the risk of release of pollutants due to inundation of the compost facility would be less than significant.

- e) *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Less than Significant Impact)*

As discussed in Environmental Checklist Section 10.a above, the applicant would be required to develop and implement a SWPP that includes BMPs to reduce potential impacts to surface water quality during construction on the project site. If the project is approved, a Condition of Approval will require the applicant to submit evidence that coverage under the State Water Resources Control Board Construction General Permit has been obtained prior to issuance of a building permit. In addition, the project is required to comply with the requirements of Division 914 of the County Ordinance Code. With development and implementation of the SWPP and compliance of the project with the requirements of Division 914, the project would not conflict with a water quality control plan or groundwater management plan.

#### **Sources of Information**

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*
- Integrated Waste Management Consulting, Inc., 2021, submitted October 4, 2021. *Draft Report of Composting Site Information, Oliveira Enterprises, Inc.*
- Contra Costa County Ordinance Code, Title 9, Division 914. *Drainage.*
- Contra Costa County Ordinance Code, Title 10, Division 1014. *Stormwater Management and Discharge Control.*
- United States Department of Agriculture, Soil Conservation Service, 1977. *Soil Survey of Contra Costa County, California.*
- [Web Soil Survey](#), 2025. *USDA Web Soil Survey.*
- [FEMA Flood Map Service Center | Search By Address](#), 2025. *FEMA (Federal Emergency Management Agency), Flood Map 06013C0530G, effective 03/21/2017.*
- California Emergency Management Agency, 2009. *Tsunami Inundation Maps for Emergency Planning: Richmond Quadrangle/San Quentin Quadrangle, Mare Island Quadrangle, Benicia Quadrangle.*
- Contra Costa County 2045 General Plan. *Health and Safety Element.*
- [Dam Breach Inundation Map Web Publisher](#), 2025. *California Department of Water Resources, Bethany Forebay Dam Breach Inundation Map.*

## Zoning

As discussed in Environmental Checklist Section 2.b, the project site is in the A-4 Agricultural Preserve District and is under existing Williamson Act Contract, AP No. 13-77. In the A-4 District, permitted uses include agricultural and compatible uses designated in writing in the Williamson Act Contract. In addition, uses requiring a Land Use Permit in the A-4 District includes commercial facilities for creating value-added farm products, and related commercial agricultural uses including sheds, warehouses and other buildings for the storage of agricultural products and equipment. The project includes the continuing operation and expansion of a compost facility for windrow composting with a mobile chip and grind operation. **The compost facility and structures would be in conflict with Exhibit B of the existing Williamson Act Contract AP, No. 13-77, resulting in a potentially significant adverse environmental impact. Consequently, the applicant is required to implement mitigation measure Agricultural Resources 1**

Implementation of the Agricultural Resources 1 mitigation measure would reduce the impact of the conflict with the Williamson Act contract to a less than significant level.

## Sources of Information

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*
- Contra Costa County 2045 General Plan. *Land Use Element.*
- Contra Costa County 2045 General Plan. *Public Facilities and Services Element.*
- Contra Costa County Ordinance Code, Title 8, *Zoning Ordinance.*
- Williamson Act Contract, AP No. 13-77.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>13. NOISE – Would the project:</b>				
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 checked="" type="checkbox"/>	<input type="checkbox"/>

### **SUMMARY:**

- a) *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Less than Significant Impact with Mitigation)*

Community Noise Exposure Levels are shown in Table HS-3 of the County General Plan's Health and Safety Element. Lots in the area around the project site are primarily agricultural in nature with the exception of the BBID property at 7995 Bruns Road, which includes an office building. The project site itself is in operation as a compost facility but includes an office on 131 Bethany Lane and a single-family residence on 136 Bethany Lane. Table HS-3 shows that levels of 60 dB or less are normally acceptable and noise levels up to 70 dB are conditionally acceptable for residential uses, and levels of 65 dB or less are normally acceptable and noise levels up to 75 dB are conditionally acceptable for office uses.

Noise from the operation of the compost facility would be primarily from the mobile chip and grind operation. This equipment is estimated to produce noise levels of approximately 81 dB at a distance of 50 feet. During construction of the future office, covered mulch storage, and water storage ponds, there may be periods of time where there would be loud noise from construction equipment, vehicles, and tools. The maximum projected noise level of construction equipment operating on the project site could be up to 88 dBA at a distance of 50 feet. **Although the grading and construction activities, and operation of the chip and grind equipment would be temporary, the activities could have a potentially significant noise impact on the onsite residence and the BBID office. Consequently, the applicant is required to implement the following mitigation measures.**

- Howard County Council, 2007. *Typical Equipment Noise Levels*.
- Bolt, Beranek, and Newman, 1971. *Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances*. U.S.E.P.A. Office of Noise Abatement and Control, Contract 68-04-0047.
- City of Los Angeles, 2023. *Sunset & Everett Project, Vibration Technical Report*.
- Contra Costa County Airport Land Use Commission. 2021. *RE: Application Review – Oliveira Composting Facility, December 17, 2021*.
- Contra Costa County. 2022. *Byron Airport Compatibility Policies, July 2022*.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>14. POPULATION AND HOUSING – Would the project:</b>				
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) *Would the project induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (Less than Significant Impact)*

The 89-acre project site is an operating compost facility with one onsite single-family residence. The continuing operation of the compost facility will not add any new residence to the site. The compost facility that currently operates on 62.52 acres of the 89-acre Oliveira Enterprises property (124 Bethany Lane, 131 Bethany Lane, 136 Bethany Lane). Expansion of the facility onto the 26.48 acre parcel at 148 Bethany Lane will increase the size of the compost facility by 42%. As discussed in Environmental Checklist Section 17.a, , the compost facility currently has 30 incoming one-way vehicle trips per day to the project site including employees, deliveries, regulatory visits, etc. Therefore, for a conservative estimate, assuming there are currently 30 employees at the facility, the expanded facility could have 13 additional employees. Nearby places to live in Contra Costa County would be in the 94513 (Brentwood), 94514 (Byron), and 95391 (Tracy) zip code areas. Based on the US Census 2020 estimate of 3.73 persons per household for the Tracy zip code area rather than 3.07 persons per household for the Brentwood zip code area or 2.15 persons per household for the Byron zip code area, the employee-based population addition would be 49 persons. These persons could live in the Brentwood, Byron, or Tracy zip code areas. Using Census 2020 data, an estimated 67,394 persons live in the Brentwood zip code area, 1,248 persons live in the Byron zip code area, and 24,709 persons live in the Tracy zip code area. Assuming all additional employees and their families move into these zip code areas, the population of the Brentwood zip code area could increase by 0.07%, the

provided by Station 99 located at 1685 Bixler Road (9.2 miles driving distance to the north). Expansion of the compost facility is required to comply with the applicable provisions of the 2022 California Fire Code, the 2022 California Building Code, and applicable Contra Costa County Ordinances that pertain to emergency access, fire suppression systems, and fire detection/warning systems. Prior to the issuance of building permits, the construction drawings would be reviewed and approved by the CCCFPD. As a result, potential impacts of the proposed project on fire protection would be less than significant.

b) *Police Protection? (Less than Significant Impact)*

Police protection and patrol services in the Byron area and the project vicinity are provided by the Contra Costa County Sheriff's office. In addition to regular patrol service, the Sheriff's Office Delta Station is located at 9100 Brentwood Boulevard (11.3 miles driving distance to the northwest). The compost facility is currently existing in a sparsely populated agricultural area. Therefore, expansion of the facility would not be expected to significantly affect the provision of police services to the Bruns Road neighborhood. Thus, the project will have a 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) *Schools? (Less than Significant Impact)*

The Byron Union School District and Liberty Union High School District provide public education services from kindergarten to 12th grade to students in the project vicinity. Students in this area would attend Discovery Bay Elementary School located at 1700 Willow Lake Road (10.2 miles driving distance to the north), Excelsior Middle School located at 14301 Byron Highway (6.7 miles driving distance to the northwest), and Liberty High School located at 850 2<sup>nd</sup> Street (12.7 miles driving distance to the northwest). The enrollment at Discovery Bay Elementary School is 407 students; the enrollment at Excelsior Middle School is 428 students; and the enrollment at Liberty High School is 2,786 students.

Indirectly, as described in Environmental Checklist Section 14.a, the project could result in a maximum increase of 49 person in the Brentwood and/or Byron and/or Tracy zip code area. Based on Census 2020 data, 24.40% of the population of the Brentwood zip code area, 38.14% of the population of the Byron zip code area, and 29.67% of the population of the Tracy zip code area would be between the ages of 5 and 19 years old. Therefore of the 49 new persons associated with the project, at most 19 persons would be between the ages of 5 and 19 years old. Assuming all 19 persons would be attending Discovery Bay Elementary School, Excelsior Middle School, or Liberty High School, the project-related increase in enrollment would be at most 4.67%. However, it is unlikely that all of the additional employees or their families would live in the Byron zip code area due the limited number of residences within this zip code. Therefore, the corresponding project-related increase in enrollment at any school would be less than 4.67%. Accordingly, school impacts would be expected to be less than significant.

- [Parks, Recreation, & Community Services Department | City of Tracy, CA](#), 2025. *City of Tracy, Parks, Recreation, & Community Services Department*.
- [Locations | Contra Costa County Library](#), 2025. *Contra Costa County Library, Locations*.
- [Health Centers & Clinics | Contra Costa Health](#), 2025. *Contra Costa Health, Health Centers & Clinics*.

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>16. RECREATION</b>				
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) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Less than Significant Impact)*

As discussed in Environmental Checklist Section 15.d, the continuing operation and expansion of the compost facility project does not include any park facility. As a result, persons residing on the project site, and project employees and their families, would use parks in the City of Brentwood and/or in the Town of Discovery Bay and/or in the City of Tracy. These parks provide recreational facilities such as playgrounds, picnic and barbecue areas, and youth and adult recreational programs. In addition to these recreational facilities, the Bethany Reservoir State Recreation Area in northeastern Alameda County, administered by California State Parks, provides 608 acres of reservoir and open space that provide opportunities for activities such as hiking, boating, fishing, picnicking, and sailing. As described in Environmental Checklist Section 14.a, the project could result in a maximum increase of 49 person in the Brentwood and/or Byron and/or Tracy zip code area. Given the number of parks in the Brentwood-Discovery Bay and Tracy areas, and the Bethany Reservoir State Recreation Area, the impacts of 49 additional persons induced by the proposed project on neighborhood and regional parks would be less than significant.

- 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? (No Impact)*

single-family residences, the existing single-family residence on the project site generates a total of 2 (1 AM and 1 PM) peak hour trips. Thus, there would be 31 total peak-hour trips for the project site. Accordingly, a project-specific traffic impact analysis is not required. Since the project would yield less than 100 AM or PM peak hour trips, the proposed project would not conflict with circulation in the Bruns Road area.

- b) *Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b)? (Less than Significant Impact)*

The Transportation Analysis Guidelines include the following screening criteria for new development projects. If the proposed new development project meets the screening criteria, the project would be expected to have a less than significant impact and would not require VMT (Vehicle Miles Traveled) analysis.

- i. Projects that:
  - a. Generate or attract fewer than 110 daily vehicle trips; or,
  - b. Projects of 10,000 square feet or less of non-residential space or 20 residential units or less, or otherwise generating less than 836 VMT per day.
- ii. Residential, retail, office projects, or mixed-use projects proposed within ½ mile of an existing major transit stop or an existing stop along a high-quality transit corridor.
- iii. Residential projects (home-based VMT) at 15% or below the baseline County-wide home-based average VMT per capita, or employment projects (employee VMT) at 15% or below the baseline Bay Area average commute VMT per employee in areas with low VMT that incorporate similar VMT reducing features (i.e., density, mix of uses, transit accessibility).
- iv. Public facilities (e.g. emergency services, passive parks (low-intensity recreation, open space), libraries, community centers, public utilities) and government buildings.

The proposed project is the continuing operation and expansion of a compost facility that currently generates 138 daily trips. Expansion of the compost facility that currently operates on 62.52 acres of the 89-acre Oliveira Enterprises property (124 Bethany Lane, 131 Bethany Lane, 136 Bethany Lane) onto the 26.48 acre parcel at 148 Bethany Lane will increase the size of the compost facility by 42%. Therefore, a conservative estimate of 59 new daily vehicle trips would be generated by expanding the compost facility onto all 89 acres of the project site. Therefore, a VMT analysis is not required. Accordingly, the proposed project with expansion of the compost facility would have a less than significant transportation impact and would be consistent with CEQA Guidelines Section 15064.3(b).

- c) *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (No Impact)*

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>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></b>				
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>

### **SUMMARY:**

- 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)?? (No Impact)*

As discussed in Environmental Checklist Section 5, the project site is in use as a compost facility on three of the parcels and the fourth parcel is an agricultural parcel that is regularly disked. There is an office on 131 Bethany Lane and a single-family residence on 136 Bethany Lane. The project site and the structures are not in the State Historic Resources Inventory or the Contra Costa County Historic Resources Inventory.

- b) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (Less than Significant Impact with Mitigation)*

As discussed in Environmental Checklist Sections 5.b, 5.c, and 7.f above, **buried cultural resources could be present on the project site. Therefore, future construction and/or grading activities on the site could result in accidental discovery of archaeological resources, human remains, buried fossils and other paleontological resources, or hidden geologic features during grading and other earthwork on the site, resulting in a potentially significant impact. Thus, the project sponsor is required to implement the mitigation measures of Cultural Resources 1 and Cultural Resources 2.**

Implementation of these mitigation measures would reduce the adverse environmental impact on archaeological resources, human remains, buried fossils and other paleontological resources, or hidden geologic features to a less than significant level.

### **Sources of Information**

- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information.*

Under the SWCP, storm water runoff would be collected from impervious surfaces that would be created on the project site, including the future office, covered mulch storage, and hardscape, and directed to multiple bioswales along the northern and eastern perimeter areas of the property. The windrow composting and uncovered storage areas would be self-treating and allow the areas to continue to percolate rainfall into the ground, with excess runoff draining as sheet flow towards the bioswales. The SWCP is subject to review and approval by the Contra Costa County Public Works Department. With implementation of the SWCP, project operations would have a less than significant impact on water quality and water discharge.

Regarding the septic system, as discussed in Environmental Checklist Section 7.e, the project site is within the East Contra Costa Groundwater Basin in an area of 70% to 90% threat to groundwater quality. Thus, **implementation of a new septic system on the project site could result in a potentially significant adverse environmental impact on the groundwater basin. Thus, the applicant is required to implement the Geology 5 mitigation measure.**

Implementation of this mitigation measure would reduce the groundwater basin impact to a less than significant level.

- b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? (Less than Significant Impact)*

The project site is in an agricultural area that is not served by any municipal water system, and therefore, the project would have no effect on water facilities. Similar to other land uses in the vicinity, the proposed project would use an on-site groundwater well. The well is subject to review and approval by the Environmental Health Division. Accordingly, the impact of providing water to the proposed project would be less than significant.

- c) *Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (No impact)*

The project site is in an agricultural area that is not served by any wastewater system, and therefore, the project would have no effect wastewater treatment facilities. Thus, there would be no impact to any wastewater treatment provider.

- d) *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (Less than Significant Impact)*

The project is the continuing operation and expansion of a compost facility for windrow composting with a mobile chip and grind operation. The facility processes organic waste that might have otherwise been taken directly to a landfill for disposal. Facilities that recover materials that would otherwise be disposed of as waste usually receive a fraction of "contamination" which is mixed into incoming loads. Contamination for a compost facility may

- e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (No Impact)*

The proposed project would be required to comply with applicable federal, state, and local laws related to solid waste. Continuing operation and expansion of the compost facility would not conflict with existing regulations applicable to solid waste. Similarly, construction of the future office and covered mulch storage would not result in the generation of unique types of solid waste that would conflict with existing regulations applicable to solid waste. Thus, the project would have no impact.

#### **Sources of Information**

- Contra Costa County 2045 General Plan. *Public Facilities and Services Element*.
- Integrated Waste Management Consulting, Inc., 2021, submitted October 4, 2021. *Draft Report of Composting Site Information, Oliveira Enterprises, Inc.*
- Geo-Logic Associates, 2021, submitted August 31, 2023. *Oliveira Enterprises Inc. Compost Facility, Report of Composting Site Information*.
- [CalGreen-Construction-Demolition-Debris](#), 2025. *Contra Costa County, Conservation and Development Department, CalGreen / Construction & Demolition (C&D) Debris Recovery Program*.
- [Approved-CD-Processing-Facilities](#), 2025. *Contra Costa County, Approved Construction & Demolition (C&D) Processing Facilities*.
- [Franchise-Agreements](#), 2025. *Contra Costa County, Franchise Agreements*.
- [Waste Hauler Map](#), 2025. *Contra Costa County, Waste Hauler Area Map*.

- c) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (Less than Significant Impact)*

Much of the project site is in a High FHSZ in a SRA or Moderate FHSZ in a SRA, with most of the portion east of the BBID water canal in a Moderate FHSZ in an LRA. Prevailing winds in the Byron area are generally from the west-southwest, with wind speeds of generally 10-20 mph with wind gusts that can be up to 25-35 mph. Given these conditions, there would be a risk of wildfire spreading onto the project site primarily from the west-southwest. However, there are a number of offsetting factors that reduce wildfire risks, including California Department of Water Resources facilities (California State Aqueduct, Bethany Forebay, Banks Pumping Station) located southwest of the site; the BBID water canal that runs through the portion of the site south of Bethany Lane and borders the parcel north of Bethany Lane to the north and the east; the primarily agricultural lots in the surrounding area; and the relatively flat topography of the site and surrounding area. Moreover, as discussed in Environmental Checklist Section 20.a, expansion of the compost facility is required to comply with the applicable provisions of the 2022 California Fire Code, the 2022 California Building Code, and applicable Contra Costa County Ordinances that pertain to emergency access, fire suppression systems, and fire detection/warning systems. Accordingly, access to and from the compost facility would be reviewed and approved by the CCCFPD and would not be substantially encumbered due to a wildfire and persons on the project site would be able to readily evacuate if necessary. Therefore, wildfire risk to the project employees and occupants of the single-family residence on the project site would be less than significant.

- d) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (Less than Significant Impact)*

As discussed in Environmental Checklist Section 20.b above, the expansion of the compost facility would be reviewed and approved by the CCCFPD. Compliance with all Fire Protection District requirements would ensure that temporary or ongoing impacts to the environment due to wildfires would be less than significant.

- e) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (Less than Significant Impact with Mitigation)*

In Environmental Checklist Sections 7.a.iii and 7.c, **construction of new structures on the project site would create potentially significant impacts due to liquefaction. The risks of liquefaction could be exacerbated by post-fire-related conditions. Accordingly, the project sponsor is required to implement mitigation measures Geology 1, Geology 2, Geology 3, and Geology 4.**

Implementation of these mitigation measures would reduce wildfire risks due to liquefaction to less than significant levels.

would have potentially significant impacts on agricultural resources, air quality, special-status wildlife species and nesting birds, buried archaeological and paleontological resources and human remains, energy resources, and the groundwater basin. Mitigation measures, including Agricultural Resources 1, Air Quality 1, Biological Resources 1 through 5, Cultural Resources 1, Cultural Resources 2, Energy 1, Energy 2, and Geology 5, are proposed in this Environmental Checklist that address these potentially significant impacts. If the proposed project is approved, the mitigation measures will be conditions of approval of the proposed project and the Project Sponsor will be responsible for implementation of the measures. With implementation of the mitigation measures, project impacts will be less than significant.

- 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.) (Less than Significant Impact)*

The continuing operation and expansion of the compost facility would not create substantial cumulative impacts. The compost facility is currently operating on three parcels of the four-parcel Oliveira Enterprises property. A future office and covered mulch storage would be constructed within the current facility, along with creation of an uncovered mulch storage area and a water storage pond. Future windrow composting would be developed on the fourth parcel along with creation of a second water storage pond. The expansion of the facility on land under a Williamson Act Contract in a predominantly agricultural area would not be expected to create substantial cumulative impacts. Thus, the proposed project would be consistent with the existing agricultural land use and would have less than significant cumulative impacts.

- c) *Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (Less than Significant Impact with Mitigation)*

This Environmental Checklist has disclosed impacts that would be less than significant with the implementation of mitigation measures. These mitigation measures are required in the conditions of approval for the proposed project, and the applicant would be responsible for implementation of the mitigation measures. As a result, there would not be any environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

## **ATTACHMENTS**

- 1. Vicinity Map**
- 2. Project Plans**



NOTES

**DOLIVEIRA ENTERPRISES INC., COMPOST FACILITY**  
**REPORT OF COMPOSTING SITE INFORMATION**

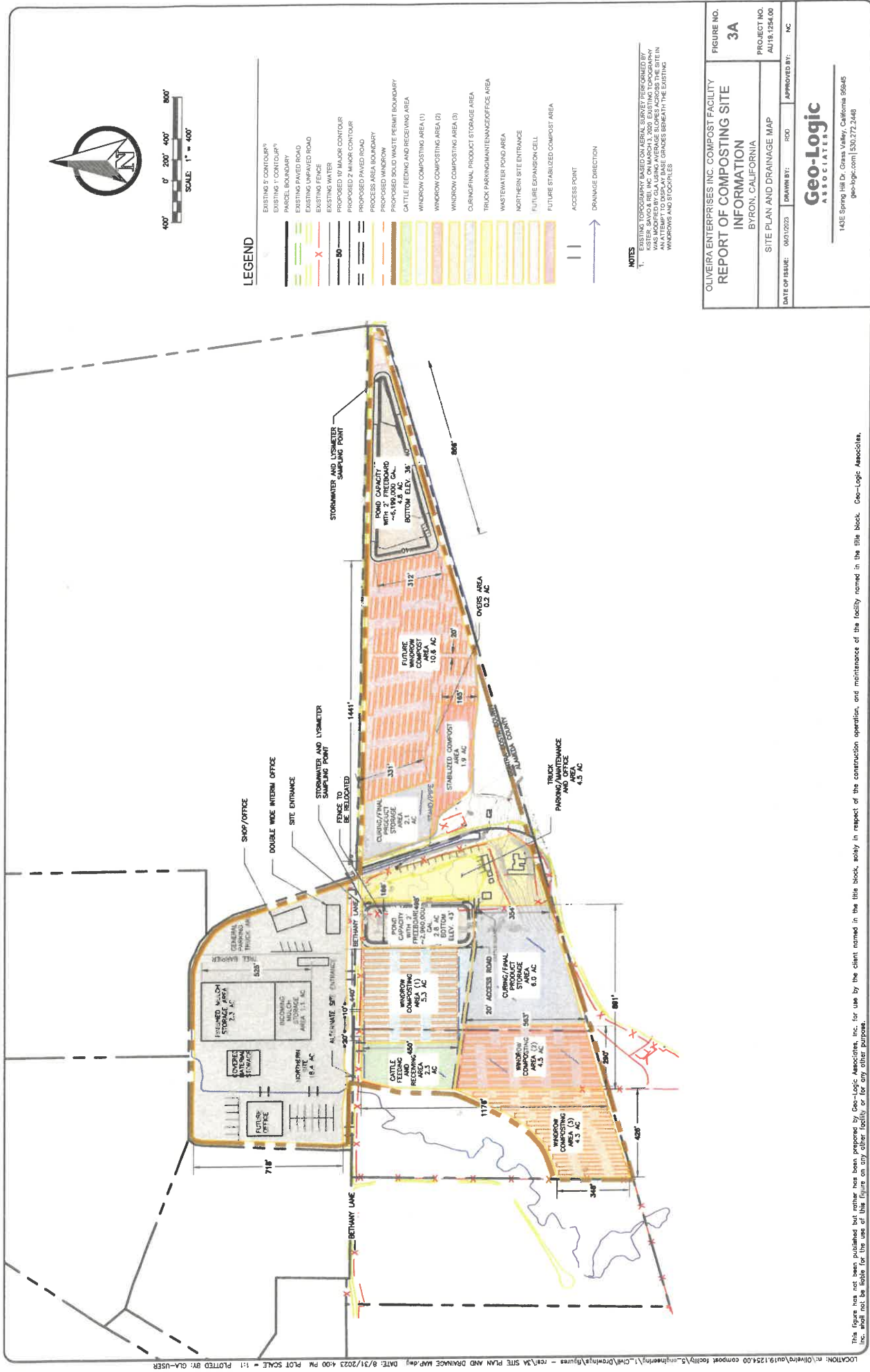
BYRON, CALIFORNIA	PROJECT NO. AU19.1254.00
VICINITY MAP	

OF ISSUE:	07/16/2021	DRAWN BY:	RDO	APPROVED BY:	NC
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143E Spring Hill Dr, Grass Valley, California 95945  
geo-logic.com | 530 272 2448

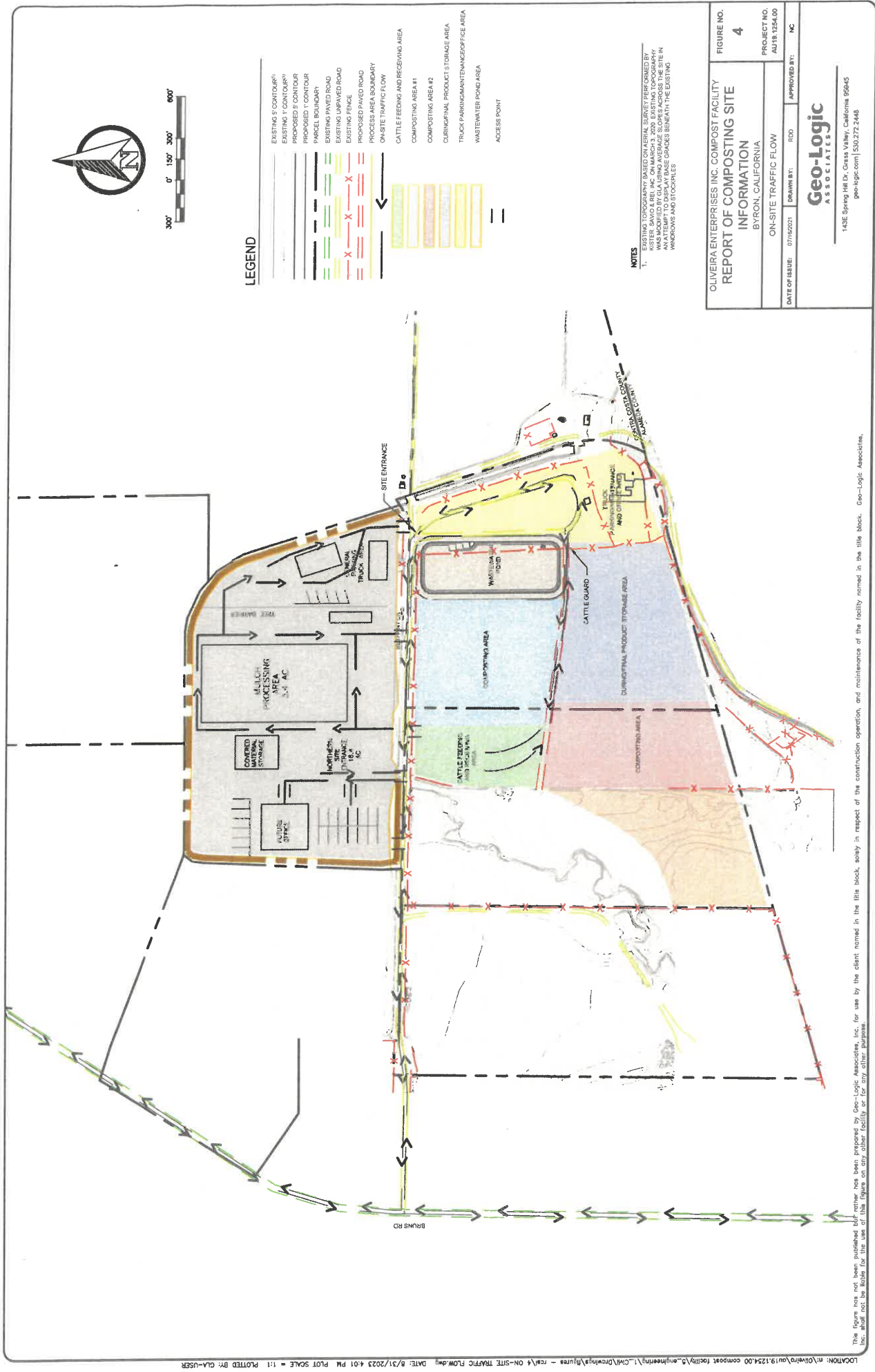
**RECEIVED** on 08/31/2023 CCLP21-02042  
By Contra Costa County  
Department of Conservation and Development

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LOCATION: n:\Oliveira\0611254-00 compost facility\3-01\Drawings\3A-01\3A SITE PLAN AND DRAINAGE MAP.dwg DATE: 6/1/2023 4:00 PM PLOT SCALE = 1:1 PLOTTED BY: CLM-USR

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**LEGEND**

- EXISTING 5' CONTOUR
- EXISTING 1' CONTOUR
- PROPOSED 5' CONTOUR
- PROPOSED 1' CONTOUR
- PARCEL BOUNDARY
- EXISTING PAVED ROAD
- EXISTING UNPAVED ROAD
- EXISTING FENCE
- PROPOSED PAVED ROAD
- PROPOSED FENCE
- PROCESS AREA BOUNDARY
- ON-SITE TRAFFIC FLOW
- CATTLE FEEDING AND RECEIVING AREA
- COMPOSTING AREA #1
- COMPOSTING AREA #2
- CURING/STORAGE AREA
- TRUCK PARKING/MAINTENANCE/OFFICE AREA
- WASTEWATER POND AREA
- ACCESS POINT

**NOTES**

1. EXISTING TOPOGRAPHY BASED ON AERIAL SURVEY PERFORMED BY GLO-LOGIC ASSOCIATES, INC. IN 2018. EXISTING TOPOGRAPHY WAS MODIFIED BY CLIPPING AVERAGE OF THE EXISTING TOPOGRAPHY AND THE 2018 TOPOGRAPHY TO DISPLAY BASE GRADES BENEATH THE EXISTING WINDOWS AND STOODLES.

OLIVEIRA ENTERPRISES INC. COMPOST FACILITY		FIGURE NO.	4
REPORT OF COMPOSTING SITE INFORMATION		PROJECT NO.	AJ19.1254.00
BYRON, CALIFORNIA		DATE OF ISSUE	07/16/2021
ON-SITE TRAFFIC FLOW		DRAWN BY:	RD
		APPROVED BY:	NC
		<b>Geo-Logic ASSOCIATES</b> 143E Spring Hill Dr, Grass Valley, California 95945 geo-logic.com   530.272.2448	

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# Byron Municipal Advisory Council



Linda Thuman, Chair

Office of Supervisor Diane Burgis  
Contact: Lea Castleberry  
3361 Walnut Blvd., Suite 140  
Brentwood, CA 94513

Respectfully submitted by:  
Deputy Chief of Staff, Lea Castleberry

*The Byron Municipal Advisory Committee serves as an advisory body to the  
Contra Costa County Board of Supervisors and the County Planning Agency.*

## Draft Record of Actions

6:00 p.m.

October 26, 2021

1. **MEMBERS PRESENT:** Chair Linda Thuman, Vice Chair Nisen (late), Councilmember Larsen, Councilmember Lopez, and Councilmember Schmit.

**MEMBERS ABSENT:**

2. **APPROVAL OF AGENDA:** Motion to approve the agenda as presented made by Thuman. Second made by Larsen. Motion Carried 4-0. AYES: Larsen, Lopez, Schmit, and Thuman.

3. **PUBLIC COMMENT:**  
None.

4. **AGENCY REPORTS:**

- a. **Office of the Sheriff:** No Report.
- b. **California Highway Patrol:** No Report.
- c. **East Contra Costa Fire Protection District:** Battalion Chief Ross Macumber provided the activity report for the month of September. Director Steve Smith provided an update on the East Contra Costa Fire Board policies and activities.
- d. **Office of Supervisor Diane Burgis:** Lea Castleberry, Deputy Chief of Staff provided an update on Covid-19; Vasco Road improvements; Byron Community Clean-Up, Saturday, October 30th.

5. **PRESENTATION**  
None.

6. **ITEMS FOR DISCUSSION AND/OR ACTION:**

- a. **Agency Comment Request CDLP21-02042:** Applicant requests approval of a Land Use permit to allow a composting facility on approximately 30 acres of the approximately 50-acre lot located at 124 and 136 Bethany Lane in Byron. Applicant Brian Oliveira provided an overview for the Land Use application. Oliveira stated the facility has existed at its current location since the mid-late 90's and now legalizing the facility. The composting facility is used for ag purposes and bag soils. Motion to approve the application made by Lopez. Second made by Schmit. Motion carried: 5-0. AYES: Larsen, Lopez, Nisen, Schmit and Thuman.

7. **CONSENT ITEMS:**

- a. **Approval of the Record of Actions for September 28, 2021:** Motion to approve as presented made by Thuman. Second made by Nisen. Motion carried: 4-0-1. AYES: Larsen, Lopez, Nisen, and Thuman. ABSTAIN: Schmit (did not attend 9/28/21 meeting).

8. **CORRESPONDANCE/ANNOUNCEMENTS**

- a. R-09/30/21 County Zoning Administrator Agenda for October 4, 2021
- b. R-09/30/21 County Planning Commission Cancellation Notice
- c. R-10/14/21 County Zoning Administrator Agenda for October 18, 2021
- d. R-10/19/21 County Planning Commission Agenda for October 27, 2021

9. **FUTURE AGENDA ITEMS**

10. **ADJOURNMENT**

There being no further business before the Byron Municipal Advisory Council, Chair Thuman adjourned the meeting at 6:48pm. The next regularly scheduled Byron Municipal Advisory Council meeting on November 23, 2021 at 6:00p.m. and location to be determined due to Covid-19.

This meeting record is provided pursuant to Better Government Ordinance 95-6, Article 25-2.205(d) of the Contra Costa County Ordinance Code.



# CONTRA COSTA COUNTY

## AGENDA

### Contra Costa County Zoning Administrator

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**Monday, June 16, 2025**

**1:30 PM**

**30 Muir Road, Martinez**

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**Zoom: <https://cccounty-us.zoom.us/j/83831039285> Call in: (888) 278-0254 Access Code 198675**

The Zoning Administrator meeting will be accessible in-person, via telephone, and via live-streaming to all members of the public. Zoning Administrator meetings can be viewed live online at: [http://contra-costa.granicus.com/ViewPublisher.php?view\\_id=13](http://contra-costa.granicus.com/ViewPublisher.php?view_id=13).

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- 3a. MICHAEL MCGHEE (Applicant - Owner), County File CDMS23-00003 & CDDP23-03046: The applicant requests approval of a Vesting Tentative Map and Development Plan applications to subdivide an approximately 28,800-square-foot project site into four (4) parcels ("Parcel A", "Parcel B", "Parcel C" and "Parcel D"). Parcels A and B will each have an area of 5,175 square feet, while Parcel C and Parcel D will 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 a Development Plan for the construction of a single-family residence on each of the four resultant lots, and a tree permit authorizing the prior removal of two (2) code protected trees, and dripline encroachment for an additional two (2) code protected trees. The subject property is a vacant lot located at 0 Second Street (immediately west of 162 Second Street) in the Rodeo area of unincorporated Contra Costa County. (APN: 357-371-005, -006, -007, -008, -013, -014, -015, Zoning P-1 Planned Unit District) AV

[25-2306](#)

**Attachments:** [01 CDMS23-00003 Findings and COAs](#)  
[02 maps\\_plans](#)  
[03 Agency Comments](#)  
[04 CDMS23-00003 Draft ISMND 1.6.25](#)  
[05 CDMS23-00003 Final MND](#)  
[06 MMRP](#)

**4. LAND USE PERMIT: PUBLIC HEARING**

- 4a. JANICY CANALES ON BEHALF OF AMERICAN TOWER (Applicant) - CONTRA COSTA WATER DISTRICT (Owner), County File CDLP24-02023: The applicant requests approval of a Land Use Permit for the continuing operation of an existing American Tower wireless telecommunications facility that was established under Land Use Permit CDLP09-02037. No modifications to the wireless facility are proposed. The project site is located at 19430 Vasco Road in the Byron area of unincorporated Contra Costa County. (Zoning: A-4 Agricultural Preserve District) (Assessor's Parcel Number: 003-010-018) DL

[25-2307](#)

**Attachments:** [Attachment A Findings & COAs](#)  
[Attachment B Maps](#)  
[Attachment C As Built Plans](#)  
[Attachment D Photos](#)  
[Attachment E Agency Comments](#)  
[Attachment F Radio Frequency Emission Survey](#)

- 5b. JASMINE DENNIS, RPM TEAM (Applicant) - TOWN OF DISCOVERY BAY (Owner), County File CDDP24-03052: The applicant requests approval of a Development Plan to modify approved Final Development Plan CDDP74-03014 to allow construction of a new 8,315 square-foot administrative building for the Discovery Bay Community Service Department, 28 new off-street parking spaces, a new administrative building monument sign, and 10,357 square feet of new landscaping. The applicant also requests a Tree Permit for the removal of three code-protected trees, including one 60-inch diameter Acacia and two 14-inch diameter Mediterranean Fan Palm trees. The project site is 1601 Discovery Bay Boulevard in the Discovery Bay area of unincorporated Contra Costa County. (Zoning: P-1 Planned Unit District) (Assessor's Parcel Number: 008-200-017) GF 25-2310

**Attachments:** [Attachment A Findings and COAs](#)  
[Attachment B Maps](#)  
[Attachment C Plans](#)  
[Attachment D Agency Comments](#)

- 5c. YOCHAI KIDRON (Applicant and Owner), County File CDDP20-03031: The applicant requests approval of a Development Plan to convert an existing two-story, 1,040 square-foot commercial building into a duplex with a proposed addition of 246 square feet. The applicant also requests a Variance to allow zero off-street parking spaces (where four spaces are required). The project site is 3449 San Pablo Dam Road in the El Sobrante area of unincorporated Contra Costa County. (Zoning: R-B, Retail Business District) (Assessor's Parcel Number: 420-031-030) GF 25-2311

**Attachments:** [Attachment A Findings and COAs](#)  
[Attachment B Project Plans](#)  
[Attachment C Agency Comments](#)  
[Attachment D Maps](#)

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON MONDAY, JULY 7, 2025.

2      MINOR SUBDIVISION: PUBLIC HEARING

- 2a**      SHELLY BUTLER, KIER & WRIGHT (Applicant) - TOM FEHR, SVI FORNI LLC (Property Owner); County File #CDMS24-00023: A request for approval of a tentative map to subdivide an existing multi-tenant industrial property into five commercial condominium units for the purposes of individual ownership. The subject property is located at 5020 Forni Drive in the unincorporated Concord area of Contra Costa County. Zoning: Light Industrial (L-I); APN: 159-362-003 25-2781

**Attachments:**   [Attachment A - Findings and Conditions](#)  
                          [Attachment B - Maps](#)  
                          [Attachment C - Site Photos](#)  
                          [Attachment D - Project Plans](#)  
                          [Attachment E - Agency Comments](#)

3      LAND USE PERMITS: PUBLIC HEARING

- 3a**      LOUIS MIRAMONTES (Applicant), LOUIS AND KRISTI MIRAMONTES (Owners), County File CDLP23-02056: The applicant requests approval of a Land Use Permit and Small Lot Design Review to construct a 2,840 square-foot second single-family residence with an attached 536 square-foot garage and a new driveway on a substandard size lot. The applicant is also requesting authorization of an Exception to the requirements and regulations of County Code Section 914-2.004 (Offsite Collect and Convey). The project site is located at 6621 Johnston Road in the San Ramon area of unincorporated Contra Costa County. (Zoning: A-20 Exclusive Agricultural District) (Assessor's Parcel Number: 204-120-015) DL 25-2782

**Attachments:**   [Attachment A - Findings and COAs](#)  
                          [Attachment B - Maps](#)  
                          [Attachment C - Agency Comments](#)  
                          [Attachment D - CHRIS Summary Letter](#)  
                          [Attachment E - Project Plans](#)  
                          [Attachment F - MND](#)  
                          [Attachment G - MMRP](#)

4 WIRELESS ACCESS PERMIT: PUBLIC HEARING

- 4a** VERIZON WIRELESS (Applicant) - Contra COSTA COUNTY PUBLIC WORKS DEPARTMENT / NORTHERN CALIFORNIA JOINT POLE ASSOCIATION (Owner), County File CDWA25-00009: The applicant requests approval of a Wireless Access permit to allow for the continued operation of an existing Verizon wireless telecommunications facility located on an existing utility pole within the Marsh Creek Road public right-of-way, which was originally established under Land Use Permit #CDLP13-02055. The project includes the removal of an existing 30' utility pole and the installation of a new 37'6"-tall replacement pole at the same location. Additionally, the project includes the removal and replacement of two (2) existing antennas and associated radio equipment presently mounted to the existing utility pole. The two (2) proposed new antennas would be affixed at the end of wooden cross arms, extending horizontally 2'6" from the eastern and western sides of new utility pole. The subject property is located within the Marsh Creek Road public right-of-way, along the northern side of the roadway adjacent to the property addressed 14101 Marsh Creek Road in the Clayton area of unincorporated Contra Costa County. (APN: ROW 078-140-010, Zoning: A-2 General Agricultural District) CP 25-2784

**Attachments:** [Attachment A - Findings and COAs](#)  
[Attachment B - Maps](#)  
[Attachment C - Agency Comments](#)  
[Attachment D - CHRIS Summary Letter](#)  
[Attachment E - Project Plans](#)  
[Attachment F - MND](#)  
[Attachment G - MMRP](#)



# CONTRA COSTA COUNTY

## AGENDA

### Contra Costa County Zoning Administrator

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**Monday, July 21, 2025**

**1:30 PM**

**30 Muir Road, Martinez**

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**Zoom: <https://cccounty-us.zoom.us/j/83831039285> Call in: (888) 278-0254 Access Code 198675**

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1. PUBLIC COMMENTS:
2. LAND USE PERMIT: CONTINUED PUBLIC HEARING



# CONTRA COSTA COUNTY

## AGENDA

### Contra Costa County Planning Commission

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**Wednesday, July 23, 2025**

**6:30 PM**

**30 Muir Road, Martinez**

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**Zoom: <https://cccounty-us.zoom.us/j/84769800896> | Call in: (888)278-0254 Access code: 198675**

**CHAIR:** Kevin Van Buskirk

**VICE-CHAIR:** Bhupen Amin

**COMMISSIONERS:** Jeffrey Wright, Donna Allen, Bob Mankin, Ross Hillesheim, Sanjiv Bhandari

The public may attend this meeting in person at the above location. The public may also attend this meeting remotely via Zoom or call-in. Login information and call-in information is provided below. Persons wishing to view the meeting but not participate may view the meeting live online at: <https://www.contracosta.ca.gov/4314/County-Planning-Commission>.

Persons who wish to address the Commission during public comment on matters within the Commission's jurisdiction that are not on the agenda, or who wish to comment with respect to an item on the agenda, may comment in person, via Zoom, or via call-in. Those participating in person should come to the podium when called upon. Those participating via Zoom should indicate they wish to speak by using the "raise your hand" feature in the Zoom app. Those calling in should indicate they wish to speak by pushing "#2" on their phone.

All public comments will be limited to 3 minutes per speaker. Public comments may also be submitted before the meeting by email at [planninghearing@dcd.cccounty.us](mailto:planninghearing@dcd.cccounty.us), or by voicemail at (925) 655-2860. Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played aloud during the meeting.

For assistance with remote access, please contact County staff at (925) 494-4516

Any disclosable public records related to an item on a regular meeting agenda and distributed by County staff to a majority of the Planning Commissioners less than 96 hours prior to the meeting are available for inspection at 30 Muir Road, Martinez, CA 94553, during normal business hours.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in County Planning Commission meetings. Please contact County staff at least 48 hours before the meeting at (925) 655-2860.

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THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION WILL BE HELD ON WEDNESDAY, AUGUST 13, 2025.

- 2a. STACY HAGERSTRAND/BUILD-TEK INC. (Applicant) - 55 HOWE ROAD INVESTORS LLC (Owner), County File CDLP20-02048: The applicant requests approval of a Land Use Permit / Development Plan to legalize an existing contractor's yard for the storage of construction equipment. The applicant proposes minor project improvements, including modifications to the existing security fence and frontage improvements located in the right-of-way at the southwest corner of Pacheco Boulevard and Howe Road. The project site is located at 0 Catalpa Street at the southwest corner of Pacheco Boulevard and Howe Road in the Martinez area of unincorporated Contra Costa County. (Zoning: R-B Retail Business District) (Assessor's Parcel Numbers: 375-243-005, -006, -007, and -008) (Continued from 07.21.2025) GF [25-3051](#)

3. LAND USE PERMIT: PUBLIC HEARING

- 3a. ADVANCE TELECOM, INC. (Applicant & Owner), County File CDLP23-02008: The applicant requests Land Use Permit approval to establish a contractor's yard for a low voltage pipeline and traffic control contractor on a 1.22-acre corner lot fronting Bethel Island Road at Stone Road. The contractor specializes in fiber optics, asphalt restoration and traffic control. The yard would be used for overnight parking for 11 to 13 light/medium duty field vehicles, and for the storage of materials and equipment (e.g. trailers, cable spools, conduit, vault enclosures, etc.). The project site consists of a +13,760 square-foot paved area near the property's Bethel Island Road frontage for parking, as well as a +22,275-square-foot compacted gravel area east of the paved area providing additional parking and equipment/material storage areas. The proposed contractor's yard would serve as a morning meeting place for the contractor and their employees. Employees would visit the site every morning, parking their personal vehicles on site within the designated employee off-street parking area before leaving the site in a company truck to travel to the day's jobsite. An existing 260-square-foot office building would be used for the contractor or employees to perform administrative office duties, or to hold morning meetings with construction employees. The project does not propose any new buildings or structures and would not require any employees to be on site full-time. The subject property is located at 6130 Bethel Island Road, in the Bethel Island area of unincorporated Contra Costa County. (APN: 031-093-033, Zoning: R-B Retail Business District, -CE Cannabis Exclusion and -FH Flood Hazard Combining Districts) AV [25-3052](#)

**Attachments:** [01 CDLP23-02008 Findings and COAs\\_ZA](#)  
[02 Maps and Plans](#)  
[03 Agency Comments](#)  
[04 LP23-2008 ISMND\\_draft 09.05.24](#)  
[05 CDLP23-02008\\_MMRP](#)



# CONTRA COSTA COUNTY

## AGENDA

### Contra Costa County Planning Commission

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**Wednesday, August 13, 2025**

**6:30 PM**

**30 Muir Road, Martinez**

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#### **Contra Costa County Planning Commission - CANCELLED**

THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION WILL BE HELD ON WEDNESDAY, AUGUST 27, 2025 AT 6:30 P.M.

- 2a. MICHAEL MCGHEE (Applicant & Owner), County File CDMS23-00003 & CDDP23-03046: The applicant requests approval of a Vesting Tentative Map and Development Plan applications to subdivide an approximately 28,800-square-foot project site into four (4) parcels ("Parcel A", "Parcel B", "Parcel C" and "Parcel D"). Parcels A and B will each have an area of 5,175 square feet, while Parcel C and Parcel D will 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 a Development Plan for the construction of a single-family residence on each of the four resultant lots. The subject property is a vacant lot located at 0 Second Street (immediately west of 162 Second Street) in the Rodeo area of unincorporated Contra Costa County. (APN: 357-371-005, -006, -007, -008, -013, -014, -015, Zoning P-1 Planned Unit District) AV

[25-3352](#)

**Attachments:** [01 CDMS23-00003 Findings and COAs](#)  
[02 maps plans](#)  
[03 Agency Comments](#)  
[04 CDMS23-00003 Draft ISMND 1.6.25](#)  
[05 CDMS23-00003 IS Final5.2025](#)  
[06 MMRP](#)

3. DEVELOPMENT PLAN: PUBLIC HEARING