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Addendum to the Subsequent Environmental Impact Report for the San Marco Development Plan (for Siena at San Marco, Units 16 and 17) City of Pittsburg, Contra Costa County, California

State Clearinghouse Number 91073029

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ACRONYMS AND ABBREVIATIONS

°C	degrees Celsius (Centigrade)
°F	degrees Fahrenheit
µg/m^3	micrograms per cubic meter
AB	Assembly Bill
ABAG	Association of Bay Area Governments
AERMOD	American Meteorological Society/EPA Regulatory Model
Air Basin	San Francisco Bay Area Basin
AQP	Air Quality Plan
ARB	California Air Resources Board
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
BMP	Best Management Practice
BRA	Biological Resource Assessment
CAL FIRE	California Department of Forestry and Fire Protection
Cal/EPA	California Environmental Protection Agency
CalEEMod	California Emissions Estimator Model
CalGEM	California Department of Conservation Geologic Energy Management
CalRecycle	California Department of Resources Recycling and Recovery
CARE	Community Air Risk Evaluation
CCCFCWCD	Contra Costa County Flood Control & Water Conservation District
CCCFPD	Contra Costa County Fire Protection District
CCTA	Contra Costa Transportation Authority
CDE	California Department of Education
CDFW	California Department of Fish and Wildlife
CDMG	California Division of Mines and Geology
CEQA	California Environmental Quality Act
CFC	California Fire Code
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CO	carbon monoxide
CRA	Cultural Resources Report
CRHR	California Register of Historical Resources
DA	Development Agreement
DBR	daily breathing rate
DDSD	Delta Diablo Sanitation District

DPM	diesel particulate matter
DPR	California Department of Parks and Recreation
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
EMF	electromagnetic field
EMFAC	ARB Emissions Factors Model
EOP	Emergency Operations Plan
EPA	United States Environmental Protection Agency
EV	electric vehicle
EVSE	electric vehicle supply equipment
FC District	Contra Costa County Flood Control & Water Conservation District
FEMA	Federal Emergency Management Agency
FTA	Federal Transit Administration
GHG	greenhouse gas
GIS	Geographic Information System
HCP	Habitat Conservation Plan
HI	health index
HRA	Health Risk Assessment
HRER	Historic Architectural Evaluation Report
HVAC	heating, ventilation, and air conditioning
ITE	Institute of Transportation Engineers
kWh	kilowatt-hours
LAFCo	Local Agency Formation Commission
LOS	Level of Service
MDUSD	Mount Diablo Unified School District
MGD	million gallons per day
MIR	Maximally Impacted Sensitive Receptor
MLD	Most Likely Descendant
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
mph	miles per hour
MT	metric tons
MTC	Metropolitan Transportation Commission
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Plan
ND	Negative Declaration
NFHL	National Flood Hazard Layer

NO_X	nitrogen oxide
NPDES	National Pollutant Discharge Elimination System
NWIC	Northwest Information Center
OEHHA	California Office of Environmental Health Hazard Assessment
OPR	Governor's Office of Planning and Research
P-D	Planned Development District
PDS	Pittsburg Disposal Services
PG&E	Pacific Gas and Electric Company
PM_{10}	particulate matter less than 10 microns in diameter
$PM_{2.5}$	particulate matter less than 2.5 microns in diameter
PMC	Pittsburg Municipal Code
PPD	Pittsburg Police Department
PPV	peak particle velocity
REL	Reference Exposure Level
RFPD	Riverview Fire Protection District
ROG	reactive organic gas
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SEIR	Supplemental Environmental Impact Report
SLCP	Short-lived Climate Pollutant
SLF	Sacred Lands File
SOI	Sphere of Influence
SRA	State Responsibility Area
STC	Sound Transmission Class
SWPPP	Storm Water Pollution Prevention Plan
TAC	toxic air contaminant
UFC	Uniform Fire Code
USA	United States of America
USACE	United States Army Corps of Engineers
USGS	United States Geological Survey
UWMP	Urban Water Management Plan
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
VOC	volatile organic compound
ZEV	Zero-Emission Vehicle

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SECTION 1: INTRODUCTION AND PROJECT DESCRIPTION

The San Marco Subdivision Project (Approved Project) was approved by the City of Pittsburg in 1992. This Addendum and attached supporting documents have been prepared to determine whether and to what extent the Final Subsequent Environmental Impact Report (SEIR) for the San Marco Subdivision (certified in October 1992, State Clearinghouse No. 91073029) prepared for the City of Pittsburg remains sufficient to address the potential impacts of the proposed Siena at San Marco Project (Modified Project), or whether additional documentation is required under the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] §§ 21000, *et seq*.).

1.1 - Location and Setting

1.1.1 - Location

The Modified Project is located in the southwest portion of the City of Pittsburg in central Contra Costa County approximately 10 driving miles east of the City of Martinez. State Highway (SR) 4 provides regional and local access to the site. The City of Concord is also located to the southwest and the City of Antioch is located to the east on SR-4.

The Modified Project is immediately south of the Willow Pass Road interchange on SR-4, near the westernmost edge of the Pittsburg city limits. The site is approximately four driving miles west of downtown Pittsburg. Across SR-4 to the north are the unincorporated residential communities of Shore Acres and West Pittsburg, both of which are within the City of Pittsburg's General Plan (General Plan) planning area and Local Agency Formation Commission (LAFCo)-designated Sphere of Influence (SOI). Exhibit 1 illustrates the regional setting for the Modified Project.

1.1.2 - Existing Setting

The site is currently vacant rangeland. The site also contains two parallel Pacific Gas and Electric Company (PG&E) electrical transmission lines (230 and 115 kilovolt [kV]) and one abandoned natural gas well. The site is surrounded on three sides by other large rangeland properties that are also subject to anticipated future development.

1.1.3 - General Plan and Zoning

The existing General Plan designations for the project site are High Density Residential and Open Space. The project site is zoned PD (Planned Development, Ordinance No. 12-1362) District. According to the Land Use Table in the San Marco Development Plan dated March 8, 2013, the density for Village C is 339 Apartments Built to Townhouse Standards and Village O is 115 Apartments Built to Townhouse Standards.

1.2 - Project Background

On April 3, 1990, the City Council adopted Ordinance No. 90-990 certifying a negative declaration and authorizing the execution of the Southwest Development Agreement (DA) for the development of 2,938 residential units on 639 acres in the southwest hills of Pittsburg. The

DA established provisions under which the development would be built, including land use regulations, fees and assessments and infrastructure. On October 1, 2001, the Council adopted Ordinance No. 01-1187 extending the term of the DA from its original horizon year of 2002 to an amended horizon year of 2020.

Three years after the initial, 1990 approval of the DA, the City Council adopted Resolution No. 93-7888 certifying the SEIR for the 2,938-unit project currently known as the San Marco Development. On the same evening that the Council certified the SEIR it adopted Ordinance No. 93-1057, zoning the San Marco Development property to a residential PD (Planned Development) District, with a PD Plan consisting of 1,412 single-family residential units and 1,526 multi-family residential units. To date, approximately 1,540 single-family houses, 462 multi-family units (San Marco Villas 1 and 2)), a public elementary school and an adjoining neighborhood park and a community park have been built in the San Marco Development.

Exhibit 2 illustrates the overall development plan for the Approved Project. (The proposed Modified Project, described in more detail in Section 2.3 below, includes development within Village "C" as well as a portion of Village "O").

The Approved Project was to be built according to the development plan approved by the Planning Commission, summarized below in Table 1.

Table 1: Approved San Marco Development Plan (Approved Project)

Village	Housing Type	Units	Gross Acres
A	Single-family	76	31
B	Apartments	471	34
C	Townhouse Apartments	339	54
D	Single-family	180	35
E	Single-family	114	37
F	Single-family	98	37
G	Single-family	139	33
H	Single-family	257	51
I	Single-family	–	–
J	Single-family	158	32
K	Single-family	132	25
L	Single-family	199	37
M	Townhouse Apartments	420	46.5
N	Single-family Ranchettes	64	103
O	Townhouse Apartments	291	26
	Total	**2,938**	**581.5**

There have been two amendments to the PD ordinance since 1993. The first in 2003 was City-initiated and increased lot coverage allowance for single-family homes in this and other PD Districts from 40 to 55 percent, depending on lot size (Ordinance No. 03-1204). The second amendment in 2006 was applicant-initiated and amended the San Marco Development Park requirements to consolidate several mini-parks in the original development plan into two larger community parks, consistent with current (2001) General Plan Policy in support of larger parks for more efficiency in maintenance (Ordinance No. 06-1270). This second amendment allowed single-family houses to be built on the former mini-park sites, provided that the number of multi-family units was decreased correspondingly (exchange of approximately 12 multi-family units for single-family units).

The environmental impacts of the Approved Project, with the mix of units described above, was studied under the Final SEIR for the San Marco Subdivision (the "prior certified SEIR"). The 2012 MND analysis did in fact evaluate impacts in a supplemental manner and used the approved level of activity studied in the prior certified SEIR as a baseline.

Since the certification of the prior SEIR and initial project approval, the Approved Project has undergone slight modifications to unit types and unit placement. In 2011, the project sponsor submitted an amendment to the development plan that decreased the number of multi-family units in Village O from 291 to 115 (a decrease of 176 multi-family units) and increased the number of single-family houses in Village A from 76 to 252 (a corresponding increase of 176 single-family units). The zoning at that time was PD-1270 District. The environmental impacts of this modification were documented in a 2012 Initial Study and Mitigated Negative Declaration (the "2012 MND"). After a duly noticed public hearing, Resolution 9919 recommended that the City Council approve the Development Plan amendment and rezoning requests.

1.3 - Project Characteristics

1.3.1 - Project Summary

The applicant seeks to modify the Approved Project in the following ways:

(1) transfer 112 units from other villages into Village C;

(2) convert 181 units, both those originally in Village C and those transferred into Village C, from multi-family units to single-family units; and

(3) convert 25 units within Village O from multi-family units to single-family units.

Taken together, these changes are hereinafter referred to as the "Modified Project."

Under the Approved Project, Village C was planned to include 339 multi-family units. To date, 270 multi-family units have been approved but are not yet constructed (San Marco Villas III Apartments, Resolution 10155 adopted October 6, 2020) on the Village C site. Under the Modified Project, the remaining 69 units sited in Village C under the Approved Project would be mapped and constructed as single-family units instead of multi-family units.

The Modified Project would also transfer 112 units into Village C: 98 units from Village M, nine units from Village B, and five units from Village O. These 112 additional units were planned as multi-family units under the Approved Project but will be mapped and constructed as single-family units under the Modified Project. The remaining 69 units plus the 112 additional units (181 units total) comprise Unit 17. The Modified Project also contemplates the mapping and construction of 25 single-family units in Village O (Unit 16), which were planned as multi-family units under the Approved Project. Units 16 and 17 (the Siena Subdivision – 206 total single-family units) would be constructed on an approximately 58-acre portion of the larger 639-acre San Marco project site; 10 acres for Unit 16 and 48 acres for Unit 17. Table 2 summarizes the changes from the Approved Project to date, including the proposed Modified Project.

Table 2: 1992 Approved Project/2012 Project Modifications/2023 Modified Project Comparison

Village	Housing Type	Approved Project (1992)	Project Modifications (2012)	Modified Project
A	Single-family	76	252	252
B	Apartments	471	471	462
C	Townhouse Apartments	339	339[1]	270
	Single-family	–	–	181
D	Single-family	180	180	233
E	Single-family	114	114	114
F	Single-family	98	98	123
G	Single-family	139	139	138
H	Single-family	257	257	263
I	Single-family	–	–	–
J	Single-family	158	158	155
K	Single-family	132	132	149
L	Single-family	199	199	177
M	Townhouse Apartments	420	420	318
N	Single-family Ranchettes	64	64	64
O	Townhouse Apartments	291	115	14
	Single-family	–	–	25
	Total	2,938	2,938	2,938

Notes:
[1] 270 multi-family units have been approved but are not yet constructed in Village C
[2] Unit 17 comprised of 69 units remaining from Approved Project plus 112 additional units transferred from Villages M, B, and O
[3] Unit 16 comprised of 25 single-family homes revised from multi-family to single-family

The existing General Plan land use designations for the Modified Project are High Density Residential and Open Space and the zoning designation for the Modified Project site is PD (Village C and Village O) and the applicant proposes to amend the General Plan designation to Low Density Residential and amend PD (District 1362) to transfer a total of 112 units from other villages into Village C and convert a total of 206 multi-family units to single-family units (including the 112 units that were transferred into Village C). Exhibits 3a and 3b illustrate the revised Vesting Tentative Map showing the transfer of units under the Modified Project.

1.4 - Discretionary Approvals

The Modified Project requires the following discretionary approvals from the City:

- Development Plan Amendment
- Rezone and General Plan Amendment
- Vesting Tentative Map Approval
- Design Review Approval

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SECTION 2: BACKGROUND

As noted above, the San Marco Subdivision Project (Approved Project) was approved by the City of Pittsburg in 1992. This Addendum and attached supporting documents have been prepared to determine whether and to what extent the Final SEIR for the San Marco Subdivision (certified in October 1992, State Clearinghouse No. 91073029) prepared for the City of Pittsburg remains sufficient to address the potential impacts of the proposed Siena at San Marco Project (Modified Project), or whether additional documentation is required under CEQA (PRC §§ 21000, *et seq*.).

Environmental Impact Report–1987

The Southwest Boundary Reorganization (Annexation 109) Environmental Impact Report (EIR) is a programmatic EIR for the City's Southwest Annexation Area, including residential development of the Approved Project site. The reorganization area encompassed approximately 2,507 acres south of State Route 4 and west of Bailey Road. The EIR was prepared by Blayney-Dyett and certified by the City of Pittsburg in 1987 (Resolution No. 87-7209).

Southwest Development Agreement–1990

The Pittsburg City Council adopted Ordinance No. 90-990 on April 3, 1990. This ordinance certified a Negative Declaration and authorized the execution of the Southwest DA for the development of 2,938 residential units on 639 acres in the southwestern hills of the City.

Final Subsequent Environmental Impact Report–1992

The San Marco Subdivision Project proposal, a detailed, site-specific 2,938-unit residential development plan and associated subdivision and rezoning, was submitted in 1991. The City determined that the potential environmental impacts of this subsequent development plan should be analyzed through the preparation of a "Subsequent Environmental Impact Report." CEQA Guidelines Section 21166 and 15162 require that a Subsequent EIR be prepared where an EIR addressing the action may already have been prepared, but: (1) subsequent more detailed information on the proposed project may require important revisions to the program EIR, (2) the subsequent more detailed information indicated that the project may have one or more significant effects not discussed previously in the EIR, and (3) mitigation measures or alternatives which were not previously considered in the EIR may substantially lessen one or more significant effects on the environment. The Final SEIR for the San Marco Subdivision was prepared by Wagstaff and Associates for the City of Pittsburg in October 1992. The Pittsburg City Council adopted Resolution No. 93-7888 certifying the Final Subsequent EIR on January 19, 1993.

First Amendment to San Marco Development Agreement–2001

Ordinance No. 01-1187 (Ordinance to Extend the San Marco Development Agreement for the San Marco Residential Subdivision with Amendments [Subdivision 7632]) was adopted by the City of Pittsburg City Council on October 1, 2001. This ordinance extended the term of the Development Agreement to October 1, 2020 as well as amended provisions of Section 4(a), (b)(i)-(v), and c, the provisions of Section 12, the provisions of Section 8(d)(i), and Section 13(c).

Second Amendment to the Southwest (San Marco) Development Agreement and Adoption of MND–2010

Ordinance No. 10-1326 was adopted by the City Council on July 19, 2010. The ordinance approved the 1.41 acres at the northwest corner of San Marco Boulevard and West Leland Road to be rezoned from PD-1057 District to CA (Service Commercial) District). The proposed project was a commercial project and included a gas station, restaurant, convenience store, and car wash. The Development Agreement only permitted residential uses, thus an amendment was required to remove the 1.41 acres from the project area boundary. The ordinance also adopted the Mitigated Negative Declaration and Mitigation Monitoring Program for the San Marco Service Station project.

Third Amendment to the San Marco Development Agreement–2012

Ordinance No. 12-1362 was adopted by the City Council on October 15, 2012. The ordinance approved the amendment of the Development Plan and land use plan which involved a decrease in the number of multi-family units in San Marco "Village O" from 291 to 115 and an increase in the number of single-family units in San Marco "Village A" from 76 to 252.

Fourth Amendment to the San Marco Development Agreement–2020

Ordinance No. 20-1481 was adopted by the City Council on December 21, 2020. The ordinance approved the following amendment to the Development Agreement: require the applicant to commence construction of a minimum 30,000-square-foot commercial center on the project site within 24 months from the effective date of the amended Development Agreement. It would also require the applicant to pay $50,000 to the City if either of the following were to occur 1) the applicant fails to begin construction of the commercial center within 24 months from the effective date of the Development Agreement; or 2) the applicant begins construction as required, but fails to complete construction within 48 months of construction initiation. The amendment would also require the applicant to construct improvements on the 2.78-acre park site located at the southwest corner of Aragon Drive and Delano Drive in San Marco Subdivision Unit No.12 at a cost not to exceed $1,582,724.

2.1 - Environmental Checklist

Pursuant to Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 and 15164, subd. (a), this Addendum has been prepared to evaluate the Modified Project. The Addendum uses the standard environmental checklist categories provided in Appendix G of the CEQA Guidelines and includes answer columns for evaluation consistent with the considerations listed under CEQA Guidelines Section 15162, subd. (a).

2.2 - Environmental Analysis and Conclusions

CEQA Guidelines Section 15164, subd. (a) provides that the lead agency or a responsible agency shall prepare an Addendum to a previously certified EIR or Negative Declaration (ND) if some changes or additions are necessary but none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a Subsequent EIR or ND have occurred (CEQA Guidelines, § 15164, subd. (a)).

An Addendum need not be circulated for public review but can be included in or attached to the Final EIR or ND (CEQA Guidelines § 15164, subd. (c)). The decision-making body shall consider the Addendum to the Final EIR prior to deciding on the Modified Project (CEQA Guidelines § 15164, subd. (d)). An agency must also include a brief explanation of the decision not to prepare a Subsequent EIR or ND pursuant to Section 15162 (CEQA Guidelines § 15164, subd. (e)).

Consequently, once an EIR or ND has been certified for a project, no Subsequent EIR or ND is required under CEQA unless, based on substantial evidence:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; [1]

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, or the ND was adopted shows any of the following:
   A. The project will have one or more significant effects not discussed in the previous EIR or ND.
   B. Significant effects previously examined will be substantially more severe than shown in the previous EIR or ND.
   C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
   D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or ND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative (CEQA Guidelines, Section 15162, subd. (a); see also Pub. Resources Code, Section 21166).

This Addendum and attached documents constitute substantial evidence supporting the conclusion that preparation of a supplemental or Subsequent EIR or ND is not required prior to approval of the above-referenced permits by responsible and trustee agencies and provides the required documentation under CEQA.

This Addendum addresses the conclusions of the prior certified SEIR.

[1] CEQA Guidelines Section 15382 defines "significant effect on the environment" as " . . . a substantial, or potentially substantial adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance . . ." (see also Public Resources Code [PRC], § 21068).

2.2.1 - Findings

There are no substantial changes proposed by the Modified Project or the circumstances in which the Modified Project would be undertaken that would require major revisions of the prior certified SEIR. The Modified Project does not require preparation of a new subsequent or supplemental EIR due to (1) the involvement of new significant environmental effects, (2) a substantial increase in the severity of previously identified significant effects, or (3) new information of substantial importance. No mitigation measures or alternatives previously found not to be feasible would in fact be feasible, nor has the Siena at San Marco proponent declined to adopt any additional mitigation measures or alternatives that would substantially reduce one or more significant effects on the environment. Rather, all the impacts associated with the Modified Project are within the envelope of impacts addressed in the prior certified SEIR. Applicable mitigation measures from the prior certified SEIR are identified and discussed in this Addendum.

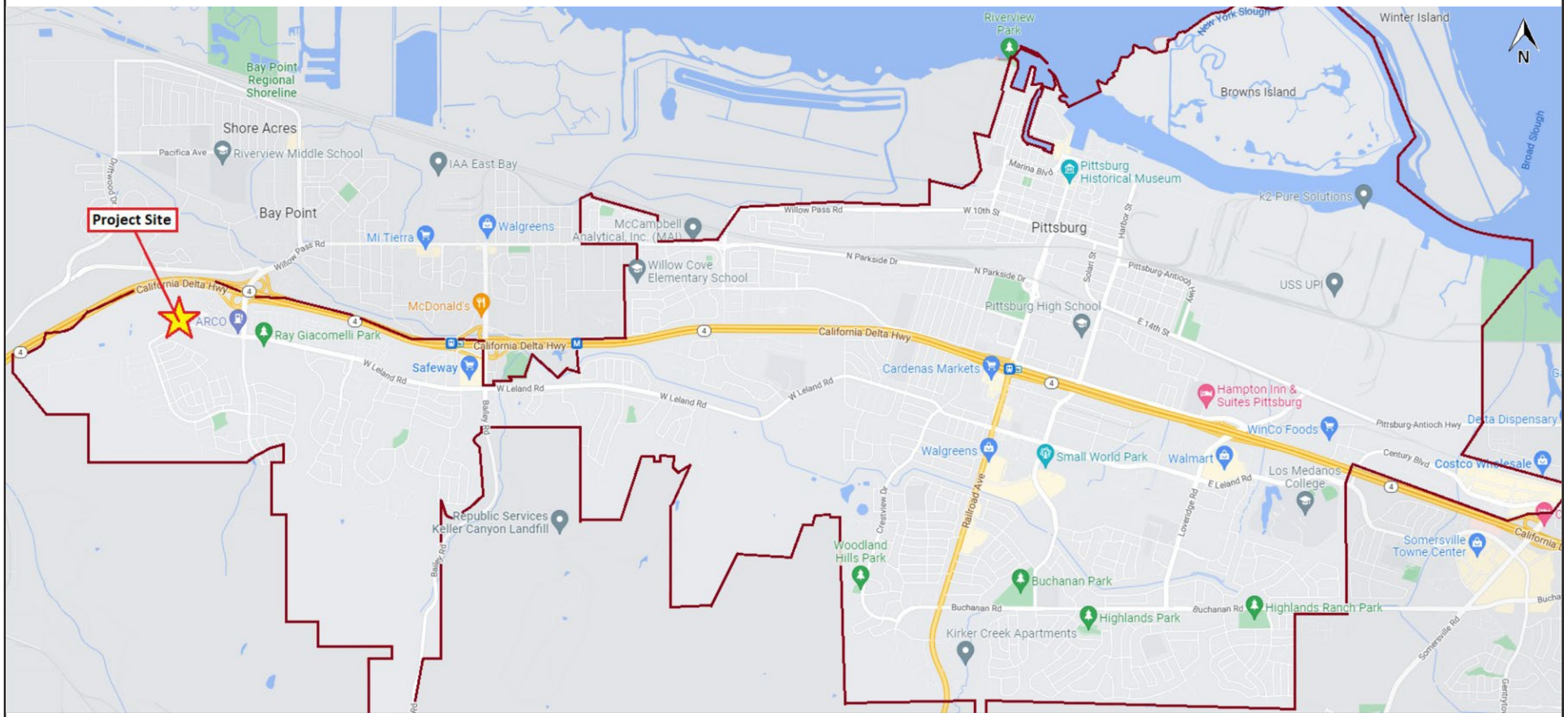
As illustrated herein, the Modified Project is consistent with the prior certified SEIR and would involve only minor changes.

2.2.2 - Conclusions

The City of Pittsburg may approve the Siena at San Marco Project (Modified Project) based on this Addendum. The impacts of the Modified Project remain within the scope of impacts previously analyzed in the prior certified SEIR (CEQA Guidelines § 15164).

2.3 - Mitigation Monitoring Program

As required by Public Resources Code Section 21081.6, subd. (a)(1), a Mitigation Monitoring and Reporting Program (MMRP) was prepared for the Approved Project to monitor the implementation of the mitigation measures that were adopted. Most of the mitigation measures from the prior certified SEIR remain applicable to the Modified Project, as shown in Appendix G. Any long-term monitoring of mitigation measures imposed on the overall development will be implemented through the adopted MMRP.



Source: San Marco Siena.

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Exhibit 1
Regional Location

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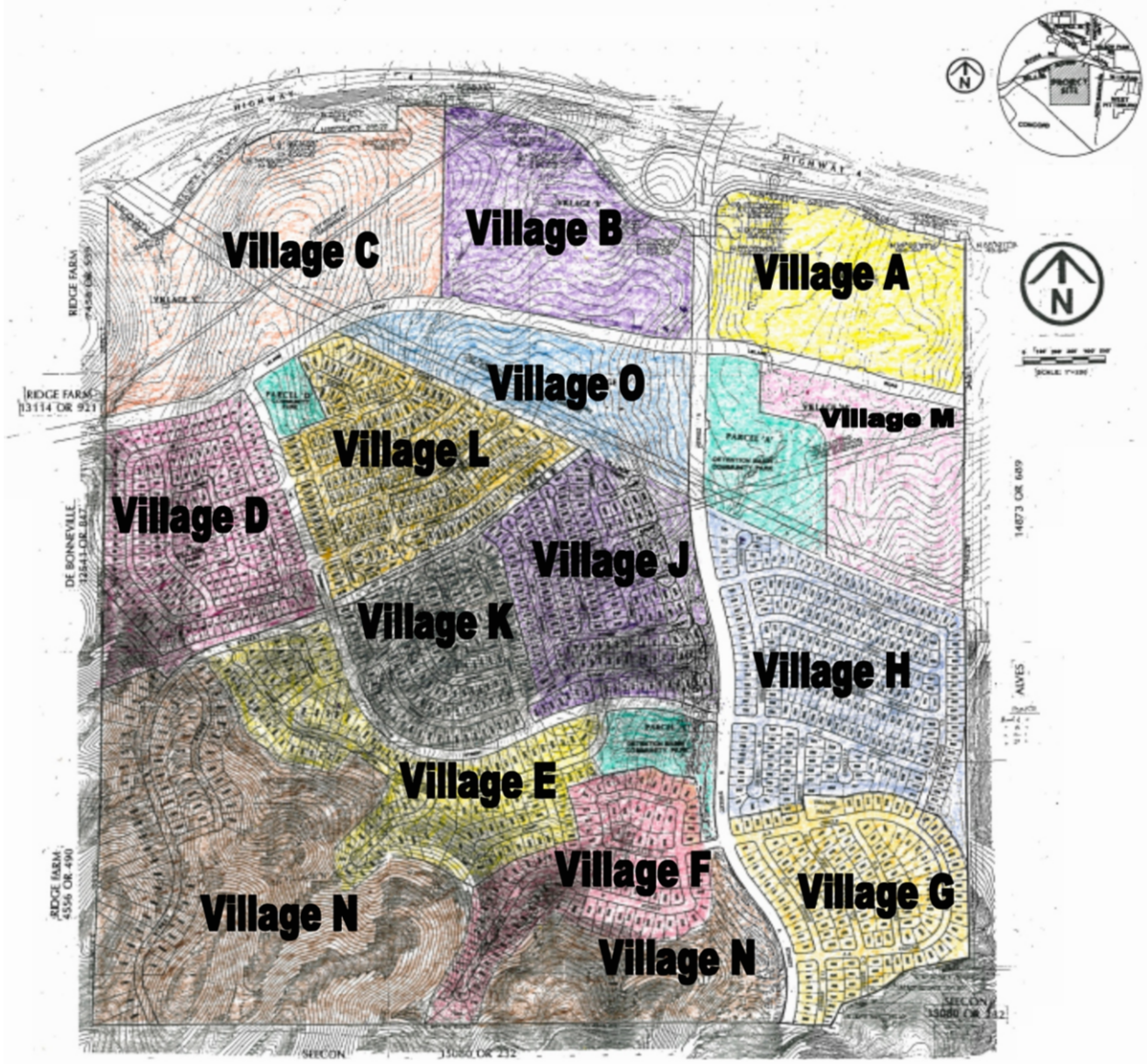

Source: Steadman & Associates, Inc. City of Pittsburg.

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Exhibit 2
Approved Original San Marco Development Plan

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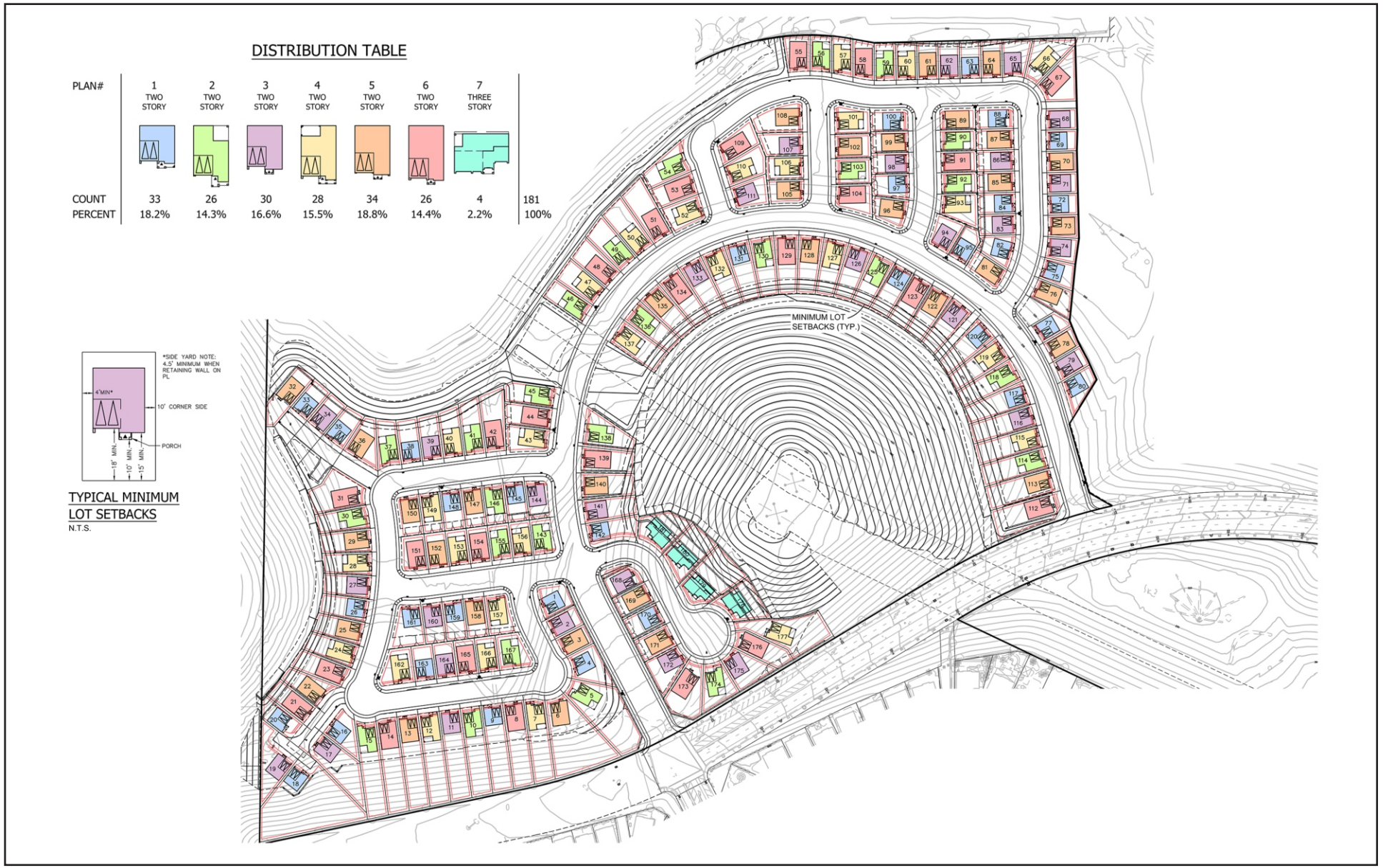

Source: Discovery Design Group, 10/20/2022.

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Exhibit 3a
Proposed Master Plotting Plan - Village C (Unit 17)

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Source: Discovery Design Group, 10/21/2022.

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Exhibit 3b
Proposed Master Plotting Plan - Village O (Unit 16)

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SECTION 3: CEQA CHECKLIST

The purpose of the checklist is to evaluate the categories in terms of any changed condition (e.g., changed circumstances, project changes, or new information of substantial importance) that may result in a changed environmental result (e.g., a new significant impact or substantial increase in the severity of a previously identified significant effect) (CEQA Guidelines § 15162).

At the time of preparation of the prior certified SEIR, the CEQA Guidelines thresholds differed from what is contained in Appendix G today. The CEQA Guidelines have been modified extensively since 1992; some of the thresholds in the 2021 CEQA Guidelines update are new, and many of the thresholds of significance have been substantially reworded. The questions posed in the checklist are derived from Appendix G of the 2021 CEQA Guidelines and form the basis of the City's environmental thresholds of significance for purposes of evaluating the Modified Project. A "no" answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no change in the condition or status of the impact since it was analyzed and addressed with mitigation measures in the Final SEIR. These environmental categories might be answered with a "no" in the checklist, since the Modified Project does not introduce changes that would result in a modification to the conclusion of the previously approved CEQA document.

This Initial Study/Addendum addresses the conclusions of the prior certified SEIR.

3.1 - Explanation of Checklist Evaluation Categories

(1) Conclusion in Prior Certified SEIR and Related Documents

This column summarizes the conclusion of the prior certified SEIR relative to the environmental issue listed under each topic.

(2) Do the Proposed Changes Involve New Impacts?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(1), this column indicates whether the changes represented by the revised project will result in new significant environmental impacts not previously identified or mitigated by the prior certified SEIR or whether the changes will result in a substantial increase in the severity of a previously identified significant impact.

(3) New Circumstances Involving New Impacts?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(2), this column indicates whether there have been substantial changes with respect to the circumstances under which the project is undertaken that will require major revisions to the prior certified SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(4) New Information Requiring New Analysis or Verification?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(3)(A-D), this column indicates whether new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the prior certified SEIR was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the prior certified SEIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the prior certified SEIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the prior certified SEIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If the additional analysis completed as part of this environmental review were to find that the conclusions of the prior certified SEIR remain the same and no new significant impacts are identified, or identified impacts are not found to be substantially more severe, or additional mitigation is not necessary, then the question would be answered “no,” and no additional environmental document would be required.

(5) Mitigation Measures Implemented or Address Impacts

Pursuant to CEQA Guidelines Section 15162, subd. (a)(3), this column indicates whether the prior certified SEIR provides mitigation measures to address effects in the related impact category. Any previously adopted mitigation measures will be identified. The response will also address proposed revisions to previously adopted mitigation measures. These mitigation measures will be implemented with the construction of the project, as applicable. For clarity and ease of reference, this document includes new nomenclature for the prior certified SEIR mitigation measures that are applicable to the Modified Project, with the nomenclature from the prior certified SEIR included in parentheses. For example, Mitigation Measure (MM) AES-1 includes SEIR MM (a)1 in parentheses for purposes of this document and future implementation. If “NA” is indicated, the prior certified SEIR concluded that the impact either does not occur with the Approved Project or is not significant, and therefore no additional mitigation measures are needed.

3.2 - Discussion and Mitigation Sections

(1) Discussion

A discussion of the elements of the checklist is provided under each environmental category in order to clarify the answers. The discussion provides information about the particular environmental issue, how the project relates to the issue, and the status of any mitigation that may be required or that has already been implemented.

(2) Mitigation Measures

Applicable mitigation measures from the prior certified SEIR that apply to the Modified Project are listed under each environmental category. As noted, new titles have been assigned to the prior certified SEIR mitigation measures that apply to the Modified Project, with the original titles included in parentheses.

(3) Conclusions

A discussion of the conclusion relating to the analysis is contained in each section.

3.3 - Environmental Topics

The scope of the prior certified SEIR included the following environmental issues or "areas of concern":

Land Use, Population and Housing, Transportation, Geology and Soils, Drainage and Water Quality, Visual Factors, Municipal Services, Vegetation and Wildlife, Noise, Air Quality, Archaeology and Public Health and Safety

Impacts of the original project on the environment were measured as Significant, Less than Significant or Significant unavoidable impact. The following topics are evaluated in accordance with 2021 CEQA Guidelines:

- Aesthetics, Light, and Glare
- Agricultural and Forest Resources
- Air Quality
- Biological Resources
- Cultural and Tribal Cultural Resources
- Energy
- Geology, Seismicity, and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Utilities and Service Systems
- Wildfire

Significance Levels in the most recent CEQA checklist are measured as:

- Potentially significant impact
- Less than significant with mitigation incorporated
- Less than significant impact, or
- No impact

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Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
I. Aesthetics, Light, and Glare *Except as provided in Public Resources Code Section 21099, would the project:*					
a) Have a substantial adverse effect on a scenic vista?	Significant and unavoidable	No	No	No	MM AES-1 (MM a(1))
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a State Scenic Highway?	Significant and unavoidable	No	No	No	MM AES-1 (MM a(1)) MM AES-2, MM AES-3 (MM b(1)-(2))
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 point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Significant and unavoidable	No	No	No	MM AES-2, MM AES-3 (MM b(1)-(2)) MM AES-4, MM AES-5, MM AES-6 (MM a(2)-(4)) MM AES-7, MM AES-8, MM AES-9, MM AES-10 (MM c(1)-(4))
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Significant and unavoidable	No	No	No	MM AES-11 (MM a(5))

Discussion

a) Would the project have a substantial adverse effect on a scenic vista?

Summary of the Prior Certified SEIR

The prior certified SEIR determined that the distinctive barren rolling hillside landscape of the Southwest Hills is particularly vulnerable to the contrasting visual impact of urban development. The prior certified SEIR determined that it would fundamentally change the physical character of the site,

including dramatic topographic changes and replacement of the existing rural open grassland setting with an expansive and intensive suburban residential landscape. Views from the southern hills were described as including vistas of the cityscape and Suisun Bay beyond. Scenic vistas of area ridgelines would be changed and existing rural and hillside views of and from the project site would be substantially altered. The prior certified SEIR found that the project site plan may not be consistent with the General Plan Policy 4-P-1 to retain major ridgelines as open space. Project homes were proposed in an area of the southwest corner of the site designed by the General Plan as a "major ridgeline."

The prior certified SEIR included the following mitigation measures related to scenic resources:

MM a(1) Ridgeline Protection requires that all project construction occur at elevations below the major ridgeline portion of the site (i.e., below approximately the 750-foot contour).

Despite implementation of MM a(1), the impact on scenic vistas was determined in the prior certified SEIR to be significant and unavoidable and the City adopted a statement of overriding considerations prior to approving the Approved Project.

Modified Project Analysis and Conclusions

The Modified Project would be located within Units 16 and 17 of the Development Plan that were analyzed in the prior certified SEIR. The Modified Project would include a different mix of residential products in Village C than the Approved Project, and the previously envisioned multi-family residential would be replaced by two-story single-family residential rather than multi-story high-density residential. However, with the transfer of units from other villages within the subdivision, Village C would contain more total units than were assumed in the prior certified SEIR. The Modified Project would not result in a greater obstruction of scenic views, particularly from SR-4; rather, it would result in a reduction of this impact to a certain extent because single-story units are now proposed in contrast to the multi-story units evaluated in the prior certified SEIR.

The Modified Project would comply with General Plan goals and policies related to viewsheds, including Goal 4-G-1: Retain views of major and minor ridgelines within the southern hills; Goal 4-G-2: Preserve minor ridgelines south of State Route 4 as open space to provide screening for hillside development; and Goal 4-G-3: Ensure that new residential development in the southern hills provides adequate transition between urban and open space uses on the City's edge. Policies related to these goals require ridgeline setbacks for all new hillside development. Specifically, building pads should be located at least 150 feet away from the crest of a major ridgeline (measured horizontally from the centerline) (Policy 4-P-1). Additional policies require design review of proposed hillside development to ensure that such development preserves more prominent views of the southern hills; limit building of structures or planting of tall trees along the southern edge or terminus of streets (Policy 4-P-2); and limit building heights and massing where views of the hills from adjacent properties and public spaces could be preserved (Policy 4-P-3).

MM AES-1 (MM a(1)) would apply to the Modified Project, requiring that all project construction occur at elevations below the major ridgeline portion of the site (i.e., below approximately the 750-

foot contour). As a result, the Modified Project would not create impacts to scenic vistas beyond what was already evaluated and disclosed in the prior certified SEIR. In addition, no new information of substantial importance shows that mitigation measures or alternatives that were previously found not to be feasible or that are considerably different from those analyzed in the prior certified EIR would substantially reduce one or more significant effects on the environment. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Significant and unavoidable.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically analyze impacts to State Scenic Highways, as SR-4 in the project area is not a State-designated Scenic Highway. However, the prior certified SEIR did discuss impacts on views from SR-4 and determined that the Approved Project would significantly change the character of the west gateway to the Pittsburg community for eastbound traffic on SR-4 and would dramatically alter the view of the site for westbound traffic. The City found the impact to be significant and unavoidable and adopted a statement of overriding considerations prior to approving the Approved Project.

In addition to MM a(1), discussed above, the prior certified SEIR included the following mitigation measures related to scenic resources:

MM b(1) Transmission Towers was included to reduce the visual impacts of transmission lines by strategically locating trees and landscaping.

MM b(2) Interior Landscapes was included to reduce undesirable visual characteristics along project streets by introducing variety in unit design.

As discussed in the prior certified SEIR, mitigation relating to increased overall landscaping, increasing landscaping specifically in Villages A, B, C and M; and use of subdued roofing materials was found to be particularly important for reducing impacts on views from SR-4. Despite the implementation of the above mitigation measures, the City found the impact to be significant and unavoidable and adopted a statement of overriding considerations prior to approving the Approved Project.

Modified Project Analysis and Conclusions

The General Plan does not identify specific scenic corridors as such, although it does acknowledge that the southern hills lend Pittsburg residents a sense of identity and identifies the importance of the views of the southern hills as drivers crest the ridgeline on SR-4 from Concord. Views of the hills

to the south, and Suisun Bay to the north create an identifiable entryway for the City. SR-4 is acknowledged as a prominent gateway to the City as well as a key corridor.

The General Plan includes goals and policies relating to SR-4. These include Goal 4-G-12: Pursue the beautification of the State Route 4 corridor by improving highway landscaping and retaining significant views; and acknowledges the importance of working with private developers within the San Marco Subdivision to create a pedestrian-oriented mixed-use village along West Leland Road at San Marco Boulevard and ensure that buildings are designed and oriented toward public spaces. General Plan policies provide for retention of views of the southern hills from the SR-4 corridor through implementation of ridgeline preservation policies (Policy 4-P-61); ensure that all development adjacent to SR-4 provides landscaping along new sound walls. Encourage existing residential areas to improve landscaping along existing fenced areas (Policy 4-P-63); and work with the California Department of Transportation to implement a uniform landscape theme along the SR-4 corridor throughout the Planning Area (Policy 4-P-64).

The Modified Project would rezone a portion of the San Marco Subdivision from multi-family to single-family dwelling units, but the parcels and their orientation would remain substantially the same as previously mapped. There would be no changes to the village along West Leland Road at San Marco Boulevard. MM AES-2 and MM AES-3 (MM b(1) and MM b(2)) would apply to the Modified Project. The Modified Project would comply with all General Plan goals and policies related to development adjacent to SR-4. In addition, no new information of substantial importance shows that mitigation measures or alternatives that were previously found not to be feasible or that are considerably different from those analyzed in the prior certified EIR would substantially reduce one or more significant effects on the environment. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Significant and unavoidable.

c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Summary of the Prior Certified SEIR

As discussed in a) and b) above, the prior certified SEIR determined that the Approved Project would substantially alter the visual character and quality of the project site. The original impact analysis included an assessment of existing visual character, an evaluation of development standards and design guidelines, and an evaluation of the visual compatibility of the project with its surroundings. Because the change in visual character was considered substantial, the City found the impact to be significant and unavoidable despite implementation of identified mitigation measures and adopted a statement of overriding considerations prior to approving the Approved Project.

In addition to MM b(1) and MM b(2), discussed above, the prior certified SEIR included the following mitigation measures related to scenic resources:

MM a(2) General Design Controls requires design measures and controls be incorporated into the final design and title provisions to reduce impacts on off-site vantage points. This includes the use of subdued building materials to minimize contrast with the surrounding landscape.

MM a(3) Design Control for Custom Lots requires custom home lots to incorporate architectural design standards to prevent the construction of “visually conspicuous residential structures.”

MM a(4) Landscaping requires common and individual landscaping to reduce potential visual impacts of the Approved Project.

MM c(1) Views from Highway 4. Implementation of mitigations relating to increased tree planting; implementation of an effective landscaping and maintenance plan for Villages A, B, C, and M; and the requirement for use of subdued building materials and colors, and in particular, subdued roofing materials, would reduce project impacts on views from Highway 4.

MM c(2) Views from the Sea Breeze. Mota Ranch and Shore Acres Subdivisions. Implementation of all of the mitigation measures listed under “a” above would reduce project impacts on views from these three communities. Because most of the views from these areas are intermediate and distant views of the upper elevations of the project. measures involving the preservation of the uppermost project ridgeline (i.e., the General Plan designated "major ridge" and Open Space area) would be a particularly important mitigation measure.

MM c(3) Views from West Pittsburg. Implementation of all of the mitigation measures listed under "a" above would reduce project impacts on views from the West Pittsburg community. Similar to Shore Acres, because most of the views from the West Pittsburg area are distant views of the higher portions of the site, the preservation of the uppermost ridgeline (i.e., the designated "major ridge" and Open Space area) would be a particularly important mitigation measure.

MM c(4) Views from Other Locations. Mitigations relating to use of subdued building materials and colors, subdued roofing materials, and common landscaping would also be effective in reducing project impacts on Evora Road and Avila Road-Leland Road views. Mitigations relating to increased overall landscaping; landscaping in Villages A, B, C, and M; and use of subdued roofing materials would be particularly important for reducing impacts on views from Evora Road.

Because the change in visual character was considered substantial, the City found the impact to be significant and unavoidable despite implementation of identified mitigation measures and adopted a statement of overriding considerations prior to approving the Approved Project.

Modified Project Analysis and Conclusions

The Modified Project would not alter the San Marco Development Plan's standards and design guidelines. Architectural standards, landscape requirements, etc. outlined in the San Marco Development Plan would be maintained. The change from multi-family to single-family residential in Village C would not result in changes in visual compatibility, although the proposed single-family residences would be one to two stories in height and would therefore be less visually intrusive. The Modified Project would remain consistent with all General Plan goals and policies related to visual quality and would implement the mitigation measures identified in the prior certified SEIR: MM AES-1 through MM AES-4 (MM a(1) through a(4), MM AES-6 and MM AES-7 (MM b(1) and MM b(2)), and MM AES-8 through MM AES-11 (MM c(1)-(4)), listed in their entirety below. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Significant and unavoidable.

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Summary of the Prior Certified SEIR

The prior certified SEIR acknowledged that the Approved Project would result in a new source of light and glare. While mitigation was identified to reduce the impact, identified below, the prior certified SEIR concluded that the introduction of these new sources of light and glare in a predominantly undeveloped rural area would result in a significant and unavoidable impact.

The prior certified SEIR included the following mitigation measures related to light and glare:

MM a(5) The design of common project street lighting should incorporate use of low-intensity fixtures with the cone of light focused in a manner which avoids illuminating any nearby vertical surfaces.

The CC&Rs for each individual lot should include stringent parameters regarding exterior lighting to ensure against nighttime visual impacts on off-site vantage points. The exterior lighting parameters should stipulate low mounting heights and, where the exterior fixture may be exposed to a surrounding vantage point or vantage points, use of appropriate light refractors or diffusers.

Any project pathway illumination should be limited to low bollard fixtures. In addition, any use of exterior lighting at other project facilities, such as the

community park and recreation facilities, should be subject to the same design standards as those described above for individual project lots.

Modified Project Analysis and Conclusions

The Modified Project would not result in an increase in overall unit density in the San Marco Subdivision, but, rather, would transfer some units from other villages to Village C while maintaining the overall development unit count. The rezone of Village C from multi-family to single-family residential would not increase the number of units overall. However, the transfer would likely result in a slightly lower level of light and glare because it would be anticipated that single-family units would not require as much exterior lighting as multi-family buildings. In addition, exterior lighting on two-story structures would be lower to the ground than a multi-story apartment building and would thus be less visible. MM AES-11 (MM a(5)) would remain applicable to the Modified Project to reduce light and glare impacts to less than significant. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Significant and unavoidable.

Mitigation Measures

The following mitigation measures identified in the prior certified SEIR are required mitigation for the Modified Project.

MM AES-1 (MM a(1)) Ridgeline Protection. Require that all project construction occur at elevations below the major ridgeline portion of the site; i.e., below approximately the 750-foot contour.

MM AES-2 (MM b(1)) Transmission Towers. As described in the Land Use section of this SEIR, the visual impacts of transmission lines on nearby residential and other important internal project vantage points could be reduced, although not to less than significant levels, by the strategic location of trees and other landscaping (see Section IV.A.3, Mitigation Measure a(5)).

MM AES-3 (MM b(2)) Interior Landscapes. The potential visual monotony and other undesirable visual characteristics of project streets with uniform home setbacks and building heights could be mitigated by the introduction of more variation in unit design, the inclusion of more single- story elements in project two-story homes, the introduction of more single-story homes at selected locations along each street, and introduction of unit designs which do not emphasize the garage door in the front elevation.

MM AES-4 (MM a(2)) General Design Controls. Incorporate in the final design and title provisions for the San Marco project measures and controls on architecture, grading,

introduced landscaping, future tree removal, and ongoing landscape maintenance which are specifically formulated to reduce impacts on off-site vantage points. Emphasis should also be placed on the use of subdued appearing building materials and colors in order to minimize contrast with the surrounding hillside landscape.

MM AES-5 (MM a(3)) Design Controls for Custom Lots. For custom home lots, incorporate architectural design standards in the individual lot CC&Rs to ensure against the construction of visually conspicuous residential structures, particularly on the most visually vulnerable north-facing and ridgetop lots.

MM AES-6 (MM a(4)) Landscaping. Common and individual landscaping will have a substantial long-term effect in softening and reducing the visual impacts of the project. Given the importance of landscaping in reducing the visual impacts of the project, the following landscaping provisions should be included in the development program:

- Planting plans, specifications, and long-term maintenance responsibilities for the Modified Project street trees, park, and other common landscaping (see Figure 10) should be formulated and detailed to the satisfaction of the City. These plans and specifications should provide reasonable assurances for the long-term health and survival of these common project landscape features.
- A program of ongoing maintenance and replacement of introduced landscaping should be established by the applicant to the satisfaction of the City.
- Project CC&Rs should include landscaping standards for private exterior areas which will ensure the compatibility of each homesite with the surrounding San Marco neighborhood and will avoid increased adverse impacts on off-site vantage points.

MM AES-7 (MM c(1)) Views from Highway 4. Implementation of mitigations relating to increased tree planting; implementation of an effective landscaping and maintenance plan for Villages A, B, C, and M; and the requirement for use of subdued building materials and colors, and in particular, subdued roofing materials, would reduce project impacts on views from Highway 4.

- Because the multi-family structures in Villages B, C, and M are the most highly visible portion of the site from Highway 4, the opportunity to provide dense landscaping in the open space areas surrounding these clusters of multi-family buildings would be particularly important.
- In addition, the southern portions of Shore Acres Creek (i.e., the segment south of the PG&E transmission lines) and its westernmost tributary should be preserved, incorporated into the project design, and enhanced with

additional native vegetation, to provide additional visual interest from the freeway as well as from internal viewpoints.

MM AES-8 (MM c(2)) Views from the Sea Breeze. Mota Ranch and Shore Acres Subdivisions. Implementation of all of the mitigation measures listed under “a” above would reduce project impacts on views from these three communities. Because most of the views from these areas are intermediate and distant views of the upper elevations of the project. measures involving the preservation of the uppermost project ridgeline (i.e., the General Plan designated "major ridge" and Open Space area) would be a particularly important mitigation measure.

MM AES-9 (MM c(3)) Views from West Pittsburg. Implementation of all of the mitigation measures listed under "a" above would reduce project impacts on views from the West Pittsburg community. Similar to Shore Acres, because most of the views from the West Pittsburg area are distant views of the higher portions of the site, the preservation of the uppermost ridgeline (i.e., the designated "major ridge" and Open Space area) would be a particularly important mitigation measure.

MM AES-10 (MM c(4)) Views from Other Locations. Mitigations relating to use of subdued building materials and colors, subdued roofing materials, and common landscaping would also be effective in reducing project impacts on Evora Road and Avila Road-Leland Road views. Mitigations relating to increased overall landscaping; landscaping in Villages A, B, C, and M; and use of subdued roofing materials would be particularly important for reducing impacts on views from Evora Road.

MM AES-11 (MM a(5)) Light and Glare. The design of common project street lighting should incorporate use of low-intensity fixtures with the cone of light focused in a manner which avoids illuminating any nearby vertical surfaces.

- The CC&Rs for each individual lot should include stringent parameters regarding exterior lighting to ensure against nighttime visual impacts on off-site vantage points. The exterior lighting parameters should stipulate low mounting heights and, where the exterior fixture may be exposed to a surrounding vantage point or vantage points, use of appropriate light refractors or diffusers.
- Any project pathway illumination should be limited to low bollard fixtures. In addition, any use of exterior lighting at other project facilities, such as the community park and recreation facilities, should be subject to the same design standards as those described above for individual project lots.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Aesthetics. The conclusions from the prior certified SEIR remain unchanged when considering the implementation of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
II. Agricultural and Forest Resources *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:*					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	Less than significant impact	No	No	No	None
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	Less than significant impact	No	No	No	None
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))?	No impact identified	No	No	No	None
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No impact identified	No	No	No	None

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?	No impact identified	No	No	No	None

Agricultural and Forestry resources were not an explicit "area of concern" in the prior certified SEIR, as the CEQA Guidelines in effect at that time did not require an analysis of impacts to these resources.

Discussion

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 nonagricultural use?

Summary of the Prior Certified SEIR

Lands surrounding the San Marco project site which contained ongoing agricultural uses included the Alves property,[2] the Ridge Farm property, the Seecon property, and several other large land holdings to the south and east outside of the City's planning area. Agricultural activities on these lands primarily included grazing and associated livestock operations. The U.S. Soil Conservation Service soils suitability criteria indicated that the optimum agricultural use of the site soil is limited to rangeland. The prior certified SEIR for the Approved Project identified that conversion of the project site from agricultural rangeland to urban use would not constitute a significant adverse impact because none of the site is classified as prime agricultural land, the project represents a small portion of the countywide rangeland inventory, and the project would not contribute to a significant countywide cumulative decline in agricultural productivity.[3] The project site contained no U.S. Soil Conservation Service designated prime agricultural soils. The site has been historically used for cattle grazing. The prior certified SEIR stated that the City does not consider the steep, dry lands of the Southwest Hills to be viable for more productive agricultural use, given the soil and topographic

[2] The Alves property has been developed subsequent to preparation of the prior certified SEIR and is no longer in agricultural production.

[3] Wagstaff and Associates Urban and Environmental Planners. 1992. Final Subsequent Environmental Impact Report for the San Marco Subdivision, IV.A. Land Use, Page 99. October.

characteristics of the area, and the lack of local transportation and market conditions necessary to support a viable cattle ranching operation.[4]

Modified Project Analysis and Conclusions

The Modified Project would be located within Units 16 and 17 of the Development Plan that was analyzed in the prior certified SEIR. Units 16 and 17 are identified as Grazing Land by the California Department of Conservation and therefore do not contain Prime Farmland, Unique Farmland or Farmland of Statewide Importance.[5] As such, the Modified Project would not result in the conversion of farmland to nonagricultural uses and no impact would occur. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act Contract?

Summary of the Prior Certified SEIR

The prior certified SEIR determined that approximately 370 acres of the project site were then subject to a Williamson Act Agricultural Preserve contract which was scheduled to expire in 1997.[6] As of the date of this Addendum, the Williamson Act Contract has expired.

Modified Project Analysis and Conclusions

As previously discussed, the Modified Project would be located within Units 16 and 17 of the Development Plan that was analyzed in the prior certified SEIR. The prior certified SEIR for the Approved Project notes that approximately 370 acres of the project site were under an active Williamson Act Agricultural Preservation contract, but the landowner requested withdrawal of this portion of the site from Agricultural Preserve status and the 10-year cancellation period ended in February of 1997; the contract has therefore expired. Furthermore, the project site is zoned as Planned Development and is not zoned for agricultural use. Therefore, the Modified Project sites (Village C and Village O) do not conflict with a Williamson Act Contract or existing zoning for agricultural use and no impact would occur. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified

[4] Wagstaff and Associates Urban and Environmental Planners. 1992. Final Subsequent Environmental Impact Report for the San Marco Subdivision, IV.A. Land Use, Page 84. October.

[5] California Department of Conservation. 2022. California Important Farmland Finder. Website: https://maps.conservation.ca.gov/dlrp/ciff/. Accessed November 23, 2022.

[6] A 200-acre figure for on-site Williamson Act Contract land Is cited in a letter from Stephen E. Oliva, Environmental Program Coordinator, Department of Conservation, to Randy Jerome, Senior Planner, City of Pittsburg, August 21, 1991. However, examination of actual parcel lines by the EIR authors indicates that the contract area (the previous Culbertson ownership) is actually approximately 370 acres. As explained in more detail in the Land Use section of this EIR (IV.A.1), this portion of the property was granted Agricultural Preserve status by the County in 1970 under the provisions of the State Williamson Act. Since then, the current landowner has requested withdrawal of this portion of the site from Agricultural Preserve status. The 10-year cancellation period ended in February of 1997 according to information from the County Assessor.

SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

Summary of the Prior Certified SEIR

The prior certified SEIR for the Approved Project did not identify any forest land on the project site. As noted, the U.S. Soils Conservation Service identifies the soils as suitable for rangeland. There was no impact to forest land identified in the prior certified SEIR.

Modified Project Analysis and Conclusions

As previously noted, the existing General Plan designates portions of the Modified Project sites as High Density Residential as well as Open Space. The Modified Project sites are zoned PD (District 1362) The Modified Project would be located within Units 16 and 17 of the Development Plan, which was analyzed in the prior certified SEIR. The prior certified SEIR for the Approved Project did not identify any forest land on the project site. Furthermore, the City's zoning map does not include a zoning designation for forest land or timberland.[7] Therefore, the Modified Project would have no impact on forest land, timberland or timberland zoned Timberland Production. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

Summary of the Prior Certified SEIR

The prior certified SEIR for the Approved Project did not identify any forest land on the project site. As noted, the U.S. Soils Conservation Service identified the soils as suitable for rangeland. There was no impact to forest land identified in the prior certified SEIR.

[7] City of Pittsburg. 2022. City of Pittsburg Zoning. Website: https://cityofpittsburg.maps.arcgis.com/apps/webappviewer/index.html?id=54f347e4fe8b405ab2b93b922bcce89c. Accessed November 23, 2022.

Modified Project Analysis and Conclusions

As discussed above, the Modified Project sites are zoned PD (District 1362) and do not contain any forest land. Therefore, implementation of the Modified Project would not involve the conversion of forest land to non-forest use and there would be no impact. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?

Summary of the Prior Certified SEIR

The prior certified SEIR for the Approved Project did not identify any other changes to the environment which, due to their location or nature, could result in conversion of farmland to nonagricultural use or conversion of forest land to non-forest use. As noted, the project site was not identified as prime agricultural land and had soils suitable as rangeland, not agricultural production. The site was not designated as forest or timberland. There was no impact identified in the prior certified SEIR.

Modified Project Analysis and Conclusions

As noted above, the prior certified SEIR did not identify any other changes to the environment which, due to their location or nature, could result in conversion of farmland to nonagricultural use or conversion of forest land to non-forest use. The Modified Project site is identified as Grazing Land and does not contain Prime Farmland, Unique Farmland or Farmland of Statewide Importance. Furthermore, the Modified Project sites are zoned PD (District 1362) and do not contain any forest land. Therefore, the Modified Project would have no impact related to the conversion of farmland to nonagricultural use of conversion of forest land to non-forest use. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

Mitigation Measures

The prior certified SEIR concluded that there was no significant impact related to agricultural and forest resources, and thus no mitigation measures were identified. No new mitigation measures are required for the Modified Project.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Agriculture and Forest Resources. The conclusions from the prior certified SEIR remain unchanged when considering the implementation of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
III. Air Quality *Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:*					
a) Conflict with or obstruct implementation of the applicable air quality plan?	Significant and unavoidable	No	No	No	MM AQ-1 (MM a) MM AQ-2, MM AQ-3, MM AQ-4 (MM c(1)-(3))
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?	Significant and unavoidable	No	No	No	MM AQ-1 (MM a) MM AQ-2, MM AQ-3, MM AQ-4 (MM c(1)-(3))
c) Expose sensitive receptors to substantial pollutant concentrations?	Significant and unavoidable	No	No	No	MM AQ-1 (MM a) MM AQ-2, MM AQ-3, MM AQ-4 (MM c(1)-(3))
d) Result in other emissions (such as those leading to odors or) adversely affecting a substantial number of people?	Less than significant impact	No	No	No	None

Discussion

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Summary of the Prior Certified SEIR

At the time the prior certified SEIR for the Approved Project was prepared, the Bay Area '91 Clean Air Plan was the applicable AQP for the Bay Area mandated by the California Clean Air Act. The prior certified SEIR determined that the Approved Project would be consistent with the Clean Air Plan Draft control measures because the Approved Project would include transportation, mobile source, and stationary source control measures that would include more fuel-efficient vehicles, encourage alternative transportation methods, and require permits for stationary sources. Furthermore, the

prior certified SEIR concluded that the Approved Project's estimated population would be consistent with Association of Bay Area Governments (ABAG) projections at the time and thus the Approved Project would have been considered in the Clean Air Plan. However, the prior certified SEIR concluded that long-term regional air quality impacts would remain significant and unavoidable due to operational air quality emissions from the Approved Project.

The prior certified SEIR included the following mitigation measures related to air quality:

MM a Short-Term Construction Impacts includes specific construction measures, particularly dust control measures, to mitigate construction-related air quality impacts.

MM c(1) Land Use and Density was included to recommend features such as a neighborhood commercial or convenience center be placed within the project in an effort to reduce external trips and promote bicycle or pedestrian modes of travel to mitigate impacts to air quality.

MM c(2) Transportation System was included to recommend the expansion of the proposed project's trail system to provide a bikeway, the addition of pull-outs to accommodate future transit service, the future installation of transit amenities and the provision of bicycle parking areas for apartment residents (if individual garages are not provided.

MM c(3) Fireplaces was included to restrict the number of fireplaces to one per residence or require the use of EPA-certified woodstoves or fireplace inserts to reduce emissions of PM_{10} and carbon monoxide.

However, the prior certified SEIR concluded that long-term regional air quality impacts would remain significant and unavoidable due to operational air quality emissions from the Approved Project.

Modified Project Analysis and Conclusions

The project site is located in the San Francisco Bay Area Air Basin (Air Basin), where the Bay Area Air Quality Management District (BAAQMD) regulates air quality. The United States Environmental Protection Agency (EPA) is responsible for identifying nonattainment and attainment areas for each criteria pollutant within the Air Basin. The Air Basin is designated nonattainment for State standards for 1-hour and 8-hour ozone, 24-hour respirable particulate matter (PM_{10}), annual PM_{10}, and annual fine particulate matter ($PM_{2.5}$).[8]

The BAAQMD has adopted several air quality policies and plans to address regional air quality, the most recent of which is the 2017 Clean Air Plan. The 2017 Clean Air Plan was adopted in April of 2017 and serves as the regional Air Quality Plan (AQP) for the Air Basin for attaining National Ambient Air Quality Standards and California Ambient Air Quality Standards. The primary goals of the 2017 Clean Air Plan are to protect public health and protect the climate. The 2017 Clean Air Plan acknowledges that the BAAQMD's two stated goals of protection are closely related. As such, the

[8] Bay Area Air Quality Management District (BAAQMD). 2017. California Environmental Quality Act. Air Quality Guidelines.

2017 Clean Air Plan identifies a wide range of control measures intended to decrease both criteria pollutants[9] and greenhouse gas (GHG) emissions.[10] The 2017 Clean Air Plan also accounts for projections of population growth provided by the ABAG and Vehicle Miles Traveled (VMT) provided by the Metropolitan Transportation Commission (MTC) and identifies strategies to bring regional emissions into compliance with federal and State air quality standards. A project would be judged to conflict with or obstruct implementation of the 2017 Clean Air Plan if it would result in substantial new regional emissions not foreseen in the air quality planning process.

The BAAQMD does not provide a numerical threshold of significance for project level consistency analysis with AQPs. Therefore, the following criteria will be used for determining a project's consistency with the AQP.

- Criterion 1: Does the project support the primary goals of the AQP?
- Criterion 2: Does the project include applicable control measures from the AQP?
- Criterion 3: Does the project disrupt or hinder the implementation of any AQP control measures?

Criterion 1

The primary goals of the 2017 Clean Air Plan, the current AQP to date, are to:

- Attain air quality standards.
- Reduce population exposure to unhealthy air and protect public health in the Bay Area.
- Reduce GHG emissions and protect the climate.

A measure for determining whether the project supports the primary goals of the AQP is if the project would not result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the air quality plans. This measure is determined by evaluating whether the Modified Project was reasonably accounted for in the AQP.

The existing General Plan and designations for the Modified Project site are High Density Residential and Open Space. The project site is zoned PD (District 1362, Village C and Village O) and the applicant proposes to amend the General Plan designation to Low Density Residential and amend PD (District 1362) to transfer a total of 112 units from other villages into Village C and convert a total of 206 multi-family units to single-family units (including the 112 units that were transferred into Village C). With the approval of the project's zone change, the Modified Project would be consistent with the corresponding standards for development outlined in the General Plan and the Zoning Ordinance. As a result, the Modified Project would not have any significant effects that either have

[9] The EPA has established National Ambient Air Quality Standards (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" air pollutants (or simply "criteria pollutants").

[10] A greenhouse gas (GHG) is any gaseous compound in the atmosphere that is capable of absorbing infrared radiation, thereby trapping and holding heat in the atmosphere. By increasing the heat in the atmosphere, GHGs are responsible for the greenhouse effect, which ultimately leads to global warming.

not already been analyzed in the SEIR or that are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate.

As the BAAQMD's latest AQP utilizes growth projections from Plan Bay Area 2040, which relies on growth projections and land use patterns from local general plans and was adopted after the adoption of the City's General Plan, development of the project site has been reasonably accounted for in the BAAQMD's latest AQP.

Furthermore, as discussed in Impact III(b), implementation of the Modified Project would not exceed the BAAQMD operational or construction thresholds for criteria pollutants on an average daily or annual basis. Therefore, the Modified Project would be consistent with the first criterion.

Criterion 2

The 2017 Clean Air Plan contains control measures to reduce air pollutants and GHGs at the local, regional, and global levels. Along with the traditional stationary, area, mobile source, and transportation control measures, the 2017 Clean Air Plan contains many control measures designed to protect the climate and promote mixed-use, compact development to reduce vehicle emissions and exposure to pollutants from stationary mobile sources. The 2017 Clean Air Plan also includes an account of the implementation status of control measures identified in the prior 2010 Clean Air Plan.

Table 3 lists the Clean Air Plan policies relevant to the Modified Project and evaluates its consistency with the policies. As shown below, the Modified Project would be consistent with the applicable control measures of the 2017 Clean Air Plan.

Table 3: Project Consistency with Applicable Clean Air Plan Control Measures

Control Measure	Project Consistency
Buildings Control Measures	
BL1: Green Buildings	**Consistent.** The Modified Project would not conflict with implementation of this measure. The Modified Project would comply with the latest energy efficiency standards and incorporate applicable energy efficiency features designed to reduce project energy consumption.
BL4: Urban Heat Island Mitigation	**Consistent.** The Modified Project would provide landscaping, which would serve to reduce the urban heat island effect and would include the planting of shade trees.
Energy Control Measures	
EN1: Decarbonize Electricity Generation	**Consistent.** The project applicant would, at a minimum, be required to conform to the energy efficiency requirements of the California Building Standards Code, also known as Title 24. The 2022 Title 24 Standards are the current State building regulations, which went into effect on January 1, 2023. Modified Project structures that would receive building permits after January 1, 2023, would be subject to the 2022 Title 24 Standards.
EN2: Decrease Electricity Demand	

Control Measure	Project Consistency
Natural and Working Lands Control Measures	
NW2: Urban Tree Planting	**Consistent.** The Modified Project would include landscaped area at each of the new development areas. Plantings would include trees, shrubs, and groundcover.
WA3: Green Waste Diversion	**Consistent.** The waste service provider for the Modified Project will be required to meet the Assembly Bill (AB) 341 and Senate Bill (SB) 939 and SB 1374 requirements that require waste service providers to divert green waste. All vegetation refuse generated during operations of the Modified Project would be disposed of off-site by the waste service provider.
WA4: Recycling and Waste Reduction	**Consistent:** The waste service provider for the Modified Project will be required to meet the AB 341, SB 939 and SB 1374 requirements that require waste to be recycled.
Stationary Control Measures	
SS36: Particulate Matter from Trackout	**Consistent with Mitigation.** Mud and dirt that may be tracked out onto the nearby public roads during construction activities shall be removed promptly by the contractor based on BAAQMD's requirements. The prior certified SEIR's adopted Short-Term Construction Impacts mitigation measure, would require implementation of BMPs recommended by BAAQMD for fugitive dust emissions during construction.
SS37: Particulate Matter from Asphalt Operations	**Consistent.** Asphalt used during the construction of the Modified Project would be subject to BAAQMD Regulation 8, Rule 15-Emulsified and Liquid Asphalts. Although this rule does not directly apply to the Modified Project, it does limit the reactive organic gas (ROG) content of asphalt available for use during construction through regulating the sale and use of asphalt. By using asphalt from facilities that meet BAAQMD regulations, the Modified Project would be consistent with this Clean Air Plan measure.
Transportation Control Measures	
TR9: Bicycle and Pedestrian Access and Facilities.	**Consistent.** Pedestrian access would be provided via an existing sidewalk along the project frontage. The Modified Project would also provide garage and private parking spaces for residents while the garages would also provide bicycle parking. Therefore, the Modified Project would not conflict with the BAAQMD's efforts to encourage planning for bicycle and pedestrian facilities.
Source: Bay Area Air Quality Management District (BAAQMD). 2017. Final 2017 Clean Air Plan. April 19.	

In summary, the Modified Project would not conflict with any applicable measures under the 2017 Clean Air Plan after the implementation of the prior certified SEIR construction mitigation measure,

which is further discussed under Impact III(b). Therefore, the Modified Project would be consistent with Criterion 2 after incorporation of mitigation contained in the prior certified SEIR.

Criterion 3

The Modified Project is located within 1.7 miles from the Pittsburg/Bay Point Bay Area Rapid Transit (BART) Station, 0.9 mile west of a Tri Delta Transit bus stop located east of the San Marco Boulevard/West Leland Road intersection, and bicycle lanes and pedestrian sidewalks on West Leland Road. Therefore, the Modified Project would not discourage the use of public transit and active transportation. The Modified Project would not preclude the extension of a transit line or bike path, propose excessive parking beyond parking requirements, or otherwise create an impediment or disruption to implementation of any control measures of the AQP, the 2017 Clean Air Plan. The Modified Project would include new sidewalks along project frontages and connecting to adjacent roadways. The Modified Project would also provide parking on new internal roadways and private garages, which would also provide bicycle parking. As shown in Table 3 above, the Modified Project would incorporate several 2017 Clean Air Plan control measures as project design features such as complying with energy efficiency standards contained in the 2022 California Building Code and installing landscaping across the project site. Considering this information, the Modified Project would not disrupt or hinder implementation of any control measures; therefore, it is consistent with Criterion 3.

Summary

As addressed above, the Modified Project would be consistent with all three criteria. Thus, the Modified Project would not conflict with the 2017 Clean Air Plan and this impact would be less than significant with mitigation. Therefore, the effects of the Modified Project were anticipated in the SEIR and there are no project-specific effects that were not analyzed in the SEIR. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Significant and unavoidable.

b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?

Summary of the Prior Certified SEIR

Guidelines for the evaluation of project impacts issued by the BAAQMD in 1991 considered emission increases to be significant if they exceed 150 pounds per day for any regional pollutant. Project emissions shown in Table 38 of the SEIR exceeded this criterion for two pollutants: reactive organic gases and oxides of nitrogen. Consequently, the Approved Project was considered to have a significant adverse impact on regional air quality.

The prior certified SEIR determined that the project would affect air quality both directly and indirectly during construction and operation. The prior certified SEIR determined that construction would generate significant quantities of airborne particulate matter, including (PM_{10}), but impacts would be reduced to less than significant with implementation of mitigation.

During operation, the prior certified SEIR determined that the indirect effects of development would be related to vehicle use. Vehicles associated with the Approved Project would affect both local air quality (through changes in traffic volumes and congestion levels on the local street network) and regional air quality (by generating new regional vehicle use). The direct effects of development would be related to new residential combustion sources such as fireplaces, water heaters, and space heaters and residential evaporative emissions caused by cleaner, solvent and surface coating use.

The prior certified SEIR determined that the Approved Project's operational emissions would exceed the applicable thresholds for ROG and nitrogen oxide (NO_X) and determined that impacts would remain significant and unavoidable despite implementation of mitigation measures. In addition, the SEIR stated that concentrations of carbon monoxide (CO) would be related to the levels of traffic and traffic congestion along local streets and at intersections. The prior certified SEIR evaluated the potential CO impacts and determined that the Approved Project-generated passenger vehicle trips would not result in significant CO impacts.

The permanent impacts of the project on regional air quality would remain significant even after implementation of all identified mitigation measures. Overall, the prior certified SEIR determined the impacts related to criteria air pollutants to be significant and unavoidable.

Modified Project Analysis and Conclusions

This impact is related to the cumulative effect of the Modified Project's regional criteria pollutant emissions. By its nature, air pollution is largely a cumulative impact resulting from emissions generated over a large geographic region. The nonattainment status of regional pollutants is a result of past and present development within the San Francisco Bay Air Basin (Air Basin), and this regional impact is a cumulative impact. Therefore, new development projects (such as the Modified Project) within the Air Basin would contribute to this impact only on a cumulative basis. No single project would be sufficient in size, by itself, to result in nonattainment of regional air quality standards. Instead, a project's emissions may be individually limited, but cumulatively considerable, when evaluated in combination with past, present, and future development projects.

Potential localized and regional impacts would result in exceedances of State or federal standards for NO_X, particulate matter (PM_{10} and $PM_{2.5}$), or CO. NO_X emissions are of concern because of potential health impacts from exposure during both construction and operation and as a precursor in the formation of airborne ozone. PM_{10} and $PM_{2.5}$ are of particular concern during construction because of the potential to emit exhaust emissions from the operation of off-road construction equipment and fugitive dust during earth-disturbing activities (construction fugitive dust). CO emissions are of particular concern during project operation because operational CO hotspots are related to increases in on-road vehicle congestion.

ROG emissions are also important because of their participation in the formation of ground level ozone. Ozone is a respiratory irritant and an oxidant that increases susceptibility to respiratory infections and can cause substantial damage to vegetation and other materials. Elevated ozone concentrations result in reduced lung function, particularly during vigorous physical activity. This health problem is particularly acute in sensitive receptors such as the sick, elderly, and young children.

The cumulative analysis focuses on whether a specific project would result in cumulatively considerable emissions. According to Section 15064(h)(4) of the CEQA Guidelines,[11] the existence of significant cumulative impacts caused by other projects alone does not constitute substantial evidence that the Modified Project's incremental effects would be cumulatively considerable. Rather, the determination of cumulative air quality impacts for construction and operational emissions is based on whether the Modified Project would result in regional emissions that exceed the BAAQMD regional thresholds of significance for construction and operations on a project level. The thresholds of significance represent the allowable amount of emissions each project can produce without generating a cumulatively considerable contribution to regional air quality impacts. Therefore, a Modified Project that would not exceed the BAAQMD thresholds of significance on the project level also would not be considered to result in a cumulatively considerable contribution to these regional air quality impacts. Construction and operational emissions are discussed separately below.

Construction Emissions

Construction Fugitive Dust

As previously mentioned, fugitive dust (PM_{10} and $PM_{2.5}$) 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 during construction are not considered significant. Nevertheless, this analysis does adopt quantitative fugitive dust thresholds of significance consistent with federal and State standards and set forth in Table 5. As the Modified Project would involve the disturbance of greater than 1 acre, the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) during construction activities is required in order to comply with existing regulations. The SWPPP would ensure the implementation of various dust control measures determined to be most appropriate for the project site. These measures may include, but would not be limited to, watering or seeding disturbed areas, covering stockpiles of dirt or aggregate, or other soil stabilization practices.

In addition, the BAAQMD recommends that all construction projects implement a series of mitigation measures which also include various dust control measures, such as watering disturbed areas daily and reducing vehicle speeds on unpaved roads. The SEIR's Short-Term Construction mitigation measures (see Mitigation Measures, below) would require the same construction mitigation measures recommended by the BAAQMD to ensure that adequate dust control measures

[11] California Department of Natural Resources. 2019. Website: https://resources.ca.gov/admin/Legal/CEQA-Supplemental-Documents. Accessed November 9, 2022.

are implemented at the project site, in combination with any additional dust control measures identified and implemented by the SWPPP for the Modified Project. With the implementation of adopted SEIR Short-Term Construction mitigation measures, impacts associated with violating an air quality standard or contributing substantially to an existing or projected air quality violation would be less than significant for fugitive dust.

Construction Air Pollutant Emissions: ROG, NO_X, PM_{10}, and $PM_{2.5}$

The California Emissions Estimator Model (CalEEMod), Version 2020.4.0, was used to estimate the Modified Project's construction emissions. CalEEMod provides a consistent platform for estimating construction and operational emissions from a wide variety of land use projects and is the model recommended by the BAAQMD for estimating project emissions. Estimated construction emissions are compared with the applicable thresholds of significance established by the BAAQMD to assess ROG, NO_X, exhaust PM_{10}, and exhaust $PM_{2.5}$ construction emissions to determine significance for this criterion.

Based on project applicant-provided information, no demolition, site preparation, or grading would occur as part of construction activity. As a result, construction of the Modified Project is conservatively expected to start in July 2023 and to conclude in April 2027, using CalEEMod default values for building construction, paving, and architectural coating phases. For purposes of this analysis and as noted above, construction of the Modified Project was conservatively assumed to correspond to these dates. If the construction schedule moves to later years, construction emissions would likely decrease because of improvements in technology and more stringent regulatory requirements that would affect future construction equipment. The duration of construction activity and associated equipment represent a reasonable approximation of the expected construction fleet as required by CEQA Guidelines.[12]

As shown in Table 4, the Modified Project would be constructed in a total of 1,260 workdays. For a more detailed description of the construction parameters used in estimating air pollutant emissions modeling, please refer to the CalEEMod Notes Document in Appendix A.

Table 4: Preliminary Construction Schedule

Construction Activity	Phase Start Date	Phase End Date	Working Days per Week	Total Number of Working Days
Building Construction	1/1/2023	4/2/2027	5	1110
Paving	12/21/2026	4/2/2027	5	75
Architectural Coating	12/21/2026	4/2/2027	5	75

The calculations of pollutant emissions from the construction equipment account for the type of equipment, horsepower, and load factors of the equipment, along with the duration of use. Average daily construction emissions are compared with the BAAQMD's significance thresholds in Table 5 below.

[12] California Department of Natural Resources, Documents. 2019. Website: https://resources.ca.gov/admin/Legal/CEQA-Supplemental-Documents. Accessed July 8, 2022.

Table 5: Construction Emissions

Construction Activity	Air Pollutants[1] (tons/year)			
	ROG	NO_X	PM_{10} (Exhaust)	$PM_{2.5}$ (Exhaust)
Building Construction	0.91	9.39	0.33	0.31
Paving	0.04	0.32	0.02	0.01
Architectural Coating	2.62	0.04	<0.01	<0.01
Total Emissions (tons)	**3.57**	**9.75**	**0.35**	**0.32**
Daily Average				
Total Emissions (lbs)	6,434.4	18,932.8	669.6	630.5
Average Daily Emissions (lbs/day)[2]	5.11	15.03	0.53	0.50
Significance Threshold (lbs/day)	**54**	**54**	**82**	**54**
Exceeds Significance Threshold?	**No**	**No**	**No**	**No**

Notes:
lbs = pounds
NO_X = nitrogen oxides
PM_{10} = particulate matter 10 microns or less in diameter
$PM_{2.5}$ = particulate matter 2.5 microns or less in diameter
ROG = reactive organic gases
[1] Totals may not add up due to rounding. Calculations use unrounded totals.
[2] Calculated by dividing the total lbs of emissions by the total number of nonoverlapping working days of construction (1,260 workdays).
Source: CalEEMod Output (see Appendix A). Values above which represent less than 0.005 are automatically rounded down and shown as <0.01.

As shown in Table 5, the construction emissions from all construction activities associated with implementation of the Modified Project are below the recommended thresholds of significance; therefore, project construction would have less than significant impact related to emissions of ROG, NO_X, exhaust PM_{10}, and exhaust $PM_{2.5}$. As previously discussed, the Modified Project would implement the mitigation measures identified in the prior certified SEIR related to Short-Term Construction, listed below, to reduce impacts related to fugitive dust emissions during project construction. Therefore, the construction of the Modified Project would not result in emissions greater than or more than previously analyzed in the prior certified SEIR.

Operational Emissions

Operational Air Pollutant Emissions: ROG, NO_X, PM_{10}, and $PM_{2.5}$

Operational emissions would include area, energy, and mobile sources. Area sources include emissions from architectural coatings, consumer products, and landscape equipment, while energy sources include emissions from the combustion of electricity for water and space heating. Mobile sources include exhaust and road dust emissions from the vehicles that would travel to and from the project site. Pollutants of concern include ROG, NO_X, PM_{10}, and $PM_{2.5}$.

Project operations were analyzed starting in 2027, the first calendar year of potential operation when new residents would occupy the new residential units. The major sources for proposed operational emissions of ROG, NO_X, PM_{10}, and $PM_{2.5}$ include motor vehicle traffic and the occasional repainting of buildings.

The average daily and annual emissions are presented in Table 6. Operational emissions of the respective pollutants were calculated using CalEEMod, Version 2020.4.0. For detailed assumptions used to estimate emissions, see Appendix A.

Table 6: Operational Emissions

Emissions Source	Criteria Pollutants			
	ROG	NO_X	PM_{10} (Total)	$PM_{2.5}$ (Total)
Annual Emissions Summary (tons/year)				
Area	1.76	0.02	0.01	0.01
Energy	0.04	0.37	0.03	0.03
Mobile (Motor Vehicles)	0.73	0.77	1.67	0.45
Waste	0.00	0.00	0.00	0.00
Water	0.00	0.00	0.00	0.00
Total Project Emissions	**2.53**	**1.16**	**1.71**	**0.49**
Thresholds of Significance	**10**	**10**	**15**	**10**
Exceeds Significance Threshold?	**No**	**No**	**No**	**No**
Average Daily Emissions Summary (lbs/day)				
Project Emissions (lbs/year)	5,051	2,322	3,422	984
Average Daily Project Emissions (lbs/day)[1]	**13.84**	**6.36**	**9.38**	**2.70**
Thresholds of Significance	**54**	**54**	**82**	**54**
Exceeds Significance Threshold?	**No**	**No**	**No**	**No**

Notes:
lbs = pounds
NO_X = nitrous oxides
PM_{10} = particulate matter 10 microns or less in diameter
$PM_{2.5}$ = particulate matter 2.5 microns or less in diameter
ROG = reactive organic gases
For average daily emissions, the Modified Project is assumed to operate 365 days per year. Therefore, the annual tonnage of emissions is multiplied by 2,000 pounds per ton to identify total pounds of emissions and divided by 365 days per year to identify average daily emissions.
Source: CalEEMod Output (see Appendix A). Values above which represent less than 0.005 are automatically rounded down and shown as <0.01.

As shown in Table 6, the Modified Project would not exceed the BAAQMD's thresholds of significance during operation, indicating that ongoing project operations would not be considered to

have the potential to generate a significant quantity of air pollutants. Therefore, long-term operational impacts associated with criteria pollutant emissions generated by the Modified Project would not be greater than what was analyzed in the prior certified SEIR.

Operational Carbon Monoxide Hotspot

The CO emissions from traffic generated by the Modified Project are a concern at the local level. Congested intersections can result in the potential for high, localized concentrations of CO, known as a CO hotspot.

The BAAQMD recommends a screening analysis to determine whether a project has the potential to contribute to a CO hotspot. The screening criteria identify when site-specific CO dispersion modeling is necessary. The Modified Project would result in a less than significant impact to air quality for local CO if the following screening criteria are met:

- The project is consistent with an applicable congestion management program established by the County Congestion Management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans; or
- The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour; or
- The project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

As described in Impact XVII, Transportation, the Modified Project would not result in an increase in daily vehicle trips compared to development of 206 apartment units in the Approved Project. As a result, the Modified Project would not result in new or greater impacts related to consistency with applicable local congestion management plan programs. Furthermore, the SEIR already evaluated the potential impacts related to CO emissions and determined that impacts would be less than significant. Moreover, the Modified Project does not propose new roadways that would limit vertical and/or horizontal mixing and would not generate additional vehicle trips, which contribute toward CO impacts.

Therefore, the effects of the Modified Project are consistent with those that were anticipated in the prior certified SEIR and there are no project-specific effects that were not analyzed in the prior certified SEIR. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Significant and unavoidable.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Summary of the Prior Certified SEIR

This impact evaluated the health impacts from the Approved Project on nearby sensitive receptors. The prior certified SEIR for the Approved Project determined that the effects of construction activities would increase dust and locally elevated levels of PM_{10} near the construction activity. The prior certified SEIR for the Approved Project determined that construction would generate significant quantities of airborne particulate matter, including (PM_{10}), but impacts would be reduced to less than significant with implementation of mitigation. As noted, the Approved Project would not result in significant generation of CO during operation. Implementation of mitigation measures would reduce the impact from construction activities to less than significant. The prior certified SEIR determined that the long-term regional air quality impacts from the Approved Project would, however, remain significant and unavoidable.

Modified Project Analysis and Conclusions

The BAAQMD defines a sensitive receptor as the following: "Facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples include schools, hospitals, and residential areas." As specified by the BAAQMD, health risk and hazard impacts should be analyzed for sensitive receptors within a 1,000-foot radius of the project site.[13] The Modified Project consists of a modification to the existing San Marco Subdivision Project approvals that would transfer units from Villages B, M, and O to Village C, and convert pre-approved multi-family units in Villages C and O to single-family units. While the modification warranting environmental review focuses on this limited scope of development (when compared to existing approvals), the project site is technically comprised of the broader San Marco Subdivision Project area. However, for the sake of being conservative, this analysis focuses on Villages C and O as the project site, and conservatively treats residents of other villages within the project site as off-site, sensitive receptors. The closest actual off-site receptors are located more than 700 feet north of the project site, across Highway 4, and Delta View Elementary School, located approximately 2,100 feet southeast of the project site.

Incorporating the conservative assumptions outlined above, the closest existing sensitive receptors in each direction include the following:

- San Marco Villa Apartments adjacent to the east of the project site, as close as 150 feet east of the project site.
- Single-family residences located south and southeast of the project site approximately 100 feet away.

The following four criteria were applied to determine the significance of project emissions to sensitive receptors. The Modified Project is considered to have a potentially significant impact if:

[13] Bay Area Air Quality Management District (BAAQMD). 2017. California Environmental Quality Act Air Quality Guidelines. Website: https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en. Accessed January 19, 2022.

Criterion 1: Construction of the project would result in an exceedance of the health risk significance thresholds.

Criterion 2: The cumulative health impact would result in an exceedance of the cumulative health risk significance thresholds.

Criterion 3: Operation of the project would result in an exceedance of the health risk significance thresholds.

Criterion 4: A CO hotspot assessment demonstrates that the project would result in the development of a CO hotspot that could cause an exceedance of the CO ambient air quality standards.

Criterion 1: Project Construction Toxic Air Pollutants

An assessment was made of the potential health impacts to surrounding sensitive receptors of resulting toxic air contaminant (TAC) emissions during construction. A summary of the assessment is provided below, while the detailed assessment is provided Appendix A.

Diesel particulate matter (DPM) has been identified by the California Air Resources Board (ARB) as a carcinogenic substance. Major sources of DPM include off-road construction equipment and heavy-duty delivery truck and worker activities. For purposes of this analysis, DPM is represented as exhaust emissions of $PM_{2.5}$.

Estimation of Construction DPM Emissions

Construction DPM emissions were estimated using CalEEMod, Version 2020.4.0, as described in the discussion for Impact III (b) Air Quality. As presented in Table 3, the Modified Project's construction is anticipated to occur from January 2023 through April 2027[14]. Construction emissions were calculated for each construction activity. On-site and off-site emissions generated during project construction were modeled with a working schedule of 8 hours per day, 5 days per week.

Based on the analysis presented in this section, emissions were estimated for unmitigated project construction.

Estimation of Cancer Risks and Hazards

The BAAQMD has developed a set of guidelines for estimating cancer risks that provide adjustment factors that emphasize the increased sensitivities and susceptibility of young children to exposures to TAC.[15,16] These adjustment factors include age sensitivity weighting factors, age-specific daily breathing rates, and age-specific time-at-home factors. The following equations are drawn from the California Office of Environmental Health Hazard Assessment (OEHHA) Health Risk Assessment (HRA) guidelines and were adjusted with values identified for adjustment in the BAAQMD guidelines.

[14] For modeling purposes, January 2023 was used; construction is not actually expected to begin until July 2023.

[15] Bay Area Air Quality Management District (BAAQMD). 2016. BAAQMD Air Toxics NSR Program Health Risk Assessment Guidelines. December. Website: https://www.baaqmd.gov/~/media/files/planning-and-research/permit-modeling/hra_guidelines_12_7_2016_clean-pdf.pdf?la=en. Accessed November 9, 2022.

[16] Bay Area Air Quality Management District (BAAQMD). 2020. BAAQMD Health Risk Assessment Modeling Protocol. December. Website: https://www.baaqmd.gov/~/media/files/ab617-community-health/facility-risk-reduction/documents/baaqmd_hra_modeling_protocol_august_2020-pdf.pdf?la=en. Accessed November 9, 2022.

$$\text{Cancer Risk} = \text{CPF} \times \text{DOSE}_{AIR} \times \text{ASP} \times \text{ED/AT} \times \text{FAH} \quad \text{(EQ-1)}$$

Where:

Cancer Risk = Total individual excess cancer risk defined as the cancer risk a hypothetical individual faces if exposed to carcinogenic emissions from a particular source for specified exposure durations; this risk is defined as an excess risk because it is above and beyond the background cancer risk to the population; cancer risk is expressed in terms of risk per million exposed individuals.

CPF = Inhalation Cancer Potency Factor (1.1)
ASP = Age Sensitivity Factor (see Appendix A)
ED = Exposure Duration (duration of construction activity)
AT = Averaging Time for lifetime cancer risk (70 years expressed in days)
FAH = Fraction of time-at-home (see Appendix A)
DOSEAIR = CAIR x DBR x A x EF (EQ-2)

Where:

C_{AIR} = TAC concentration from air dispersion model ($\mu g/m^3$)
DBR = Daily Breathing Rate (see Appendix A)
A = Inhalation Absorption factor (1)
EF = Exposure Frequency (see Appendix A)

The BAAQMD- and OEHHA-recommended values for the various cancer risk parameters, shown in EQ-1 and EQ-2, are provided in Appendix A.

Estimation of Non-Cancer Chronic Hazards

TACs can also cause chronic (long-term) effects related to non-cancer illnesses, such as reproductive effects or birth defects, or adverse environmental effects. Non-cancer health risks are conveyed in terms of the hazard index (HI), a ratio of the predicted concentration of the facility's reported TAC emissions to a concentration considered acceptable to public health professionals. A significant risk is defined as an HI of 1 or greater. An HI of less than 1 indicates that no significant health risks are expected from the facility's TAC emissions. The relationship for the non-cancer hazards of TACs is given by the following equation:

$$HI = C_{ann}/REL$$

Where:

HI = Hazard Index: an expression of the potential for chronic non-cancer health risks
C_{ann} = Annual average TAC concentration ($\mu g/m^3$)
REL = Reference Exposure Level: the DPM concentration at which no adverse health effects are anticipated

Annual concentrations of DPM as predicted by the air dispersion model are used to estimate chronic non-cancer hazards. The OEHHA has defined a REL for DPM of 5 $\mu g/m^3$.

Estimation of Health Risks and Hazards from Project Construction

Air dispersion modeling was utilized to assess the project's potential health risks using American Meteorological Society/EPA Regulatory Model (AERMOD) Version 22112, which is the air dispersion model accepted by the EPA and the BAAQMD for preparing HRAs. As previously discussed, project construction is anticipated to start in July 2023 and conclude in April 2027[17]. The following AERMOD modeling parameters were utilized to identify the DPM concentration at identified receptors.

1. Sensitive receptors (e.g., schools, daycare facilities, hospitals, care facilities, residences) in the immediate project vicinity are represented in the model with discrete Cartesian receptors at a flagpole height of 1.5 meters. No schools, daycares, or community centers are located within 1,250 feet of the Modified Project site. The closest sensitive receptors to the project site represented in the air dispersion modeling include the following:
   - Single-family residences immediately adjacent to the project site boundary to the east, south, and southwest.
2. AERMOD's default regulatory dispersion option was selected.
3. The Urban dispersion coefficient was used as greater than 50 percent of the land surrounding the project site is currently developed.
4. Emissions were characterized in the model using various area and volume sources to represent different activities. The following describes the emission sources utilized in the model for each model scenario.
   - On-site construction activities are represented with two polygon area sources across the development area.
   - Off-site construction hauling and vendor truck operation for project construction is represented with one line volume source on West Leland Road.
   - Off-site emissions were adjusted to account for off-site emissions that would occur within 1,000 feet of the project site (see Off-Site $PM_{2.5}$ Exhaust Adjustment Sheet in Appendix A).
5. Meteorological data from the Concord Airport Air Monitoring Station was used in AERMOD. This station was selected as it resembles physical site characteristics and elevation generally representative of the project site. Data from the station was pre-processed by the BAAQMD. The model used the most recent six years of data (2012 to 2017).

The Maximally Impacted Sensitive Receptor (MIR) during project construction is a residence immediately adjacent to the project site to the south of the project site (located at 38.01937°N, -121.97347°W). Table 7 presents a summary of the Modified Project's construction cancer risk, chronic non-cancer hazard, and annual $PM_{2.5}$ concentration impacts at the MIR.

[17] Modeling utilized a construction start date of January 2023 to provide the most conservative analysis.

Table 7: Estimated Health Risks and Hazards During Project Construction—Unmitigated

Impact Scenario	Cancer Risk (risk per million)	Chronic Non-Cancer Hazard Index	Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)
Residential MIR[1]	6.13	0.002	0.013
BAAQMD Thresholds of Significance	**10**	**1**	**0.3**
Exceeds Individual Source Threshold?	**No**	**No**	**No**

Notes:
[1] The Off-Site Residential MIR represents a residence immediately adjacent to the project site to the south of the project site (located at 38.01937°N, -121.97347°W).
MIR = Maximally Impacted Sensitive Receptor
Source: Appendix A.

As shown in Table 7, the Modified Project would not result in potentially significant health impacts to the MIR. Therefore, construction of the Modified Project would not pose significant health risk impacts to sensitive receptors.

Criterion 2: Cumulative Health Risk Assessment

The BAAQMD recommends assessing the potential cumulative impacts from sources of TACs within 1,000 feet of a project. For a project level analysis, the BAAQMD provides several tools for use in screening potential sources of TACs. The BAAQMD-provided tools used to assess the potential cumulative impacts from TACs are described below:

- **Health Risks for Local Roadways.** The BAAQMD pre-calculated concentrations and the associated potential cancer risks and $PM_{2.5}$ concentration increases for each county within their jurisdiction for roadways that carry at least 30,000 average daily trips. For Community Air Risk Evaluation (CARE) Program areas, the BAAQMD also includes local roadways that meet BAAQMD's "major roadway" criteria of 10,000 vehicles or 1,000 trucks per day. The latest available screening tool is in the form of a Geographic Information System (GIS) raster file. As the Modified Project is not located in a CARE area,[18] the BAAQMD-screening tool does not include local roadways that meet BAAQMD's "major roadway" criteria for the project area. Therefore, traffic volumes were retrieved for roadways within 1,000 feet of the project site experiencing between 10,000 and 30,000 daily vehicle trips and calculated for their associated health risks. Those results are added to and shown in Table 9.
- **Freeway Screening Analysis Tool**. The BAAQMD prepared a GIS tool that contains pre-estimated cancer risk and $PM_{2.5}$ concentration increases for highways within the Bay Area. The nearest freeway to the Modified Project is Highway 4, approximately 200 feet north of the project site.

[18] Bay Area Air Quality Management District (BAAQMD). 2014. Community Air Risk Evaluation Program. Website: https://www.baaqmd.gov/community-health/community-health-protection-program/community-air-risk-evaluation-care-program. Accessed November 9, 2022.

- **Stationary Source Risk and Hazard Screening Tools**. The BAAQMD prepared a GIS tool with the location of permitted sources and provides a health risk calculator that estimates and refines screen-level cancer risk, a non-cancer health HI, and $PM_{2.5}$ concentrations using emissions data from BAAQMD's permitting database. [19] For each emissions source, the BAAQMD provides conservative estimates of cancer risk and $PM_{2.5}$ concentrations. Based on information from the GIS tool, two BAAQMD-permitted stationary sources exist within the vicinity of 1,000 feet of the project site. More detailed information about these sources is included in Appendix A.
- **Rail Screening Tools**. The BAAQMD prepared GIS tools that contain estimated cancer risks and $PM_{2.5}$ concentrations from railroad operations at any point within the Air Basin. The only rail line within 1,000 feet of the Modified Project site is the BART rail line located 240 feet north of the Modified Project property boundary.

Cumulative Health Risk Assessments

A cumulative HRA was performed that examined the cumulative impacts of the Modified Project's construction emissions and sources of TAC emissions within 1,000 feet of the project site. The analysis was performed for the off-site MIR and the highest values are presented below.

The cumulative health risk results during project construction, including health risks from the existing stationary source, are summarized in Table 8. Cumulative health risk results shown therein are representative of the health risks to the MIR that would experience the highest concentration of pollutants.

Table 8: Summary of the Cumulative Health Impacts at the Off-site MIR During Construction

Source/Impact Scenario	Source Type	Distance from the Project Site (feet)	Cancer Risk (per million)	Chronic HI	$PM_{2.5}$ Concentration ($\mu g/m^3$)
Project MIR					
Project Construction (Unmitigated)	Diesel Construction Equipment	100	6.130	0.002	0.013
Existing Stationary Sources (BAAQMD Facility Number)[1]					
15111	Generator	2,700	0.014	0.0001	0.001
16765	Generator	5,800	0.008	0.0001	0.001
Roadways					
West Leland Drive		40	9.11	No Data	0.170
Major Roadway		40	1.127	No Data	0.032

[19] Bay Area Air Quality Management District (BAAQMD). 2022. Permitted Stationary Sources Risk and Hazards. Website: https://baaqmd.maps.arcgis.com/apps/webappviewer/index.html?id=2387ae674013413f987b1071715daa65. Accessed November 9, 2022.

Source/Impact Scenario	Source Type	Distance from the Project Site (feet)	Cancer Risk (per million)	Chronic HI	$PM_{2.5}$ Concentration ($\mu g/m^3$)
Rail					
BART Rail		300	0.471	No Data	<0.001
Highways/Freeways					
Highway 4		200	10.645	No Data	0.203
Cumulative Health Risks					
Cumulative Maximum with Project DPM Emissions (Unmitigated)			**27.505**	**0.004**	**0.420**
BAAQMD's Cumulative Thresholds of Significance			**100**	**10**	**0.8**
Threshold Exceeded in Either Scenario?			**No**	**No**	**MMD**

Notes:
BAAQMD = Bay Area Air Quality Management District
BART = Bay Area Rapid Transit
DPM = diesel particulate matter
HI = Hazard Index
MIR = Maximally Impacted Sensitive Receptor
No Data = no data available
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
$\mu g/m^3$ = micrograms per cubic met
[1] Assumes emissions remain constant with time.
Source: Appendix A.

As noted in Table 8, the cumulative impacts from the project construction and existing sources of TACs would be less than the BAAQMD's cumulative thresholds of significance. Thus, the cumulative health risk impacts from project construction and cumulative impacts at the project site during operations would be less than significant.

Criterion 3: Operational Emissions

The Modified Project would result in the development and operation of 206 single-family homes. As previously discussed in Impact III(b) Air Quality, the Modified Project would not result in a potential CO hotspot. As a residential development, it is anticipated that the Modified Project would not generate noticeable heavy-duty vehicle trips.

Because the Modified Project would generate daily passenger vehicle trips and nearly all passenger vehicles are gasoline-fueled, the Modified Project would not generate a significant amount of DPM emissions during operation; however, gasoline-fueled vehicles would still emit relatively small amounts of gasoline TACs such as benzene, isopentane, and toluene during project operation. Nonetheless, the potential cancer risks associated with non-diesel TACs emitted from gasoline vehicles in the Air Basin are substantially less than the potential cancer risks associated with DPM emissions[20] and are therefore not included in this analysis. Furthermore, these emissions would be

[20] California Air Resources Board (ARB). 2008. Health Risk Assessment for the Union Pacific Railroad Oakland Railyard. Website: https://ww2.arb.ca.gov/sites/default/files/classic//railyard/hra/up_oak_hra.pdf?_ga=2.229617876.913681903.1594937953-503090677.1594937953. Accessed November 9, 2022.

dispersed throughout the local roadway network and would not solely be generated at the project site. Thus, the Modified Project would not result in significant health impacts to nearby sensitive receptors during operation.

Criterion 4: Carbon Monoxide Hotspot Assessment

As discussed in Impact III(b) Air Quality, the Modified Project would not generate sufficient vehicle traffic volumes during project operation to substantiate creating a CO hotspot. Therefore, this impact would be less than significant with regard to exposing sensitive receptors to substantial concentrations of CO emissions. As such, the Modified Project would result in less than significant impacts related to exposing sensitive receptors to substantial pollutant concentrations.

Summary

As described above, the Modified Project would not expose sensitive receptors to substantial pollutant concentrations during either construction or operations. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Significant and unavoidable.

d) Would the project result in other emissions (such as those leading to odors or) adversely affecting a substantial number of people?

Summary of the Prior Certified SEIR

The Initial Study prepared for the Approved Project, included as Appendix A to the SEIR, found insignificant impacts with regard to odors, because the Approved Project would be residential and would not include uses that generate significant odors, such as landfills. No further analysis was required in the prior certified SEIR.

Modified Project Analysis and Conclusions

As stated in the BAAQMD 2017 Air Quality Guidelines, odors are generally regarded as an annoyance rather than a health hazard. The ability to detect odors varies considerably among the populations and is subjective. The BAAQMD does not have a recommended odor threshold for construction activities. However, the BAAQMD recommends operational screening criteria that are based on the distance between receptors and types of sources known to generate odors. As stated in the BAAQMD 2017 Guidelines, land uses that typically generate significant odors are wastewater treatment plants or facilities, landfills or composting facilities, and other heavy industrial type land uses. As stated in the Project Description, the Modified Project would only include residential units and would not include the type of odor-generating land uses described above. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

Mitigation Measures

The following mitigation measures identified in the prior certified SEIR are required mitigation for the Modified Project.

Short-Term Construction Impacts

MM AQ-1 (MM a) The severity of project construction period air pollutant emissions impacts can be reduced to less than significant levels through application of appropriate mitigation measures. In particular, dust control is required during all phases of construction to ensure that construction period impacts are mitigated. The Modified Project shall incorporate the following specific construction mitigation measures:

- Suspend earthmoving or other dust-producing activities during periods of high winds when dust control measures are unable to avoid visible dust plumes.
- Provide equipment and staffing for watering of all exposed or disturbed soil surfaces sufficient to suppress dust plumes, including weekends and holidays. An appropriate dust palliative or suppressant, added to water before application, should also be utilized.
- Water or cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.
- Sweep construction area and adjacent streets of ail mud and debris, since this material can be pulverized and later resuspended by vehicle traffic.
- Limit the speed of all construction vehicles to 15 miles per hour while on-site.
- All materials transported by truck should be covered or wetted down as needed to suppress visible dust.
- All excavated inactive portions of the site should be watered with an appropriate dust suppressant, covered or seeded.

Long-term Regional Air Quality Impacts

The following measures shall be implemented to reduce project impacts on regional air quality. The overall effectiveness of this program of mitigation in reducing project emissions would be on the order of 5 to 10 percent. However, the permanent impacts of the project on regional air quality would remain significant even after implementation of all identified mitigation measures.

MM AQ-2 (MM c(1)) **Land Use and Density**

Land uses and densities can be manipulated to orient development population concentrations toward pedestrian/bicycle travel for local trips and to provide easy access to BART. The Modified Project locates the highest density development along Leland Road, the most likely route for future local transit route connections to BART and/or downtown Pittsburg, and thus appropriately places a large portion of the site population within easy walking or bicycling distance to transit. However, project land uses are exclusively residential, requiring residents to drive for all services.

Placing one or more neighborhood commercial or convenience center within the project would be an effective way of reducing external trips and promoting bicycle/pedestrian modes of travel.

MM AQ-3 (MM c(2)) Transportation System

The Modified Project includes a trail system connecting residences with the proposed recreational area. This trail system should be expanded to provide a bikeway along Leland Road to promote bicycle use for trips to BART. Transit pull-outs should be provided along the Leland Road frontage of the project to accommodate future transit service. When such service becomes available, transit amenities, such as information kiosks and shelters, should be installed. Secure bicycle parking areas for apartment residents should also be provided if individual garages are not provided.

MM AQ-4 (MM c(3)) Fireplaces

Residential fireplaces are an air pollution source receiving increasing attention in recent years. Fireplace/woodstove restrictions have been adopted in a number of cities in California and the western United States, and it is likely that regional control of this source will be considered in the future.

The impact of residential fireplace emissions of PM_{10} and carbon monoxide can be reduced by restricting the number of fireplaces in residences to one per household and/or requiring residential use of EPA-certified woodstoves or fireplace inserts. EPA-certified woodstoves or fireplace inserts are 70 to 90 percent effective in reducing emissions from this source.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Air Quality. The conclusions from the prior certified SEIR remain unchanged when considering the adoption of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
IV. Biological Resources *Would the project:*					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or United States Fish and Wildlife Service?	Less than significant impact	No	No	No	None
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or United States Fish and Wildlife Service?	Less than significant impact with mitigation incorporated	No	No	No	None
c) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than significant impact with mitigation incorporated	No	No	No	None
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native	Significant and unavoidable impact	No	No	No	MM BIO-1 (MM a(1))

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?					
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	No impact identified	No	No	**No**	None
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan?	No impact identified	**No**	**No**	No	None

Discussion

Setting

The information in this section is based, in part, on a Biological Resources Assessment (Appendix B) prepared by Moore Biological Consultants on April 6, 2021 (2021 BRA), and the prior certified SEIR published in 1992. It should be noted that the prior SEIR evaluated biological resources for the entire 639-acre site while the 2021 BRA evaluated biological resources for a 58-acre portion of the larger San Marco site.

The Vegetation and Wildlife evaluation in the prior certified SEIR was prepared by Biologist Charles Patterson and was based on: (1) historic data regarding the site and region from such sources as the California Natural Diversity Database (CNDDB), the California Native Plant Society (CNPS), the California Department of Fish and Wildlife; (2) a wetland survey of the site prepared for the project applicant, 3) standard references, 4) the author's personal files on this region and 5) a field survey of the site.

The purpose of the 2021 Biological Resources Assessment (BRA) was to describe existing biological resources within the site, identify potentially significant impacts to biological resources from the modified development plan, and provide recommendations for how to reduce those impacts to a less than significant level. The work involved reviewing databases such as the CNDDB (2019, 2021)

USGS 7.5-minute Clayton and Honker Bay topographic quadrangles, aerial photographs, and documents such as the IPaC Trust Report (2021) of Federally Threatened and Endangered species, and conducting field surveys such as the surveys performed on Unit 17 on September 23, 2019 and a follow-up survey of both Unit 16 and Unit 17 conducted on March 4, 2021 to document vegetation communities, potentially jurisdictional waters of the United States and/or wetlands, and potentially suitable habitat for or presence of special-status species.

According to the 2021 BRA, the project site currently consists of gently rolling hills and some leveled areas and supports periodically disked and/or mowed grassland vegetation. The BRA indicates that the project site is dominated by grasses including oats (*Avena* sp.), ripgut brome (*Bromus diandrus*), foxtail barley (*Hordeum murinum*), and perennial ryegrass (*Festuca perennis*). Additional species, such as Russian thistle (*Salsola iberica*), yellow star thistle (*Centaurea solstitialis*), and telegraph weed (*Heterotheca grandiflora*) are also intermixed within the predominant grass species. The grassland vegetation discussed in the 2021 BRA is predominantly consistent with the vegetation discussed in the prior certified SEIR.

Wildlife observed in the vicinity of the project site included bird species such as Turkey vulture (*Cathartes aura*), American crow, (*Corvus brachyrhynchos*), rock dove (*Columba livia*), and mourning dove (*Zenaida macroura*). Few mammals were observed on the site, including black-tailed jackrabbit (*Lepus californicus*), coyote (*Canis latrans*), and California ground squirrel (*Otospermophilus beecheyi*) though additional species such as Raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), desert cottontail (*Sylvilagus audubonii*), and Virginia opossum (*Didelphis virginiana*) are expected to occur within the project area. Additionally, the western fence lizard (*Sceloporus occidentalis*) was the only reptile observed in the site during the 2019 survey. Though many of the species identified in the 2021 BRA were also noted in the prior certified SEIR, the 2021 BRA includes observations of American crow, Turkey vulture, Raccoon, desert cottontail, and Virginia opossum.

a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?

Summary of the Prior Certified SEIR

The prior certified SEIR for the Approved Project concluded that no sensitive plant or animal species were present on the project site or in the immediate surrounding area by the CNDDB or the CNPS. No unusual plant species were encountered in the field survey of the site. The SEIR indicated that the site supports a typical grassland community "plus the normal complement of insects, western fence lizards, jackrabbits, and songbirds." The foregoing result was not unexpected based on the common nature of the habitats present and the great degree of disturbance that had occurred on the site at that time.

Plant Species

The prior certified SEIR stated that the most likely sensitive species present in the project vicinity are the large-flowered fiddleneck, the caper-fruited tropidocarpum, and/or the Mt. Diablo

helianthella. All three of these species occur in moderately restricted habitats (unlike the highly restricted conditions offered by vernal pools, alkaline sinks, and serpentine substrates), which historically could have occurred in this general area. However, none of these species, nor any especially prime habitats for these species, was found on the site at the time. No helianthella was found, although scattered representation of a common and somewhat look-alike species, mules ears (*Wyethia helenioides*) was found on the site. Only common fiddleneck *(Amsinckia intermedia)* was encountered (as opposed to the sensitive large-flowered species). No tropidocarpum or any especially suitable habitats (alkaline meadow or scrub, heavy clay) for Tropidocarpum were found on the site. The SEIR noted that burrowing owls have been reported in Los Vaqueros and other locations in the region, but none was observed or suspected on the site, and while there was some potential habitat for burrowing owls, there was no evidence of use by this species.

Wildlife Species

The prior certified SEIR stated that a species of primary concern in the grasslands of this general region is the San Joaquin kit fox, which is known to exist near Bethany Reservoir and the Los Vaqueros areas to the east and south. However, the project site is not within the kit fox's currently known range. The project site is also near the Delta and San Joaquin Valley habitats for the endangered Swainson's hawk. However, the site is outside the identified ranges and does not constitute prime habitat for this species. Burrowing owls have been reported in Los Vaqueros and other locations in the region, but none were observed or suspected on the project site. The 1992 field survey results indicated some potential habitat for burrowing owls, but no evidence of use by this species was observed on the site at that time.

The prior certified SEIR concluded that while several sensitive plant species are known to exist in the general region, most are restricted to specialized habitats that are not represented on the site. The prior certified SEIR found that no sensitive plants are present on the site and no significant impacts to such taxa would occur. The prior certified SEIR concluded that the Approved Project would remove over 600 acres of open foraging habitat for birds and small mammals in general but would not have a significant adverse impact on any sensitive wildlife species or natural communities. No nest sites, outcrops, nest or perch trees, or natural water bodies would be affected, and no indirect impacts to sensitive animal species were expected. The prior certified SEIR concluded that impacts would be less than significant.

Modified Project Analysis and Conclusions

The Modified Project site is not located within designated critical habitat for any federally listed species, nor is the Modified Project site located in a National Wildlife Refuge. Because of the high level of disturbance and a lack of suitable habitat on the project site, the 2021 BRA found, in concurrence with the prior certified SEIR, that the probability of most special-status plant and wildlife species occurring within the project site is extremely low. The 2021 BRA indicates that the only special-status species that has the potential to occur in the site on more than a transitory or very occasional basis is the burrowing owl (*Athene cunicularia*), which is a year-round resident to a variety of grasslands. However, no burrowing owls were observed in the site during the BRA's field surveys on September 23, 2019 and March 4, 2021 and no potential burrows contained past signs of burrowing owl occupancy. The 2021 BRA concludes that while the potential for occurrence is

currently unlikely, this species could occur in the site in the future if burrow habitat becomes available. These conclusions are consistent with the findings in the SEIR.

Although surveys conducted on September 23, 2019 and March 4, 2021 have not detected burrowing owls that could be impacted by the Modified Project, from a conservative standpoint, the Modified Project may still result in reduced health or mortality of owls through direct impacts of occupied wintering habitats or from abandoned wintering burrows caused by audio and visual disturbances. If wintering burrowing owls are present on or within the immediate vicinity of the Modified Project, impacts to burrowing owls would be potentially significant. Therefore, the 2021 BRA recommends that pre-construction surveys for nesting burrowing owls be implemented. These are described in further detail in the Condition of Approval section below.

Additionally, although the 2021 BRA identifies that it is unlikely that nesting birds would be found within the project site due to a lack of suitable habitat, construction activities could impact nesting birds even if trees or vegetation are not present or being removed from the site. Construction activities that cause auditory or visual disturbances or activities could indirectly impact nests that are not located on-site, causing potentially significant impacts to nesting birds. The prior certified SEIR stated that the Approved Project would remove open foraging habitat for birds and small mammals but would not affect nest sites, outcrops, nest or perch trees. The 2021 BRA is generally consistent with the findings in the prior certified SEIR and states that burrowing owl is the only species that could be affected by the Modified Project. The 2021 BRA contains no new information that was not disclosed in the prior certified SEIR with respect to nesting birds. The General Plan contains policies to protect biological resources, specifically Policy 9-P-1, which requires a site-specific assessment of biological resources as part of the development review process, along with the identification of any protective measures in accordance with federal or State regulations to protect identified species. The 2021 BRA constitutes such a site-specific assessment of biological resources on the project site and concludes, consistent with the SEIR, that burrowing owls are unlikely to, but could possibly be present on the site. Impacts in this respect are less than significant but, to ensure impacts remain so and to ensure consistency with Policy 9-P-1, the City would impose conditions of approval (COA BIO-1 and COA BIO-2) for the Modified Project to reduce potential impacts on sensitive habitat, which would include pre-construction surveys for active nests. No new significant impact would occur that was not previously disclosed.

Further analysis demonstrated that while the site still provides potentially suitable grassland habitat for San Joaquin kit fox, no dens were observed during the BRA's field surveys on September 23, 2019 and March 4, 2021. The site is also outside (i.e., north) of the tip of the CNDDB range of this species, leading the 2021 BRA to conclude that it is unlikely that the kit fox would occur in areas surrounded by pockets of residential development such as the project site. Additionally, the 2021 BRA found, in consensus with the prior certified SEIR, that no nest sites, outcrops, nest or perch trees, or natural water bodies would be affected, and no indirect impacts to sensitive animal species are expected. Thus, the Modified Project would not produce substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service and impacts from the Modified Project would be less than significant. Therefore, the Modified Project would not introduce new environmental impacts or

create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

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 Wildlife or United States Fish and Wildlife Service?

Summary of the Prior Certified SEIR

The prior certified SEIR for the Approved Project discussed riparian habitat present on the project site, describing that site vegetation was almost exclusively grassland, with some riparian vegetation along lower segments of the drainage channels, most extensively along Shore Acres Creek. The prior certified SEIR stated that some introduced trees and shrubbery occurred around the existing (now demolished) farm complex. At the time the prior certified SEIR was drafted, the site did not contain any highly significant hydrologic features, although one perennial creek (Shore Acres Creek), several ephemeral (seasonal) drainage channels, and a few small associated wetland habitats were identified, which are described below. No pristine riparian habitats were identified, although limited riparian vegetation (water dependent vegetation) was present along the northern stretch of Shore Acres Creek. Three small seeps and one spring were located on the project site along two of the project drainage courses. Numerous small, scattered rock outcrops were also identified, but they were not composed of unusual rock types (e.g., serpentine) nor were there any associated unusual soil types present.

The prior certified SEIR stated that the project site contained few features of high natural biotic sensitivity. The on-site and local grassland communities (the natural habitat category typically containing lowest inherent sensitivity) did not appear to be of high value as wildlife habitat, due to the preponderance of low weedy annual grass growth, the limited numbers of burrows, and the limited supply of natural water. Because no particularly suitable aquatic habitat was identified on the site, the prior certified SEIR found that no significant impacts to associated sensitive wildlife species, such as the California tiger salamander, would occur as a result of the project. Two mitigation measures were included in the prior certified SEIR to reduce the impacts on riparian habitat or other sensitive natural communities to a less than significant level. The first measure proposed to change the project design to preserve the riparian corridor and other vegetation from grading and development along the northern section of Shore Acres Creek between the PG&E transmission line and Highway 4 and within the northwest corner of the site that supported riparian herbs and grasses. The second measure, alternatively, would have recreated a riparian and wetland habitat area within a protected open space in the project site. The new riparian and wetland habitat would have been replaced on at least a 1:1 ratio with vegetation replaced on at least a 3:1 in-kind basis using native species. These mitigation measures would have reduced impacts to less than significant. This mitigation is no longer required as the 2021 BRA did not identify any potential jurisdictional waters or wetlands of the United States as described below.

Modified Project Analysis and Conclusions

Sensitive natural vegetation communities are considered sensitive biological resources based on federal, State, or local laws regulating their development, limited distributions, and habitat requirements of special-status plant or wildlife species that occur within them. The 2021 BRA reviewed the CNDDB to identify sensitive natural communities that have been recorded in the project vicinity and surrounding sites. No sensitive natural communities were identified in the CNDDB as occurring within the project site, and none were observed in adjacent communities.

Additionally, the 2021 BRA reported that no potentially jurisdictional waters of the United States and wetlands were observed in the site. Specifically, no vernal pools, seasonal wetlands, marshes, ponds, creeks, or lakes of any type were observed within the 58-acre portion of the larger San Marco site. An off-site detention basin was observed outside the project site boundary but is not expected to be disturbed during construction of the Modified Project. No riparian habitats were observed, with vegetation consisting primarily of highly disturbed grassland habitats. Furthermore, no trees were observed within the project site and as stated in the prior certified SEIR, no unusual rock or soil types were found to be present. Therefore, due to a lack of valuable wildlife or aquatic habitat on the site and in accordance with the SEIR, the Modified Project would not have a substantial adverse effect on any sensitive natural community. No impact would occur and no mitigation is needed. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

c) Would the project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Summary of the Prior Certified SEIR

The prior certified SEIR described that wetlands known in this region typically occurred as streambed communities on larger creeks, and as vernal pools and/or seasonal wetlands in valleys. The study area contained a small amount (approximately 3.5 acres) of wetland which met United States Army Corps of Engineers (USACE) jurisdictional "wetland" criteria. This wetland area included the three stream channels on the site, two areas which formerly contained stock ponds, and four other wetland areas adjacent to the stream beds which contained Corps-defined positive wetland indications related to soil, vegetation and hydrology. These small areas of wetland occurred along the site's northern edge (within 100 yards of the freeway). One was a small area along the site's westernmost extreme northwest corner. The second was in the lower end of a natural swale that was slightly diverted and dammed by the dirt driveway on the site. The third wetland area was in the northeast corner of the site where Shore Acres Creek ran north to the freeway. None of these wetland features are within the development footprint for Units 16 or 17.

The prior certified EIR determined that the Approved Project would result in the loss of approximately 3.5 acres of jurisdictional streambed and adjacent wetland areas on the project site. In addition, it would result in the loss (filling) of approximately 0.75 acre of riparian thicket (Salix, Rosa) along the northern section of Shore Acres Creek (along with the associated creekbed, banks, plus additional woody vegetation). These combined losses would represent significant adverse environmental impacts. Two mitigation measures were proposed to reduce impacts and are described in greater detail above in checklist question B. The first measure proposed to change the project design to preserve the riparian corridor and the second measure, alternatively, proposed to recreate the wetland within protected open space within the project site. These mitigation measures would have reduced impacts to State or federally protected wetlands to less than significant but are no longer necessary as the 2021 BRA did not identify any potential jurisdictional waters or wetlands within the 58-acre project site.

Modified Project Analysis and Conclusions

The 2021 BRA did not identify any wetland areas that meet the USACE jurisdictional "wetland" criteria within the modified development plan boundaries. It is not unusual that, in response to climate change and other environmental changes, the hydrology of a site changes over a long period of time. The BRA reported that the site now consists of upland grassland habitats that are highly disturbed. Consequently, the Modified Project would not result in the loss of jurisdictional streambeds, adjacent wetland areas, or result in the filling of riparian thickets, as identified in the prior certified SEIR. Therefore, the Modified Project would not have a substantial adverse effect on State or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. No impacts would occur. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?

Summary of the Prior Certified SEIR

The prior certified SEIR for the Approved Project identified that there would be cumulative regional losses in wildlife range. The Approved Project identified the removal of most of the site's existing vegetation, including over 500 acres of common annual grassland vegetation. The direct loss of this vegetation was not considered significant, but was recognized as contributing to a significant, regional cumulative loss of open grassland habitat as associated wildlife range. A minor amount of native wildflower vegetation would be lost (mostly on the site's protected north slopes), but this loss would not represent a significant impact to a sensitive plan community, since the native species to be lost are simply scattered small colonies and individuals within the more extensive annual grasses and weeds.

The prior certified SEIR did not indicate whether this loss of vegetation would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of wildlife nursery sites.

The prior certified SEIR included the following mitigation measure related to biological resources:

MM a(1) requires revegetation and landscaping in heavily disturbed areas and maintain and restore riparian and wetland areas within proposed parks and open space areas to reduce impacts related to vegetation loss in the region.

MM a(1) would reduce potential impacts, but not to a less than significant level. The impact was identified as significant and unavoidable and the City adopted a statement of overriding considerations.

Modified Project Analysis and Conclusions

The 58-acre project site does not contain any creeks, washes, or waterways that would provide a wildlife movement corridor. Any drainage on the project site is adjacent and parallel to residential units and SR-4, which indicates that connection of wildland areas or features that would facilitate wildlife movement is unlikely. However, in accordance with the prior certified SEIR, development of the Modified Project site would contribute to a cumulative loss of annual grassland habitat and associated biological resource values. Even with the mitigation identified in the prior certified SEIR, this impact was recognized as significant and unavoidable when the project was approved. The 2021 BRA indicates that the Modified Project's contribution to this cumulative loss would not change because of the residential density as proposed. Concurrent with the prior certified SEIR, mitigation MM BIO-1 (MM a(1)) would apply, but impacts would remain significant and unavoidable. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Significant and unavoidable.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Summary of the Prior Certified SEIR

The prior certified SEIR for the Approved Project did not discuss tree protection policies or analyze any potential impacts of the project with such policies. However, as there were few, if any, trees on the project site, which consisted of vegetated rangeland, the modified project complied with the Tree Preservation and Protection policies in Article XIX of Chapter 18.84 of the Pittsburg Municipal Code (PMC).

Modified Project Analysis and Conclusions

The 2021 BRA determined that there are no trees on the project site. Other than the small willows (*Salix* sp.) and Fremont's cottonwood (*Populus fremontii*) surrounding the off-site detention basin near Unit 17, there are no notable trees near the site. Therefore, as indicated by the prior certified SEIR, there would be no conflict with any local policies or ordinances protecting biological resources such as the Tree Preservation and Protection policies in Article XIX of Chapter 18.84 of the PMC. No impact would occur.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan?

Summary of the Prior Certified SEIR

The prior certified SEIR for the Approved Project did not discuss any applicable Habitat or Natural Community Conservation Plans and made no conclusion regarding the project's significance.

However, the proposed project would not conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or State Habitat Conservation Plan (HCP) as addressed above. The Pittsburg City Council adopted the East Contra Costa County HCP on April 16, 2007 (Resolution No. 07-1074), thereby formalizing the City's participation in a regional conservation and mitigation program for biological resources in eastern Contra Costa County and authorizing the City Manager to execute agreements with the appropriate resource agencies to implement the HCP. The HCP became effective in August 2007, when the California Department of Fish and Game and the United States Fish and Wildlife Service signed the agreements. The City's method for implementing the HCP was subsequently formalized by ordinance and was incorporated into the PMC as Chapter 15.108.

The land cover map associated with the HCP identifies the proposed project site as "future urban," a designation that is applied in the case of properties that hold development entitlements necessary for construction. Fee revenue to the HCP program was not assumed for these properties that were designated "future urban," as it was assumed that properties so mapped had received all necessary entitlement for land disturbance, prior to adoption of the HCP. The assignment of the proposed project site as "future urban" acknowledged residential development entitlements for the property and surrounding acreage previously approved by the City in 1990 with approval for the Southwest Development Agreement (Ord. No. 90-990) and in 1993 with approval of the San Marco Development Plan (Ord. No. 93-1057). PMC Section 15.108.300.A.4 exempts from the HCP those projects with vested development rights established by execution of a development agreement prior to adoption of the HCP.

Modified Project Analysis and Conclusions

The Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

Conditions of Approval

The following condition of approval would be implemented for the Modified Project to ensure impacts remain less than significant and pursuant to General Plan Policy 9-P-1:

COA BIO-1 If construction, grading, vegetation removal, or other project-related activities are scheduled during the nesting season, February 1 to August 31, a focused survey for active nests shall be conducted by a qualified Biologist within 7 days prior to the beginning of project-related activities. The survey shall consist of the entire project limits, as well as a minimum 500-foot buffer. If a lapse in project-related work of 7 days or longer occurs, another focused survey shall be required before project work can be reinitiated. If an active nest is found during surveys, qualified Biologist shall establish site- and species-specific no-work buffers. The buffer distances shall be specified to protect the bird's normal behavior to prevent nesting failure or abandonment. The buffer distance recommendation shall be developed after field investigations that evaluate the bird(s) apparent distress in the presence of people or equipment at various distances. Abnormal nesting behaviors which may cause reproductive harm include, but are not limited to, defensive flights/vocalizations directed toward project personnel, standing up from a brooding position, and flying away from the nest. The qualified Biologist shall have authority to order the cessation of all nearby project activities if the nesting birds exhibit abnormal behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established.

The qualified Biologist shall monitor the behavior of the birds (adults and young, when present) at the nest site to ensure that they are not disturbed by project work. Nest monitoring shall continue during project work until the young have fully fledged (have completely left the nest site and are no longer being fed by the parents), as determined by the qualified Biologist, unless otherwise approved in writing by the California Department of Fish and Wildlife (CDFW).

The following condition of approval would be implemented for the Modified Project pursuant to the 2021 BRA:

COA BIO-2 Pre-construction surveys for nesting burrowing owls within 250 feet of the site prior to commencement of construction activities between February 1 through August 31

are recommended. If occupied burrows are found, a qualified Biologist should determine the need (if any) for temporal restrictions on construction. The determination should be pursuant to criteria set forth by CDFW (CDFG, 2012).

Mitigation Measures

The following mitigation measure identified in the prior certified SEIR is required mitigation for the Modified Project.

MM BIO-1 (MM a(1)) Cumulative regional losses in wildlife range could not be mitigated to less than significant levels with any substantial project under the City's current general plan provisions for the project site. However, the following measures would help minimize the project contribution to significant cumulative losses of vegetation in the region:

- Complete appropriate revegetation and landscaping (emphasizing native trees, shrubs, and grasses) for heavily disturbed common areas.
- Maintain or restore the site's riparian and wetland areas, within the proposed parks and other appropriate on-site open space areas.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Biological Resources. The conclusions from the prior certified SEIR remain unchanged when considering the adoption of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
V. Cultural and Tribal Cultural Resources *Would the project:*					
a) Cause a substantial adverse change in the significance of a historical resource as pursuant to Section 15064.5?	Less than significant impact with mitigation incorporated	No	No	No	None
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Less than significant impact with mitigation incorporated	No	No	No	None
c) Disturb any human remains, including those interred outside of formal cemeteries?	No impact identified	No	No	No	None
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:					
d) 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), or	No impact identified	No	No	No	None
e) 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. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency	No impact identified	No	No	No	None

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
shall consider the significance of the resource to a California Native American tribe.					

Discussion

Setting

This section is based, in part, on an Evaluation of Cultural Resources San Marco Project Report (CRA) prepared by Ric Windmiller, RA, et al., Archaeological Test Excavations Historical Research and Historic Architectural Evaluation Report (HRER) prepared by Ric Windmiller et al. in June 1997 and the prior certified SEIR, as well as updated Northwest Information Center (NWIC) records search results and Native American Heritage Commission (NAHC) Sacred Lands File (SLF) results received on November 29, 2022 and December 6, 2022, respectively. The CRA, HRER, and non-confidential records search results are included in Appendix C of this report. These documents were reviewed while considering the prior certified SEIR.

a) Would the project cause a substantial adverse change in the significance of a historical resource as pursuant to Section 15064.5?

Summary of the Prior Certified SEIR

The prior certified SEIR determined that implementation of the Approved Project would create significant impacts to identified on-site cultural resources including the Rogers Ranch Complex, the Highway 4-Isolate, the Alvernaz Ranch Complex, and the location of a possible barn/structure. The prior certified SEIR determined that prehistoric or historic materials could be present in the site area and grading and construction activities associated with the Approved Project could damage these resources, if encountered. The prior certified SEIR concluded that the possibility of damaging prehistoric or historic resources present within the site represented a significant adverse impact, if left unmitigated.

The prior certified SEIR included four mitigation measures related to Cultural Resources:

MM a Rogers Ranch Complex (Location AC-97) requires the presence of an Archaeologist, subject to City approval, on-site to monitor site clearing and grading activities to identify and remove any significant 19th century artifacts encountered during construction. A summary archaeological report would describe all discovered and cataloged historic resources, constituting the preservation of the site's cultural resources in written form.

MM b Highway 4-Isolate 1 requires mechanical testing in the vicinity of this location by a qualified Archaeologist to determine the presence of buried prehistoric deposits, prior to project grading and construction. Should any resources be encountered, construction would halt and further excavation to determine resource significance and further mitigation measures would occur.

MM c Alvernaz Ranch Complex (SM-1) requires historical and architectural research and backhoe testing, by qualified cultural resource professionals at this location. A written report of the results will be retained. Should resources be discovered, an archaeological mitigation program should be formulated.

MM d Possible Barn/Structure Location (SM-2) would include the same measures described in MM c. Alvernaz Ranch Complex (SM-1).

The prior certified SEIR concluded that, with the implementation of MM a, MM b, MM c and MM d, impacts would be reduced to less than significant.

Modified Project Analysis and Conclusion

In accordance with Section 106 of the National Historic Preservation Act (16 USC 470) and implementing regulations (36 CFR 800), the purpose of this study was to evaluate the National Register eligibility of cultural resources. According to the 1997 CRA, it was determined that the San Marco cultural resources are ineligible for the National Register. No additional cultural resources were discovered within the project site, and procedures for inadvertent discovery of cultural resources and human remains were provided to mitigate potential impacts to less than significant.

The purpose of the 1997 HRER study was to satisfy MM a, MM b, MM c and MM d, included above, of the prior certified SEIR. The mitigation consisted of monitoring the clearing and grading at the Rogers Ranch Complex, mechanical testing at the location of the Highway-4 Isolate, historical research/ architectural evaluation and backhoe testing of the Alvernaz Ranch Complex and possible barn/structure site. As a result, the HRER study satisfied MMs a, b, c, and d. No additional mitigation was needed to locate the Highway-4 Isolate, the Alvernaz Ranch Complex, nor for the location of previously identified barn/structure site. This study determined that the Roger Ranch Complex has been destroyed by the expansion of State Route 4 and BART. A windmill and small dump site were discovered during this study; however, because of the disturbances of the Rogers Ranch Complex, neither site meets CEQA criteria of significance. No additional monitoring or mitigation measures were recommended for the Rogers Ranch Complex. The General Plan also includes several policies related to historical and cultural resources, specifically Policies 9-P-34 through 9-P-38. The identified mitigation measures were designed to implement these General Plan policies.

The results of the 2022 updated NWIC records search indicated that nine historical resources were recorded within the 0.5-mile search radius. Six of the recorded resources are a part of the Alvernaz Ranch Complex, two of the recorded historical resources are a part of the Rogers Ranch Complex, and the final resource is the Contra Costa/Clayton Canal bridges and culverts. The Rogers Ranch and Alvernaz Ranch Complexes were evaluated in the 1997 HRER and found ineligible to be listed on the National Register.

Similar to conditions that may have been encountered with implementation of the Approved Project, it remains possible that earthmoving activities associated with the Modified Project's construction could encounter previously undiscovered historical resources. Historical resources can include, but are not limited to stone, bone, wood or shell artifacts or features, including hearths and structural elements. Damage or destruction of these resources would be a potentially significant impact. General Plan Policies 9-P-39 through 9-P-41 provide for protection of previously undiscovered historical resources. Implementation of COA CUL-1 would be consistent with these policies and would ensure potential impacts remain less than significant. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Summary of the Prior Certified SEIR

As described above, the prior certified SEIR determined that implementation of the Approved Project could impact prehistoric and/or historic resources located within the project site, which would represent an adverse impact. As discussed previously, the City determined that implementation of MM a. Rogers Ranch Complex (Location AC-97), MM b. Highway 4-Isolate 1, MM c. Alvernaz Ranch Complex (SM-1), and MM d. Possible Barn/Structure Location (SM-2) would mitigate possible adverse impacts to archaeological resources to a less than significant level.

Modified Project Analysis and Conclusion

As described above, the 1997 CRA determined that the San Marco cultural resources are ineligible for the National Register. Additionally, the 1997 HRER satisfied MMs a, b, c, and d. No additional mitigation was needed to locate the Highway-4 Isolate, the Alvernaz Ranch Complex, nor for the location of previously identified barn/structure site. This study determined that the Rogers Ranch Complex has been destroyed by the expansion of State Route 4 and BART. A windmill and small dump site were discovered during this study; however, because of the disturbances of the Rogers Ranch Complex neither site meets CEQA criteria of significance. No additional monitoring or mitigation measures were recommended for the Rogers Ranch Complex.

The results of the 2022 updated NWIC records search indicated that 10 archaeological resources (nine historic resources and one prehistoric resource) were recorded within the 0.5-mile search radius. Nine of the archaeological resources are recorded within the project site; however, the Highway-4 Isolate, Rogers Ranch and Alvernaz Ranch Complexes were evaluated in the 1997 HRER and found ineligible to be listed on the National Register.

The General Plan includes policies to ensure the protection of historical and cultural resources, including inadvertent discoveries. Policies 9-P-40, 9-P-41, and 9-P-42 require the cessation of

construction activity in the event resources are uncovered and mandate the development of an identification and preservation system. Similar to potential construction impacts that would have resulted from the Approved Project, it remains possible that earthmoving activities associated with the Modified Project's construction could encounter previously undiscovered archaeological resources. Archaeological resources can include, but are not limited to stone, bone, wood or shell artifacts or features, including hearths and structural elements. Damage or destruction of these resources would be a potentially significant impact. COA CUL-1 would implement General Plan Policies 9-P-40 through 9-P-42 and would reduce potential impacts to a less than significant level. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

c) Would the project disturb any human remains, including those interred outside of formal cemeteries?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to the disturbance of human remains. The prior certified SEIR analyzed potential impacts to prehistoric and historic resources, as described above.

Modified Project Analysis and Conclusion

The CRA did not specifically identify any known disturbances to human remains or cemeteries. The study indicated that if human remains are encountered that work at the location of the find must stop immediately and the County Coroner must be notified, according to Section 7050.5 of the California Health and Safety Code. Because the Modified Project is located on the same site as the Approved Project, the potential for inadvertent discoveries would be similar. Like the Approved Project, the Modified Project would be required to comply with existing regulations and applicable laws.

In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and 5097.98 must be followed. COA CUL-2 implements these existing regulations and further specifies the procedures to follow in the event human remains are uncovered in accordance with General Plan Policies 9-P-40, 9-P-41, and 9-P-42. Along with compliance with these guidelines and statutes, implementation of COA CUL-2 would ensure potential impacts related to human remains would remain less than significant. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

Tribal Cultural Resources

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

d) 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), or

Summary of the Prior Certified SEIR

The prior certified SEIR did not identify a significant impact related to a tribal cultural resource that was listed or was eligible for listing in the California Register of Historical Resources, or in a local register of historical resources, as it was not a specific threshold of significance for the City at the time the prior certified SEIR was approved. The prior certified SEIR analyzed potential impacts to prehistoric and historic resources, as described above.

Modified Project Analysis and Conclusion

According to the 1997 CRA, a request was sent to the NAHC for a SLF search, which followed Section 106 evaluation procedures for cultural resources. The NAHC failed to identify Tribal Cultural Resources (TCRs) listed in the immediate project area. The NAHC provided a list of 14 tribal representatives that may have knowledge of TCRs within the project site. All tribal representatives were contacted, and nine responses were received. Five tribal representatives stated that the proposed project is outside of their area, and four tribal representatives indicated they did not have any knowledge of the Pittsburg vicinity. Two tribal representatives stated that they had information on file, and one of the two representatives stated that they would take some time and address the letter requesting additional information pertaining to the proposed project; and the other representative expressed concern that there may be a historic rancheria located on or near the project. The representative also indicated that their father was from the area approximately 30 miles east of the project and his ancestral ties were to the general Suisun Bay area. The representative stated that they would provide the documentary materials and a map, but nothing was received. One of the nine tribal representatives advised that consultation that follows Section 106 procedures be continued and if any human remains are discovered during construction, the representative recommended sensitive treatment of the remains pursuant to State and federal laws and regulations. Additionally, the representative requested that the Corps of Engineers contact him during the review period to provide comments on the treatment plan and memorandum of agreement. Another representative who provided one of the nine responses expressed doubt that any native people today would know of the traditional cultural properties in the Pittsburg area, as the indigenous Bay Miwok speakers were removed to the missions or died of introduced diseases early in California's history. The representative also stated that they recommended subsurface testing around the historic sites, because settlers often built on the old sites of Indian villages. The

tribal representative was informed that backhoe testing was completed, and the representative seemed satisfied that testing was conducted. Tribal outreach, as part of the 1997 CRA, failed to identify any listed TCRs that may be adversely affected by the proposed project.

The 2022 updated records search conducted at the NWIC, which included a search of the California Register of Historical Resources (CRHR), did not identify any listed or eligible TCRs that would be adversely affected by the proposed project. Additionally, the 2022 updated NAHC SLF search results did not identify any TCRs in the project vicinity. Should any undiscovered TCRs be encountered during project construction, implementation of COA CUL-1 and COA CUL-2 would reduce potential impacts to a less than significant level.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

e) 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. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Summary of the Prior Certified SEIR

As noted above, the prior certified SEIR did not specifically identify a significant impact related to a tribal cultural resource that was listed or was eligible for listing in the CRHR, or in a local register of historical resources, as it was not one of the City's specific thresholds of significance at the time the SEIR was approved. The prior certified SEIR analyzed potential impacts to prehistoric and historic resources, as described above.

Modified Project Analysis and Conclusion

As noted above, the 1997 CRA did not identify TCRs that may be adversely affected by the proposed project. Should any undiscovered TCRs be encountered during project construction, implementation of COA CUL-1 and COA CUL-2 would comply with the General Plan requirements and reduce potential impacts to a less than significant level. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

Conditions of Approval

The following conditions of approval will be imposed on the Modified Project to implement the General Plan Historical and Cultural Resources Policies 9-P-40, 9-P-41 and 9-P-42, implement State law, and ensure impacts remain less than significant.

COA CUL-1 If buried cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified Archaeologist shall be consulted to determine whether the resource requires further study. The qualified Archaeologist shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant cultural resources consist of, but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria.

If the resources are determined to be unique historic resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the Archaeological Monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Lead Agency where they would be afforded long-term preservation to allow future scientific study.

COA CUL-2 In the event of an inadvertent discovery or recognition of any human remains, Public Resources Code Section 5097.98 must be followed. In this instance, once project-related earthmoving begins and if there is inadvertent discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the “most likely descendant” of the deceased Native American. The Most Likely Descendant (MLD) may make

recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resources Section 5097.98, or

2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the MLD or on the project site in a location not subject to further subsurface disturbance:
   - The NAHC is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission.
   - The descendant identified fails to make a recommendation.
   - The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

Mitigation Measures

No mitigation measures identified in the prior certified SEIR are required for the Modified Project.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Cultural Resources. The conclusions from the prior certified SEIR remain unchanged when considering the adoption of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
VI. Energy *Would the project:*					
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less than significant impact	No	No	No	None
b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	No impact identified	No	No	No	None

Discussion

At the time of preparation of the prior certified SEIR, the CEQA Guidelines did not include the "Energy" environmental issue area. This analysis is presented for the Modified Project.

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Summary of the Prior Certified SEIR

The Initial Study for the Approved Project (Appendix A to the prior certified SEIR) stated that the project and its construction would consume substantial amounts of fuel and energy and create a substantial demand for existing energy sources. The prior certified SEIR authors and City of Pittsburg Community Development Department staff concluded that the energy needs associated with construction of the residential project and its ongoing occupancy would not require an unusual or substantially greater level of energy consumption than that of other conventional residential developments. Therefore, the scope of the prior certified SEIR did not include energy as an issue for further, more detailed evaluation.

Modified Project Analysis and Conclusions

The anticipated construction schedule for the Modified Project for modeling purposes was assumed to occur from January 2023 through April 2027, lasting approximately 52 months[21]. Should the construction schedule move to later years, construction energy demand would likely decrease because of improvements in technology and more stringent regulatory requirements as older, less efficient equipment is replaced by newer and cleaner equipment. The Modified Project would require building construction, architectural coating, and paving activities. Project construction would require energy for the manufacture and transportation of building materials, and the actual construction of 206 single-family residences. Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these tasks.

The types of on-site equipment used during construction of the Modified Project could include gasoline- and diesel-powered construction and transportation equipment, including trucks, bulldozers, front-end loaders, forklifts, and cranes. Construction equipment is estimated to consume a total of 137,148 gallons of diesel fuel over the entire construction duration (Appendix A).

Fuel use associated with construction vehicle trips generated by the Modified Project was also estimated; trips include construction worker trips, haul truck trips for material transport, and vendor trips for construction material deliveries. Fuel use from these vehicles traveling to the project site was based on (1) the projected number of trips the Modified Project would generate during construction, (2) average trip distances by trip type, and (3) fuel efficiencies estimated in the ARB Emissions Factors model (EMFAC) mobile source emission model. The specific parameters used to estimate fuel usage are included in Appendix A. In total, the Modified Project is estimated to generate 1,089,678 VMT and a combined 46,761 gallons of gasoline and diesel for vehicle travel during construction.

Other equipment could include construction lighting, field services (office trailers), and electrically driven equipment such as pumps and other tools. Singlewide mobile office trailers, which are commonly used in construction staging areas, generally range in size from 160 square feet to 720 square feet. A typical 720-square-foot office trailer would consume approximately 36,836 kilowatt-hours (kWh) during the 52-month construction (Appendix A).

The Modified Project's construction is not anticipated to result in unusually high energy use. Limitations on idling of vehicles and equipment and requirements that equipment be properly maintained would result in fuel savings. Similarly, compliance with State regulations would limit idling from both on-road and off-road diesel-powered equipment and are enforced by the ARB. Additionally, the overall construction schedule and process is already designed to be efficient to avoid excess monetary costs. For example, equipment and fuel are not typically used wastefully due to the added expense associated with renting the equipment, maintaining it, and fueling it. Therefore, the opportunities for future efficiency gains during construction are limited. Therefore, it is anticipated that construction of the Modified Project would not result in wasteful, inefficient, and

[21] As noted previously, modeling was performed assuming a construction start date of January 2023; construction will not actually begin until approximately July 2023.

unnecessary energy consumption, and energy impacts during construction would be less than significant.

Operation

The Modified Project would consume energy as part of building operations and transportation activities. Energy consumption of the Modified Project is summarized in Table 9.

Table 9: Annual Project Energy Consumption

Energy Consumption Activity	Annual Consumption
Electricity Consumption	1,608,970 kWh/year
Natural Gas Consumption	7,949,770 kBTU/year
Total Vehicle Fuel Consumption	140,206 gallons/year
Notes: kWh = kilowatt-hour kBTU = kilo-British Thermal Unit Source: Appendix A	

Unmitigated operation of the Modified Project would consume an estimated 1,608,970 kWh of electricity and an estimated 7,949,770 kBTU of natural gas on an annual basis. In addition, the future residents would consume an estimated 140,206 gallons of gasoline per year as part of normal passenger vehicle operation. The Modified Project would be designed and constructed in accordance with the California Building Code energy efficiency standards. All units will have solar infrastructure as required by code and will have EV charging capabilities in garages. Compliance with the California Building Code would help reduce the amount of energy required for lighting, water heating, and heating and air conditioning in buildings and promote energy conservation. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

b) Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

Summary of the Prior Certified SEIR

Please see discussion under a) above. The prior certified SEIR did not include an analysis of consistency with applicable energy plans and policies. Such information could have been known at the time of preparation of the SEIR and therefore further analysis is not required. Nevertheless, for the sake of presenting a conservative analysis, the impacts of the Modified Project are discussed below.

Modified Project Analysis and Conclusions

Construction

The Modified Project would result in energy consumption through the combustion of fossil fuels. Limitations on idling of vehicles and equipment and requirements that equipment be properly maintained would result in fuel savings. California Code of Regulations Title 13 Sections 2449(d)(3) and 2485 limit idling from both on-road and off-road diesel-powered equipment and are enforced by the ARB. The Modified Project would be required to comply with these regulations. There are no renewable energy standards that would apply to construction of the Modified Project. As a result, construction would not conflict with or obstruct any regulations adopted for the purposes of increasing the use of renewable energy. Furthermore, it is anticipated that construction of the Modified Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing energy use or increasing the use of renewable energy.

Operation

The Modified Project would be served with electricity provided by PG&E. In 2021, PG&E obtained 48 percent of its electricity from renewable energy sources, while the remaining electricity was sourced from nuclear (39 percent), large hydroelectric (4 percent), and natural gas (9 percent).[22] PG&E also offers a Solar Choice 50 percent option that sources 71 percent of its power mix from eligible renewable energy sources, and a Solar Choice 100 percent option that sources 94 percent of its power mix from eligible renewable energy sources. Therefore, the Modified Project's electricity provider meets the State's current objective of 33 percent. The Modified Project's electricity provider would also be required to meet the State's future objective of 60 percent of in-State electricity sales being generated from renewable energy sources by 2030. The buildings would be designed in accordance with California Code of Regulations Title 24, California's Energy Efficiency Standards for Residential Buildings as applicable. These standards include minimum energy efficiency requirements related to building envelope, mechanical systems (e.g., heating, ventilation, and air conditioning [HVAC] and water heating systems), and indoor and outdoor lighting.

The Modified Project would be required to comply with the applicable Title 24 Energy Efficiency Standards in effect at the time building permit applications are received. In doing so, the Modified Project would be consistent with General Plan Policy 9-P-31 because it would promote energy efficient building design by including solar systems, utilizing passive energy efficiency through low water demand landscaping, and complying with California Building Code standards. As such, the Modified Project would be consistent with applicable State and local plans for promoting use of renewable energy and energy efficiency. The Modified Project would result in less than significant impacts related to energy efficiency and renewable energy standards consistency. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

[22] Pacific Gas and Electric Company (PG&E). 2021 Power Content Label. Website: https://www.pge.com/pge_global/common/pdfs/your-account/your-bill/understand-your-bill/bill-inserts/2022/1022-Power-Content-Label.pdf. Accessed October 25, 2022.

Significance Level

Less than significant impact.

Mitigation Measures

The prior certified SEIR concluded that there was no significant impact related to energy, and thus no mitigation measures were identified. No new mitigation measures are required for the Modified Project.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Energy. The conclusions from the prior certified SEIR remain unchanged when considering the adoption of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
VII. Geology, Seismicity, and Soils *Would the project:*					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	Less than significant impact with mitigation incorporated	No	No	No	MM GEO-1, MM GEO-2, MM GEO-3 (MM e(1), MM e(2), MM e(3))
ii) Strong seismic ground shaking?	Less than significant impact with mitigation incorporated	No	No	No	MM GEO-1, MM GEO-2, MM GEO-3 (MM e(1), MM e(2), MM e(3))
iii) Seismic-related ground failure, including liquefaction?	Less than significant impact with mitigation incorporated	No	No	No	MM GEO-1, MM GEO-2, MM GEO-3 (MM e(1), MM e(2), MM e(3))
iv) Landslides?	Less than significant impact with mitigation incorporated	No	No	No	MM GEO-1, MM GEO-2, MM GEO-3, MM GEO-4, MM GEO-5 (MM e(1), MM e(2), MM e(3), MM c(1), MM c(2))
b) Result in substantial soil erosion or the loss of topsoil?	Less than significant impact with	No	No	No	None

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
	mitigation incorporated				
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?	Less than significant impact with mitigation incorporated	No	No	No	MM GEO-4, MM GEO-5, MM GEO-6 (MM c(1), MM c(2), MM c(3))
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?	Less than significant impact with mitigation incorporated	No	No	No	MM GEO-7 (MM b(1))
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?	No impact identified	No	No	No	None
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	No impact identified	No	No	No	None

Discussion

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? Refer to Division of Mines and Geology Special Publication 42.

Summary of the Prior Certified SEIR

According to the prior certified SEIR, the California Division of Mine and Geology (CDMG) studies completed for the project site did not indicate surface trace of any known active earthquake fault.[23] These studies did, however, identify features where faulting could occur.[24] Subsequent on-site trenching investigation conducted by geologists in 1991 concluded that these features were either unrelated to faulting or were inactive faults. Regardless, it was determined that there were geologic features on-site that were unrelated to faulting or inactive faults; however, these features could respond to the occurrence of displacement events on nearby active fault systems.

The prior certified SEIR identified nearby active faults including the Clayton, Concord, Green Valley, Antioch, Greenville, Cordelia, Calaveras and Hayward faults. It was determined that a moderate to high potential existed for a moderate to large earthquake to occur on the Concord, Green Valley or Antioch Fault within the lifetime of the Approved Project. The prior certified SEIR concluded that ground rupture could occur along one or more of the previously identified features as a result of an earthquake on the Clayton Fault.

The prior certified SEIR included the following mitigation measures related to geology, seismicity, and soils:

MM e(1) Analysis and Mitigation of Seismicity Prone Areas requires an analysis of the project site's susceptibility to earthquake-induced hazards, such as landslides or liquefaction, by a geotechnical professional.

MM e(2) Fault Related Feature Analysis and Mitigation requires the assessment of the possibility of activity along fault-related features by a geotechnical professional.

MM e(3) Structure/Infrastructure Design requires that all building, utilities and other improvement be designed in accordance with all applicable building requirements and codes, especially those related to earthquake resistant design.

Seismic-related hazards could be reduced to less than significant levels by the implementation of MM e(1), MM e(2) and MM e(3) as described above.

Modified Project Analysis and Conclusions

The Modified Project involves the transfer of 112 units from other villages into Village C as well as the conversion of 181 units in Village C from multi-family units to single-family units. The Modified Project also proposes to convert 25 units within Village O from multi-family units to single-family units. The transfer and rezoning of units would not increase the number of units overall. As discussed above and in Section IV.D, Soils and Geology, and the prior certified SEIR, the project site contains features that could experience ground rupture as a result of an earthquake on the Clayton Fault. Other nearby active faults include the Concord, Green Valley, Antioch, Greenville, Cordelia, Calaveras and Hayward faults. The prior certified SEIR included MM e(1), MM e(2) and MM e(3) to

[23] State of California Division of Mines and Geology. 1990. Fault-Rupture Hazard Zones in California.
[24] Patten, P.R., San Pablo Formation North of Mount Diablo, California, 1974; Sims, 1973; and Dibblee, 1980.

reduce seismic-related impacts to less than significant levels. These mitigation measures would apply to the Modified Project as MM GEO-1 through MM GEO-3.

Furthermore, the Modified Project would comply with General Plan goals and policies related to geology and seismicity including Goal 10-G-1: minimize risk to life and property from geologic and seismic hazards; Goal 10-G-2: Establish procedures and standards for geotechnical review of projects located in areas of steep slopes, unstable soils, or other geologic or seismic risks; Goal 10-G-4: Mitigate potential seismic hazards, including landsliding and liquefaction, during the design and construction of new development. Policies related to these goals require the review of new development for compliance with the current Uniform Building Code (10-P-16), and a detailed analysis and mitigation of seismic hazard risk for new development located in geologic hazard areas (10-P-17). Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less Than significant impact with mitigation incorporated.

ii) Strong seismic ground shaking?

Summary of the Prior Certified SEIR

As discussed above, the prior certified SEIR identified nearby active faults which could impact the project site. Ground shaking intensity on the project site as a result of an earthquake on the Concord Fault was expected to be “strong” and ground shaking felt at the project site as a result of an earthquake on the Hayward Fault was expected to be “weak.” “Very strong” ground shaking had the potential to occur at the project site as a result of a strong earthquake on any of the nearby active faults identified in the prior certified SEIR, and moderate to strong ground shaking had occurred in the vicinity of the project site in the past. The prior certified SEIR concluded that the potential for structural damage resulting from ground shaking associated with earthquakes on nearby faults represented a significant adverse impact. As discussed above, seismic-related hazards would be reduced to less than significant levels with the implementation of MM e(1), MM e(2), and MM e(3).

Modified Project Analysis and Conclusions

As discussed above, the prior certified SEIR identified impacts related to seismicity on the project site, including Village C and Village O as addressed in the Modified Project. The prior certified SEIR identified nearby active faults including the Clayton, Concord, Green Valley, Antioch, Greenville, Cordelia, Calaveras and Hayward faults. Significant ground shaking has the potential to occur at the project site as a result of a strong earthquake on any of the nearby active faults identified in the prior certified SEIR. According to the General Plan, a branch of a minor fault passes through the project site, including Village C. The majority of the City would experience ground shaking intensity of VII on the Modified Mercalli scale, which is not associated with structural damage, as a result of a large earthquake on the Concord-Green Valley Fault, 6 miles east of the City.

As discussed above, the prior certified SEIR included MM e(1), MM e(2) and MM e(3) to reduce seismic-related impacts to less than significant levels. These mitigation measures would apply to the Modified Project as MM GEO-1 through MM GEO-3. The prior certified SEIR identified these mitigation measures as reducing seismic-related hazards to less than significant levels. Furthermore, as previously discussed, the Modified Project would comply with General Plan goals and policies related to geology and seismicity including Goals 10-G-1, 10-G-2, and 10-G-4 and Policies 10-P-16 and 10-P-17 as detailed above. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact with mitigation incorporated.

iii) Seismic-related ground failure, including liquefaction?

Summary of the Prior Certified SEIR

As discussed above, the prior certified SEIR concluded that ground shaking and ground failure associated with earthquakes on nearby faults represented a significant adverse impact, if unmitigated. Seismic-related ground failures included the potential for liquefaction. MM e(1) stated that a qualified geotechnical professional should analyze the susceptibility of the project site to earthquake-induced hazards such as liquefaction. The prior certified SEIR concluded that the implementation of MM e(1), MM e(2), and MM e(3) could reduce the impact of seismic-related hazards to less than significant levels.

Modified Project Analysis and Conclusions

The prior certified SEIR identified the potential for ground failure, including liquefaction, to occur on the project site as a result of earthquakes on nearby faults. The Modified Project would not alter or extend the boundaries of the Siena at San Marco Development and thus would not result in development area that had not previously been evaluated for residential development in the SEIR for the Approved Project. As such, MM e(1), MM e(2) and MM e(3) were identified in the prior certified SEIR to mitigate impacts related to seismic hazards to less than significant levels. Specifically, MM e(1) refers to earthquake-induced hazards such as liquefaction. These mitigation measures apply to the Modified Project as well. Furthermore, according to the General Plan, the project site is not located in an area of high liquefaction potential.[25] These mitigation measures would apply to the Modified Project as MM GEO-1 through MM GEO-3. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

[25] City of Pittsburg. 2001. 2020 General Plan, Health and Safety, Figure 10-1 Geologic Hazards.

Significance Level

Less than significant impact with mitigation incorporated.

iv) Landslides?

Summary of the Prior Certified SEIR

The prior certified SEIR described the project site as consisting of rolling foothill terrain with slopes ranging from gradual to steep. The Southwest Hills area, which includes the project site, contains steep slopes and exhibited a history of landslide activity. According to studies by the USGS and Engeo, Inc., landslide deposits on the project site appeared to be at least 10 years old and were located along fringes of ridges and knolls on the project site as well as at the heads and sides of drainage swales or gullies. As described in the prior certified SEIR, a moderate to high potential exists that a moderate to large earthquake would occur on one of the identified nearby faults within the lifetime of the Approved Project. The prior certified SEIR concluded that ground failure such as landslides could result from such earthquake activity, representing a significant adverse impact.

In addition to MM e(1) through MM e(3), the prior certified SEIR included the following mitigation measures related to landslides:

MM c(1) Was included to reduce impacts to soil stability by requiring a qualified geotechnical professional to implement a mapping program, slope stability analysis and a detailed slope stabilization plan.

MM c(2) Landsliding would require a geotechnical professional to provide recommendation for stabilization of landslide activity based on the mapping program and slope stability analysis outlined in MM c(1) and prepare a detailed construction plan to stabilize landslide activity prior to the sale of individual project lots.

As discussed above, seismic-related hazards, such as ground failure including landslides, could be reduced to less than significant levels by the implementation of MM e(1), MM e(2) and MM e(3). The implementation of MM c(1) and MM c(2), described above, applied to the Modified Project as MM GEO-4 and MM GEO-5, would also mitigate impacts related to ground failure such as landslides.

Modified Project Analysis and Conclusions

As detailed in the prior certified SEIR, the project site, which includes the Modified Project site, is located in the Southwest Hills area. The Southwest Hills area contains steep slopes and has a history of landslides. The General Plan identifies generally and moderately unstable areas, as well as areas where slopes are greater than 30 percent. Both Unit 17 and Unit 16 contain areas identified by the General Plan as moderately unstable and as having slopes greater than 30 percent.[26] The prior certified SEIR analysis concluded that landslides could result from earthquake activity, and that implementation of MM e(1), MM e(2) and MM e(3) (applicable to the Modified Project as MM GEO-1, MM GEO-2, and MM GEO-3) would mitigate seismic hazards, such as landslides, to less than

[26] City of Pittsburg. 2001. 2020 General Plan, Health and Safety, Figure 10-1 Geologic Hazards.

significant levels. Furthermore, MM c(1) and c(2) (applicable to the Modified Project as MM GEO-4 and MM GEO-5) specifically address slope and landslide stabilization.

The Modified Project includes the transfer of units into Village C and the rezoning of some units in Village C and Village O from multi-family to single-family. The overall number of units to be developed would remain the same as what was analyzed in the certified SEIR. The Modified Project would not alter or extend the boundaries of the San Marco Subdivision and thus would not result in development area that had not previously been evaluated for residential development in the prior certified SEIR for the Approved Project. Furthermore, the Modified Project would comply with General Plan goals and policies, including Goals 10-G-1, 10-G-2, and 10-G-4 as well as Goal 10-G-6 which limits development on slopes greater than 30 percent to lower elevations, foothills, and knolls. Applicable General Plan policies include requiring a soil report by a City-approved geologist or engineer in geological hazard areas (10-P-1), restricting development on slopes greater than 30 percent to below the 900 foot elevation contour (10-P-3), ensuring that development on hillsides are construction to reduce erosion and landslide hazards (10-P-3), requiring geotechnical studies prior to development approval in geologic hazard areas (10-P-9), as well as 10-P-16 and 10-P-17 as detailed above.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact with mitigation incorporated.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Summary of the Prior Certified SEIR

The prior certified SEIR indicated that, because of their weak composition, project site soils and bedrock were susceptible to erosion and sediment transport. Specifically, areas of the project site with steep slopes could experience severe stream, gully and sheet erosion. Runoff from roof gutters and paved surfaces as a result of implementation of the Approved Project could erode slopes, and storm events or landscape overwatering could destabilize project cut-and-fill areas atop these slopes. Furthermore, construction and grading activities could expose soils to erosion from wind, rain and overland runoff. The deposition of sediment in drainage ditches and pipes as a result of erosion and runoff from the project site had the potential to increase the risk of flooding, which could persist even after construction. The prior certified SEIR concluded that these various surface erosion potentials represent a significant adverse impact.

The prior certified SEIR included the following mitigation measure related to erosion:

MM b(2) Erosion requires that a Project Erosion Control Plan be prepared and implemented by a civil engineer and a qualified geotechnical professional. The Project Erosion Control Plan would include the construction of lined “V” ditches, effective erosion

control provisions and best management construction practices to control wind and water erosion of exposed soils.

The prior certified SEIR concluded that, with the implementation MM b(2), impacts to soil erosion or loss of topsoil would be mitigated to less than significant levels.

Modified Project Analysis and Conclusions

The Modified Project would rezone a portion of the San Marco Subdivision from multi-family to single-family dwelling units, but the overall number of units and the parcels and their orientation would remain substantially the same as previously mapped. The Modified Project would not alter or extend the boundaries of the San Marco Subdivision. Furthermore, projects disturbing an area greater than 1 acre are required to obtain a General Permit for Discharges of Stormwater Associated with Construction Activity, issued by the California State Water Resources Control Board. This permit requires the development and implementation of a SWPPP which includes Best Management Practices (BMPs) to control erosion and the conveyance of sediments off-site.

Furthermore, the Modified Project would comply with General Plan goals and policies related to erosion including Goal 10-G-3: Minimize the potential for soil erosion by wind and stormwater runoff. Policies include 10-P-3, as detailed above, and Policy 10-P-6: encourage the use of water-sprinkling trucks at large construction sites to keep the exposed soils moist during construction; Policy 10-P-5: ensure that BAAQMD requirements are implemented around construction sites to reduce wind velocity and soil transport at the sites; and Policy 10-P-6: as part of the development approval process, restrict grading to only those areas going into immediate construction as opposed to grading the entire site, unless necessary. The prior certified SEIR MM b(2) would no longer apply to the Modified Project. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact with mitigation incorporated.

c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Summary of the Prior Certified SEIR

According to the prior certified SEIR, the project site consisted of rolling foothill terrain with slopes ranging from gradual to steep. The Southwest Hills area, which included the project site, contained steep slopes and had a history of landslide activity. According to studies by the USGS and Engeo, Inc., landslide deposits on the project site appeared to be at least 10 years old and were located along fringes of ridges and knolls on the project site as well as at the heads and sides of drainage swales or gullies. Slopes steeper than approximately 50 percent were also subject to soil creep, a continuous, gradual, downslope movement of soil and rock due to gravitational forces. Soil creep is common in the Bay Area and is accelerated by heavy rainfall, irrigation, or other practices which introduce large

amounts of water to the slope, as well as development activities such as constructing fills on slopes or steepening slopes with cuts. Debris flows, the rapid downslope movement of soil and water when colluvial soils (such as those located within the project site) on slopes of at least 20 percent reach a liquid limit, may also occur. The proposed grading plan of the Approved Project was anticipated to involve cuts up to 120 feet deep and 180 feet high as well as fills up to approximately 125 feet deep and 130 feet high and a maximum inclination of cut-and-fill slopes no greater than 3 to 1.

The prior certified SEIR determined that the Approved Project's proposed grading plan could reactivate existing landslides and initiate new landslides. The grading plan could also have aggravated soil creep conditions, as described above. While the maximum slope inclination of 3 to 1 would be sufficient to mitigate slope stability impacts related to oversteepening, if this gradient were exceeded then cut-and-fill slopes could be destabilized by rainfall and other significant sources of water flow (I.e., landscape overwatering), causing slope movement. As such, landslides, soil creep and debris flow, and destabilization of cut-and-fill slopes represented significant adverse impacts. However, the preparation of a detailed geologic map, a slope stability analysis, and a detailed slope stabilization plan as outlined in MM c(1) and MM c(2) would reduce this impact to less than significant levels. The previously certified SEIR also included the following mitigation measure related to slope stability:

MM c(3) Soil Creep would require a geotechnical professionals to provide specific recommendations to reduce damage caused by slope creep, including recommendations for setbacks from the slopes subject to slope creep.

Furthermore, the project site was underlain by a natural gas field. The extraction of this resource could result in land subsidence.

Modified Project Analysis and Conclusions

As discussed above, the Modified Project sites are located on areas which have been identified by the General Plan to be moderately unstable. Similarly, the prior certified SEIR for the Approved Project concluded that the project site contains steep slopes and that the proposed grading plan could reactivate existing landslides and initiate new landslides. However, the Modified Project would be subject to prior certified SEIR identified MM c(1) through MM c(3), described above (applicable to the Modified Project as MM GEO-4 through MM GEO-6), which would reduce project impacts to slope stability and landslide, soil creep and debris flow activity to a less than significant level. Furthermore, as detailed previously, the Modified Project would comply with General Plan Goals 10-G-4, and Policies 10-P-1, 10-P-2, 10-P-3, 10-P-9, 10-P-10 and 10-P-8 which requires development review to ensure that development on unstable slopes is designed to avoid potential soil creep and debris flow hazards. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact with mitigation incorporated.

d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Summary of the Prior Certified SEIR

According to the prior certified SEIR, project site soil and bedrock contained moderate to high expansion potential. The Approved Project's proposed post-tension slab-on-grade foundation system may not have adequately mitigated pressures from expansive soils. Without special design considerations, damage could occur to superstructural elements as well as paved areas such as driveways, roadways, sidewalks, paved roads, curbs and gutters, and concrete slab-on-grade. The prior certified SEIR concluded that potential damage as a result of expansive soil represented a significant adverse impact.

The prior certified SEIR included the following mitigation measure related to expansive soil:

MM b(1) Expansive Earth Materials was included to require grading/foundation designs and a drainage plan be prepared for each lot to reduce impacts related to expansive earth materials.

The prior certified SEIR concluded that, with the implementation MM b(1), impacts related to expansive soils would be mitigated to less than significant levels.

Modified Project Analysis and Conclusions

The Modified Project involves the transfer of 112 units from other villages into Village C as well as the conversion of 181 units in Village C from multi-family units to single-family units. The Modified Project also proposes to convert 25 units within Village O from multi-family units to single-family units. The transfer and rezoning of units would not increase the number of units overall, and the Modified Project would not alter or extend the boundaries of the San Marco Subdivision as was previously analyzed in the prior certified SEIR. The prior certified SEIR concluded that project site soils exhibit moderate to high expansion potential. However, with the implementation of MM b(1) identified in the prior certified SEIR (applicable to the Modified Project as MM GEO-7), impacts related to expansive earth materials would be reduced to less than significant levels. This mitigation measure also applies to the Modified Project.

Furthermore, the Modified Project would comply with General Plan Goals 10-G-1 and 10-G-2, and Policies 10-P-1, 10-P-8, 10-P-9 and 10-P-10 as detailed above. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact with mitigation incorporated.

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?

Summary of the Prior Certified SEIR

According to the prior certified SEIR, the project site did not receive municipal sewer service. A private, on-site septic system served the existing farm complex. The prior certified SEIR for the Approved Project did not specifically identify a significant impact related to project site soil's capability of adequately supporting the use of septic tanks or alternative wastewater disposal. The prior certified SEIR did analyze potential impacts to soil stability, as discussed above.

Modified Project Analysis and Conclusions

The Modified Project includes the transfer of units into Village C and the rezoning of some units in Village C and Village O from multi-family to single-family. Residential units would connect to existing sewer systems. Development under the San Marco Development Plan would not include the use of alternative wastewater systems, but, rather, would be connected to City sewer service. Therefore, the Modified Project would not require septic systems and would have no impact related to soil capability to support septic systems. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to a unique paleontological resource or site or unique geologic feature. The prior certified SEIR did, however, describe the geologic conditions of the project site.

According to the prior certified SEIR, the project site was underlain by Tertiary sedimentary strata, which was underlain by Cretaceous volcanic and sedimentary basement rocks. The Cretaceous rocks are of the Great Valley Sequence and were deposited 70 to 135 million years ago. The Tertiary rocks consisted of several formations including the Markley Formation (deposited during the Eocene age), the Kirker Tuff (deposits of Oligocene age), the San Pablo Group which includes the Cierbo and Neroly Formations of the Miocene age, and the Lawler Tuff and Tahama Formation, both of the Pliocene age. Figure 31 of the SEIR provides a geologic map of these features. The rock formations were overlain by more recent deposits including terrace deposits, alluvial fan deposits and colluvial fan deposits.

Modified Project Analysis and Conclusions

The Modified Project includes the transfer of units into Village C and the rezoning of units in Village C and Village O from multi-family to single-family. The overall number of units to be developed in the San Marco Development would remain that same as what was analyzed in the prior certified SEIR. The Modified Project site is within the project boundaries previously analyzed in the prior certified EIR and would not alter or extend the boundaries of the San Marco Subdivision and thus would not result in development in an area that had not previously been evaluated for residential development in the prior certified SEIR. The prior certified SEIR did not identify a significant impact related to a unique paleontological resource or site or unique geologic feature. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

Mitigation Measures

The following mitigation measures identified in the prior certified SEIR are required mitigation for the Modified Project.

MM GEO-1 (MM e(1)) Analysis and Mitigation of Seismicity Prone Areas

As a condition of approval of the Tentative Map, a qualified geotechnical professional should analyze the susceptibility of the site to earthquake-induced land sliding, fill settlement due to dynamic forces, development of ground fissures, and potential for liquefaction. This analysis would require drilling test borings and conducting appropriate laboratory tests in area that could be so affected. Specifically, test borings and/or cone penetration tests should be completed where is anticipated that gills would be constructed over areas of deep, saturated alluvium that is susceptible to liquefaction; and on any unstable slopes that may affect the proposed development. Recommendations should be made to offset those earthquake-prone hazards. These recommendations could include avoidance or engineering solutions.

MM GEO-2 (e(2)) Fault Related Feature Analysis and Mitigation

In addition, a geotechnical professional should assess the possibility for the sympathetic displacements along the fault-related features on the project. The evaluation should include radioisotopic dating of the surface soils or other chronostratigraphic techniques to evaluate the most recent episodes of movement along such features.

Based on the results of the fault-feature activity evaluation, a geotechnical professional should establish appropriate structural setbacks from zones of potential faulting on the sire.

MM GEO-3 (MM e(3)) Structure/Infrastructure Design

All project buildings, underground utilities and other improvements should be designed and constructed in accordance with all public agency requirements and City of Pittsburg building codes, particularly those sections of the codes regarding earthquake resistant design. The geotechnical report described above which would contain foundation recommendations for each lot should include earthquake design criteria in response to the site's soil profile coefficient.

MM GEO-4 (MM c(1)) Slope Stability–General

In order to reduce potential impacts related to soil stability to less than significant levels, a qualified geotechnical professional should prepare a detailed map of unstable areas on the site, an analysis of each unstable area, and a detailed slope stabilization program.

Mapping Program. A detailed mapping program should be conducted by a qualified geotechnical professional to identify every instance of past landsliding, earthflows, slumps, debris flows, debris basins, and erosional gullies; and every occurrence of colluvial swales, soil creep, rock falls, and adversely oriented bedding on the site. Unstable and potentially unstable slopes impacting the proposed grading plan should be evaluated for depth and character of unstable materials. Test borings and/or exploration pits should be completed as part of evaluation.

Slope Stability Analysis. As part of the requirement for issuance of the Tentative Map, a series of slope stability analyses for critical cut slopes, fill slopes, and natural slopes, should be conducted by a qualified geotechnical professional to determine their stability under long-term static and short-term seismic loads. The analyses should incorporate saturated, residual shear strength parameters obtained from laboratory tests conducted on appropriate samples of earth materials recovered from the test borings and or exploration pits completed per mitigation measure suggested above. The impacts of the unstable conditions should be evaluated with respect to the proposed grading plan as a basis for determining the design, method of construction, extent and schedule of all stabilization measures.

Detailed Sloped Stabilization Plan. In response to the detailed mapping and analysis described above, a qualified geotechnical professional should prepare specific recommendations for stabilization of all unstable areas. The

plan should include detailed recommendations for the setbacks of structures from the crest lines of creek banks, cut slopes, fill slopes and natural slopes.

The slope stabilization plan should also include the specific measures relating to grading listed below:

- A qualified geotechnical professional and the project civil engineer should be present to inspect all project grading.
- The geotechnical professional should provide detailed recommendations of the setback of structures from specific on-site crest lines of creek banks, cut slopes, fill slopes, and natural slopes.
- The project civil engineer should ensure that all recommendations of the geotechnical are reflected in the grading plan and implemented by the developer.
- Specific recommendations of the geotechnical professional on cut slopes, fill slopes for lot grading, public street construction, infrastructure construction, and slope stabilization should be implemented.
- A geotechnical professional should inspect all proposed cut-and-fill slopes to ensure that they would remain adequately stable and protected from significant erosion. Drainage Benches lined with Portland cement concrete or asphalt concrete should be installed if necessary to achieve necessary stability.
- As needed, a qualified geotechnical professional should modify and implement stabilization plans during construction.
- All slope stabilization grading should be documented with as-built drawings and include as-built geologic map.

MM GEO-5 (MM c(2)) Landsliding

The slope stabilization plan described above should pay particular attention to landslide areas. Based on the detailed mapping and stability analysis described above, the geotechnical professional should provide specific recommendations for stabilization of all landslides, potential landslides, and all off-site landslides that may impact on-site development. This work should include preparation of a detailed geologic map and performance of a subsurface investigation within each area with a high potential for future slope movement.

A detailed construction plan should be prepared to stabilize landslides, potential landslide areas (including debris flows and rock fall areas), and off-site landslides. This plan should include detailed sections and plans showing limits of work and detailed grading specifications for performance of the stabilization work. Implementation of the plan should be completed before the sale of individual project lots.

MM GEO-6 (MM c(3)) Soil Creep

Using the detailed mapping and stability analysis described above, the geotechnical professionals should provide specific recommendations to reduce damage to structures and infrastructure cause by slope creep should be provided, including recommendations for setbacks from the slopes subject to slope creep.

MM GEO-7 (MM b(1)) Expansive Earth Materials

Implementation of the following measure would reduce identified project impacts related to expansive earth materials to less than significant levels.

Grading/Foundation Design. A standard soils test geotechnical investigation should be performed by a qualified geotechnical professional on each lot after subdivision grading is completed and prior to issuing building permits. The geotechnical professional should evaluate the expansion potential of native materials and fill on each lot and evaluate the subsurface conditions observed during grading. A report should be issued for each lot or group of lots with similar subsurface conditions along with recommendations for selective lot grading and foundation design and construction. The geotechnical professional should provide foundation design, soil preparation and selective grading recommendations which are appropriate for the on-site soil and geologic conditions observed after mass grading has been completed.

A geotechnical professional should prepare specific recommendations for the modification of the presently proposed post-tensioned slab-on-grade foundation system to counteract soil swelling and shrinkage and for the treatment of expansive soils in all pavement and flatwork areas to ensure that the effects of soil expansion are minimized.

Drainage Plan. To avoid impact of expansive earth materials due to improper surface drainage design, a registered civil engineer should design a surface drainage system for each lot. The drainage system should be compatible with the subdivision's drainage system. The drainage system for each lot should include the following provisions:

- Portland cement concrete or asphalt concrete lined "V" ditches should be installed at the bases of all slopes greater than 15 feet high and adjacent to building pads. The ditches should drain to a suitable outlet.
- All building pads should be rough graded with a 2 percent slope toward the streets.

- The surface next to the house and associated structures should be graded with a slope of at least 2 percent away from the structure for a minimum distance of four feet.
- The lot should be drained with swales which slope 2 percent and discharge to a suitable outlet.
- All roof downspouts should be connected to a solid pipe collector system which discharges to a suitable outlet.
- The crawl space of each house of unit should be connected to a solid pipe collector system which discharges at a suitable outlet.
- Landscaping and walks should be installed such that the lot drainage system designed by the civil engineer is not disrupted. Water should not be allowed to pond on any lot.

Conditions, covenants and restrictions for the subdivision should include the lot drainage requirements listed above. Specific reference to drainage requirements should also be included in the deed for each lot in order to prevent homeowners from altering drainage on the lot.

The recommendations and plans related to drainage provided by the geotechnical professional and project civil engineer should be carried out completely and correctly by the developer's contractors. The geotechnical consultant and civil engineer should provide continuous inspection during construction in order to ensure that their recommendation and plans are properly implemented.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Geology, Seismicity, and Soils. The conclusions from the prior certified SEIR remain unchanged when considering the implementation of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
VIII. Greenhouse Gas Emissions *Would the project:*					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	No impact identified	No	No	No	None
b) Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	No impact identified	No	No	No	None

Discussion

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Summary of the Prior Certified SEIR

The GHG emissions section of the 2019 Checklist is a new section and was not contained in the prior certified SEIR. Therefore, no summary of the GHG impacts from the prior certified SEIR could be presented in this analysis.

Modified Project Analysis and Conclusions

The prior certified SEIR omitted discussion of GHG emissions, and therefore by operation of law,[27] it should not be evaluated in any CEQA document for the project. However, for informational purposes, a Greenhouse Gas Analysis using the same methodology that the City used in the 2012 MND has been presented here. This analysis quantifies the marginal increase (if any) in construction and operational GHG emissions between the Modified Project and the Approved Project and compares the estimated marginal increase in GHG emissions for both construction and operational GHG emissions to the quantitative BAAQMD threshold of 4.6 metric tons (MT) carbon dioxide equivalent (CO_2e) per year per service population.

Both construction and operational activities have the potential to generate GHG emissions. The Modified Project would generate GHG emissions during temporary (short-term) construction

[27] Section 15007 of the California Code of Regulations specifies that amendments to the Guidelines will be prospective only, so that new requirements will be applied only to steps in the CEQA process that have not yet been undertaken. 14 Cal Code Regs §15007(b).

activities such as demolition and grading, running of construction equipment engines, movement of on-site heavy-duty construction vehicles, hauling materials to and from the project site, asphalt paving, and construction worker, vendor, and haul truck motor vehicle trips.

Long-term, operational GHG emissions would result from project-generated vehicular traffic, on-site combustion of natural gas, operation of any landscaping equipment, off-site generation of electrical power over the life of the Modified Project, the energy required to convey water to and wastewater from the project site, and the emissions associated with the hauling, and disposal of solid waste from the project site.

Construction Impacts

The Modified Project would emit GHG emissions during construction from the off-road equipment, worker vehicles, and any hauling that may occur. The BAAQMD does not presently provide a construction GHG emission threshold but recommends that construction GHG emissions be quantified and disclosed. The BAAQMD also recommends that lead agencies determine the level of significance of construction GHG emissions. Total GHG emissions generated throughout construction were combined and are presented in Table 10. In the absence of a construction emission threshold, construction GHG emissions are amortized over the expected lifetime of the Modified Project (30 years) and added to the Modified Project's operational GHG emissions in Table 11.

Table 10: Construction GHG Emissions

Construction Phase	MT CO_2e per year
Building Construction (2023-2027)	1,786
Paving (2026-2027)	79
Architectural Coating (2026-2027)	13
Total Construction Emissions	1,877
Emissions Amortized Over 30 Years[1]	**63**

Notes:
MT CO_2e = metric tons of carbon dioxide equivalent
Totals may not add up due to rounding.
[1] Construction GHG emissions are amortized over the 30-year lifetime of the project.
Source: CalEEMod Output (Appendix A).

Operational Impacts

The Modified Project would contribute to global climate change through direct and indirect emissions of GHG from mobile sources (e.g., passenger vehicles, trucks), energy (e.g., on-site natural gas consumption and purchased electricity), water use and wastewater generation, and solid waste generation. All modeling parameters utilized in the Air Quality analysis are also utilized for this GHG analysis, including but not limited to trip generation rates, trip distances, building sizes and operations, energy consumption, water consumption, and waste generation. Please refer to Appendix A for modeling results and detailed calculations.

Operational GHG emissions by source are shown in Table 11 The Modified Project was analyzed assuming full buildout in the year 2027 immediately following construction.

Table 11: Operational GHG Emissions

Emission Source	Annual GHG Emissions Year 2027 (MT CO_2e per year)[1]	
	Approved Project (206 Multi-Family Units Land Use)	Modified Project (206 Single-Family Units Land Use)
Area	16	9
Energy	323	577
Mobile (Vehicles)	1,018	1,320
Waste	48	124
Water	28	28
Amortized Construction Emissions[2]	63	63
Total Project Emissions	*1,496*	*2,121*
Service Population	*658*[3]	*658*
Efficiency Threshold	**4.6 MT CO_2e/service population/year**	**4.6 MT CO_2e/service population/year**
Project Emission Generation (MT CO_2e/service population/year)	**2.3**	**3.2**
Exceeds Threshold?	*No*	*No*

Notes:
MT CO_2e = metric tons of carbon dioxide equivalent
[1] Emission totals may not add up due to rounding.
[2] Construction GHG emissions are amortized over the 30-year lifetime of the project.
[3] Calculation: 3.19 persons per household x 206 dwelling units = 658 resident service population
Source: CalEEMod Output (Appendix A).
California Department of Finance. E-5 City/County Population and Housing Estimates, 1/1/2022 City of Pittsburg persons per household (3.19). Website: https://dof.ca.gov/forecasting/demographics/estimates/. Accessed November 7, 2022.

As shown in Table 11, the Modified Project would result in greater GHG emissions compared to the Approved Project; however, the emissions would still be below the efficiency threshold. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

b) Would the project conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Summary of the Prior Certified SEIR

The prior certified SEIR omitted discussion of GHG emissions. Therefore, no summary of the GHG impacts could be presented in this analysis.

Modified Project Analysis and Conclusions

The following discusses the Modified Project's consistency with applicable plans adopted for the purpose of reducing GHG emissions, which includes the ARB's Scoping Plan.

Senate Bill 32 2017 Scoping Plan Update

The 2017 Climate Change Scoping Plan Update addressing the SB 32 targets was adopted on December 14, 2017. Table 12 provides an analysis of the Modified Project's consistency with the 2017 Scoping Plan Update measures. As shown in Table 12, many of the measures are not applicable to the Modified Project, and the Modified Project is consistent with strategies that are applicable. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Table 12: Consistency with SB 32 2017 Scoping Plan Update

2017 Scoping Plan Update Reduction Measure	Project Consistency
SB 350: 50 Percent Renewable Mandate. Utilities subject to the legislation will be required to increase their renewable energy mix from 33 percent in 2020 to 50 percent in 2030.	**Not applicable.** This measure would apply to utilities and not to individual development projects. The Modified Project would purchase electricity from PG&E subject to the SB 350 Renewable Mandate.
SB 350 Double Building Energy Efficiency by 2030. This is equivalent to a 20 percent reduction from 2014 building energy usage compared to current projected 2030 levels.	**Not applicable**. This measure applies to existing buildings. New structures are required to comply with Title 24 Energy Efficiency Standards that are expected to increase in stringency over time. The Modified Project would comply with the applicable Title 24 Energy Efficiency Standards in effect at the time building permits are received.
Low Carbon Fuel Standard. This measure requires fuel providers to meet an 18 percent reduction in carbon content by 2030.	**Not applicable.** This is a Statewide measure that cannot be implemented by a project applicant or lead agency. However, vehicles used by future residents at the project site would benefit from the standards.
Mobile Source Strategy (Cleaner Technology and Fuels Scenario). Vehicle manufacturers will be required to meet existing regulations mandated by the LEV III and Heavy-Duty Vehicle programs. The strategy includes a goal of having 4.2 million Zero-Emission Vehicles (ZEVs) on the road by 2030 and increasing numbers of ZEV trucks and buses.	**Not applicable.** This measure is not applicable to the Modified Project; however, vehicles accessing the project site would benefit from the increased availability of cleaner technology and fuels. In addition, as stipulated by the most recently adopted California Building Code, Title 24, new single-family dwellings, such as the Modified Project, would be required to implement the applicable provisions of Title 24, California Building Code to support future electric vehicle supply equipment (EVSE).

2017 Scoping Plan Update Reduction Measure	Project Consistency
Sustainable Freight Action Plan. The plan's target is to improve freight system efficiency 25 percent by increasing the value of goods and services produced from the freight sector, relative to the amount of carbon that it produces by 2030. This would be achieved by deploying over 100,000 freight vehicles and equipment capable of zero-emission operation and maximize near-zero-emission freight vehicles and equipment powered by renewable energy by 2030.	**Not Applicable.** The Modified Project is residential in nature and would not operate any major freight vehicles.
Short-lived Climate Pollutant (SLCP) Reduction Strategy. The strategy requires the reduction of SLCPs by 40 percent from 2013 levels by 2030 and the reduction of black carbon by 50 percent from 2013 levels by 2030.	**Consistent.** Consistent with BAAQMD Regulation 6, Rule 3, no wood-burning devices are proposed as part of the Modified Project. Therefore, the Modified Project would not include major sources of black carbon.
SB 375 Sustainable Communities Strategies. Requires Regional Transportation Plans to include a Sustainable Communities Strategy for reduction of per capita VMT.	**Not applicable.** The Modified Project does not include the development of a Regional Transportation Plan.
Post-2020 Cap-and-Trade Program. The Post 2020 Cap-and-Trade Program continues the existing program for another 10 years. The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers.	**Not applicable.** The Modified Project is not one targeted by the cap-and-trade system regulations, and, therefore, this measure does not apply to the Modified Project. However, the post-2020 Cap-and-Trade Program indirectly affects people and entities who use the products and services produced by the regulated industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers.
Natural and Working Lands Action Plan. The ARB is working in coordination with several other agencies at the federal, State, and local levels, stakeholders, and with the public, to develop measures as outlined in the Scoping Plan Update and the governor's Executive Order B-30-15 to reduce GHG emissions and to cultivate net carbon sequestration potential for California's natural and working land.	**Not applicable**. The Modified Project is in a built-up urban area and would not be considered natural or working lands.
Source of ARB 2017 Scoping Plan Update Reduction Measures: California Air Resource Board (ARB). 2017. California's 2017 Climate Change Scoping Plan. November. Website: https://ww3.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf. Accessed October 25, 2022.	

Significance Level

Less than significant impact.

Mitigation Measures

The prior certified SEIR concluded that there was no significant impact related to GHG emissions, and thus no mitigation measures were identified. No new mitigation measures are required for the Modified Project.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to GHG emissions. The conclusions from the prior certified EIR remain unchanged when considering the adoption of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
IX. Hazards and Hazardous Materials *Would the project:*					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	No impact identified	No	No	No	None
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?	No impact identified	No	No	No	None
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	No impact identified	No	No	No	None
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	No impact identified	No	No	No	None
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	No impact identified	No	No	No	None

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
in a safety hazard or excessive noise for people residing or working in the project area?					
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No impact identified	No	No	No	None
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	No impact identified	No	No	No	None

Discussion

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Summary of the Prior Certified SEIR

The prior certified SEIR did not identify a significant impact related to the routine transport, use, or disposal of hazardous materials. The prior certified SEIR did, however, describe existing conditions on the project site and potential risks to health and safety posed by electrical transmission lines, as well as natural gas wells and pipelines that existed on the site.

According to the prior certified SEIR, two electrical transmission easements crossed the project site, one of which contained two parallel PG&E lines and the other a USA transmission line. The easements were 137.5 feet wide and 50 feet wide, respectively. The prior certified SEIR indicated that while no evidence conclusively linked 60-Hz electromagnetic fields (EMFs) to adverse health impacts, there was evidence at the time that a link could exist.[28] Additionally, the SEIR for the Approved Project noted that no known federal, State, City, or PG&E regulations regarding setback for transmission lines to limit potentially harmful EMF exposure existed. However, the Schools Planning Division of the California Department of Education (CDE) had established minimum setback requirements from transmission lines for new schools. Those requirements were as follows:

[28] Leanord, 1990; and the State of California Public Utilities Commission. 1992. Report of the California EMF Consensus Group: Issues and Recommendation for Interim Response and Policy Addressing Power Frequency Electric and Magnetic Fields (EMF). March 20.

- 100 feet from the edge of the easement of a 100-110 kV line
- 150 feet from the edge of the easement for a 220-230 kV line
- 350 feet from the edge of an easement for a 500-550 kV line

As shown in Table 39 of the SEIR, approximately 66 single-family lots and seven multi-family units were located within 150 feet of PG&E's 230 kV transmission line easements, and approximately 77 multi-family units within 100 feet of PG&E's 150 kV transmission line easement. Based on the CDE requirements detailed above, approximately 140 residential units could experience a potentially significant impact. However, because there was no conclusive evidence regarding EMF exposure and health impacts, the prior certified SEIR was not able to determine the significance of this impact.

Though the significance of this impact was not determined, MM a(1) Setbacks and MM a(2) Disclosure were included to suggest that the Approved Project include transmission line setback criteria that reflect the CDE setback criteria, as well as disclose the potential health risks associated with transmission line EMFs to prospective residents of the Approved Project.

According to the prior certified SEIR, the project site was located above the Willow Pass Natural Gas Field and there were four active natural gas wells on-site as well as four abandoned wells. The active wells were located in the northern and eastern portions of the project site, which at the time, were leased to Chevron, but were to be abandoned by the applicant upon development of the Approved Project. One active well was located in proposed Village C. The abandoned wells were located in the northern and southwestern portions of the project site. To mitigate the risk of explosion, California Code of Regulations Title 14, Section 1723 required abandoned natural gas wells to be filled with cement and heavy drilling mud. Failure to comply with these standards could result in the risk of an explosion which would represent a significant adverse impact. In addition to the natural gas wells, the southwestern edge of the project site contained a 10-foot PG&E natural gas pipeline easement. There was also an above-ground fuel storage tank in the northern portion of the project site that was used as fuel for the existing natural gas rigs. Possible fuel spills, leaks, or contaminated soil could expose construction workers and future residents to contamination which was determined to represent a significant adverse impact.

MM b(1) Remediation requires the applicant to contact the California Department of Conservation Geologic Energy Management (CalGEM) to determine whether wells met abandonment standards and if remedial work on any wells would be necessary.

MM b(2) Avoid Abandoned Wells was included to recommend that construction of residential units avoid construction over the wells, or install CalGEM-approved vent systems. With the implementation of these mitigation measures, impacts related to natural gas well hazards would be reduced to less than significant.

MM c Natural Gas Pipeline stated that lots in the southwestern portion of the site should include necessary building setbacks to avoid encroachment into PG&E's pipeline easement.

MM d Fuel Storage Tank stated that the fuel storage tank should be removed, and surrounding soils tested for contamination. Implementation of these mitigation measures would reduce potential impacts related to storage tanks and pipelines to a less than significant level.

Modified Project Analysis and Conclusions

The Modified Project involves the transfer of dwelling units from other villages into Village C, as well as the rezoning of some units in Village C and Village O from multi-family to single-family. The Modified Project would involve the minor routine transport and handling of minimal quantities of hazardous substances such as diesel fuels, lubricants, solvents, asphalt, pesticides, and fertilizers typically required for the construction and operation of residential developments. The prior certified SEIR identified PG&E transmission lines and natural gas wells as potential hazards, but did not identify the minor routine transport, use, or disposal of potentially hazardous substances as a significant impact.

The gas wells and fuel storage tank were not located within the Modified Project site; they were located to the east in the boundary of the San Marco Villas 3. The storage tank was located in a low point next to wells 1 and 3, and the wells and tank were to be under 40 feet of fill. The wells were abandoned and capped and the tank was removed.[29] Therefore, the mitigation imposed for the project pursuant to the prior certified SEIR would not be required for the Modified Project. Hazardous substances utilized for the construction and operation of the Modified Project would be maintained in compliance with local, State, and federal regulations. Furthermore, the Modified Project would comply with General Plan Goal 10-G-9: minimize the risk to life and property from the generation, storage, and transportation of hazardous materials and waste by complying with all applicable State regulations. Compliance with applicable regulations and General Plan goals would result in a less than significant impact. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

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?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to the accidental release of hazardous materials. The prior certified SEIR did, however, describe existing conditions on the project site and potential risks to health and safety posed by electrical transmission lines, as well as natural gas wells and pipelines which existed on the project site at the time. The prior certified

[29] Seecon Financial & Construction, Inc. December 12, 2016. Letter from Richard Sestero to State Division of Oil, Gas & Geothermal Resources, District 6.

SEIR also identified an above-ground fuel storage tank in the northern portion of the project site which was used as fuel for the existing natural gas rigs. Possible fuel spills or leaks from the above-ground storage tank could contaminate soil and expose construction workers and future residents to contamination, which represents a significant adverse impact. As discussed above, MM d would reduce potential impacts related to the existing fuel storage tank on the project site to less than significant levels.

Modified Project Analysis and Conclusions

As discussed above, the prior certified SEIR identified existing site features such as electrical transmission lines, natural gas wells, and an above-ground fuel storage tank as potential hazards but did not identify the release of hazardous materials into the environment as a significant impact. The Modified Project involves the transfer of dwelling units from other villages into Village C, as well as the rezoning of some units in Village C and Village O from multi-family to single-family. The overall number of units to be developed would remain the same. The Modified Project does not include any uses or activities that would create a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

As mentioned above, the gas wells and fuel storage tank were not located within the Modified Project site; they were located to the east in the boundary of the San Marco Villas 3. The storage tank was located in a low point next to wells 1 and 3, And the wells and tank were to be under 40 feet of fill. The wells were abandoned and capped and the tank was removed.[30] Therefore, the mitigation imposed for the project pursuant to the prior certified SEIR would not be required for the Modified Project.

As mentioned above, the Modified Project would involve the minor use of hazardous materials typically required during construction, such as diesel fuel and other motor lubricants. During operation, hazardous materials would be limited to common materials, including household cleaning products, landscaping chemicals and fertilizers, and other substances associated with residential uses. Additionally, the Modified Project would be required to comply with all federal, State and local laws regulating the management and use of common hazardous materials. The Modified Project would also comply with General Plan Goal 10-G-9, as detailed above. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

[30] Seecon Financial & Construction, Inc. December 12, 2016. Letter from Richard Sestero to State Division of Oil, Gas & Geothermal Resources, District 6.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Summary of the Prior Certified SEIR

As described above, the prior certified SEIR did not identify a significant impact related to the emission or handling of hazardous materials within 0.25 mile of a school or planned school. The prior certified SEIR did, however, describe existing conditions on the project site and potential risks to health and safety posed by electrical transmission lines, as well as existing natural gas wells and pipelines.

Modified Project Analysis and Conclusions

The nearest school to the Modified Project sites is Delta View Elementary School. Delta View Elementary School is approximately 0.44 mile south of Unit 16 and approximately 0.59 mile south of Unit 17. Therefore, the Modified Project would not result in a significant impact related to the emissions of hazardous materials within 0.25 mile of a school. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to hazardous materials sites as compiled pursuant to Government Code Section 65962.5. The prior certified SEIR did, however, describe existing conditions on the project site and potential risks to health and safety posed by electrical transmission lines, as well as existing natural gas wells and pipelines. MM b(1), MM b(2), and MM d were included to reduce potential impacts related to existing gas wells on the project site to less than significant levels.

Modified Project Analysis and Conclusions

Unit 16 and Unit 17 of the Modified Project do not contain any sites listed on the Department of Toxic Substances Control (DTSC) Hazardous Waste and Substances Site List.[31] As mentioned previously, the certified SEIR had identified an above-ground fuel storage tank located near one of the existing natural gas wells in the northern portion of the project site. However, MM d, identified in the prior certified SEIR, required the removal of the tank prior to the site being graded and that the soil be tested for contamination and removed, if necessary. The gas wells and fuel storage tank

[31] Department of Toxic Substances. 2022. Hazardous Waste and Substances Site List. EnviroStor Map. Website: https://www.envirostor.dtsc.ca.gov/public/map/?global_id=60002656. Accessed November 30, 2022.

were not located within the Modified Project site; they were located to the east in the boundary of the San Marco Villas 3. The storage tank was located in a low point next to wells 1 and 3, And the wells and tank were to be under 40 feet of fill. The wells were abandoned and capped and the tank was removed.[32] Therefore, the mitigation measures that applied under the prior certified SEIR are no longer applicable to the Modified Project. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

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?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to safety hazards or excessive noise within an airport land use plan or within 2 miles of a public airport or public use airport. The prior certified SEIR did, however, describe existing conditions on the project site and potential risks to health and safety posed by electrical transmission lines, as well as existing natural gas wells and pipelines. Furthermore, Section XIII, Noise, of this Addendum summarizes noise impacts identified by the prior certified SEIR.

Modified Project Analysis and Conclusions

The Modified Project is not located within 2 miles of an airport. There are no public airports within the City and there are no airports within 2 miles of the City limits. The nearest airport to the plan area is the Buchanan Field Airport, located approximately 4.5 miles west of the Modified Project site. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Summary of the Prior Certified SEIR

The Initial Study prepared for the Approved Project determined that several environmental impacts would either be insignificant or could be adequately addressed by the City during the development

[32] Seecon Financial & Construction, Inc. December 12, 2016. Letter from Richard Sestero to State Division of Oil, Gas & Geothermal Resources, District 6.

review process. Impacts related to possible interference with an emergency response plan, or an emergency evacuation plan were determined to be insignificant.

Modified Project Analysis and Conclusions

In December 2018 the City adopted an Emergency Operations Plan (EOP).[33] The EOP provides guidance for response and recovery operations when any emergency affects City operations or citizens. The Modified Project involves the transfer of dwelling units from other villages into Village C, as well as the rezoning of some units in Village C and Village O from multi-family to single-family. The Modified Project does not include any features that would impact the implementation of or physically interfere with the adopted EOP. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to wildland fires. The prior certified SEIR did, however, describe existing fire protection and fire suppression services.

The Riverview Fire Protection District (RFPD) would provide fire protection and suppression services to the project site. According to the prior certified SEIR, RFPD Station 86 was the nearest fire station to the project site, located approximately 1.5 miles away, with backup fire services provided by Station 84, Station 85, or any of the four RFPD stations in the City of Antioch. The 1991 amendment to the General Plan provided for a proposed fire station on West Leland Road, approximately 2 miles east of the project site.

As detailed in Section XV, Public Services, of this Addendum, the prior certified SEIR concluded that impacts to fire protection services response times and facilities would be less than significant with implementation of mitigation measures identified in that section.

Modified Project Analysis and Conclusions

Both Unit 17 and Unit 16, as referenced in the Modified Project, are currently undeveloped. Unit 17 would be surrounded by existing residential development to the south and east, and SR-4 to the north, while Unit 16 would be surrounded by existing development to the west and south and future development in Unit 17 to the north. Access to Unit 17 and Unit 16 would be provided via West Leland Road. As discussed in Section XIX, Wildfire, of this Addendum, the project site is not located within a State Responsibility Area or a Very High Fire Hazard Severity Zone. The Modified Project would also comply with the 2019 California Fire Code (CFC) as adopted by the PMC. Therefore, the

[33] City of Pittsburg. 2018. Emergency Operations Plan. December.

Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

Mitigation Measures

No mitigation measures identified in the prior certified SEIR are required for the Modified Project.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Hazards or Hazardous Materials. The conclusions from the prior certified SEIR remain unchanged when considering the implementation of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
X. Hydrology and Water Quality *Would the project:*					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less than significant with mitigation	No	No	No	MM HYD-1, MM HYD-2, MM HYD-3 (MM b(1), MM b(2), MM (c))
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less than significant	No	No	No	None
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
(i) result in substantial erosion or siltation on- or off-site;	Less than significant with mitigation	No	No	No	MM HYD-1, MM HYD-2 (MM b(1), MM b(2))
(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 with mitigation	No	No	No	MM HYD-4 (MM a)
(iii) create or contribute runoff water which would exceed the capacity of existing	Less than significant with mitigation	No	No	No	MM HYD-4 (MM a)

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or					
(iv) impede or redirect flood flows?	No impact identified	No	No	No	None
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	No impact identified	No	No	No	None
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	No impact identified	No	No	No	None

Discussion

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Summary of the Prior Certified SEIR

According to the Initial Study prepared for the Approved Project, contained in Appendix A of the prior certified SEIR, grading and construction associated with implementation of the Approved Project would alter existing drainage patterns as well as the amount and rate of runoff from the project site, which may impact surface water levels, surface water and groundwater quality.

The Approved Project would convert the project site from natural hillside with existing vegetation to a suburban type development, increasing the amount of impervious surfaces and increasing non-point source pollutants which could impact receiving waters. This would represent a significant adverse impact to water quality. Furthermore, construction activities associated with the Approved Project could exacerbate soil erosion, introducing sediment to water sources and impacting water quality which would also represent a significant adverse impact. An underground storm drainage network consisting of storm drain lines and a series of detention basins would collect all stormwater flowing onto or from the project site. Collected runoff would eventually be discharged into the existing Shore Acre Creek at a pre-designed rate that would not exceed the capacity of downstream drainage facilities. The Contra Costa County Flood Control & Water Conservation District (FC District)

had approved the proposed dimension basin design and design flow requirements. The prior certified SEIR for the Approved Project stated that the increase in impervious surfaces and the proposed storm drainage system would impact groundwater resources in the Pittsburg Plain aquifer by reducing rainfall infiltration. The prior certified SEIR concluded that this would be a less than significant impact as the groundwater quality of the Pittsburg Plain aquifer is considered poor and cannot serve as a municipal water source.

The prior certified SEIR included the following mitigation measures related to hydrology and water quality:

MM b(1) Erosion Control requires the project's grading plan to include an approved drainage and erosion control plan to minimize impacts related to erosion and sedimentation during grading.

MM b(2) Drainage System Inspection requires that all drainage culverts be inspected for accumulated sediment post-construction.

MM c **Water Quality Impacts**

To mitigate potential water quality impacts to less than significant levels, the project applicant should apply for and obtain the necessary NPDES stormwater discharge permit (which applies to the grading of five or more acres of land) from the California Water Quality Control Board (RWQCB). This RWQCB permit requirement is relatively new. It is expected that the program for administering such permits will begin in October 1992.

Though a specific regulatory program has not been instituted, development of the size will be required to address non-point source pollutants from sheet runoff, not just construction-related impacts. The Regional Board is currently developing guidelines identifying Best Management Practices (BMPs) for reducing non-point source pollutants. These practices vary, but generally include increased street cleaning, oil and grease separators for large parking areas, infiltration areas, and trash racks. Through these procedures and facilities are not currently required, they are expected to be required in the near future. If not incorporated into the drainage system design for the project, future regulations would possibly mandate costly retro-fitting of the storm drain system. The applicant should either:

1. Incorporated some of these facilities into the subdivision storm drainage design,
2. Design the detention and other drainage facilities in a way which will easily facilitate the future installation of non-point source pollutant control devices, and/or
3. Set aside funds to comply with future regulatory requirements.

The RWQCB must also certify any Section 404 permit issued by the Army Corps of Engineers. This certification should be based on a RWQCB determination that the

Section 404 permitted construction activity would comply with RWQCB water quality standards.

When the prior certified SEIR was certified, the Regional Water Quality Control Board (RWQCB) was developing guidelines and BMPs for the reduction of non-point source pollution. The prior certified SEIR for the Approved Project concluded that the implementation of these MMs would reduce impacts related to erosion and sedimentation during the construction phase to less than significant levels.

Modified Project Analysis and Conclusions

The Modified Project involves the transfer of dwelling units from other villages into Village C, as well as the rezoning of some units in Village C and Village O from multi-family to single-family. As discussed in the prior certified SEIR, the Approved Project would be required to obtain the necessary NPDES stormwater discharge permits, as described in MM HYD-4 (MM c). The Modified Project would also be required to obtain an NPDES stormwater discharge permit. This permit requires the development and implementation of a SWPPP which includes BMPs to control erosion and the conveyance of sediments off-site which could impact water quality. The Modified Project would also be subject to MM b(1) Erosion Control and MM b(2) Drainage System Inspection identified in the prior certified SEIR (applicable to the Modified Project as MM HYD-2 and MM HYD-3) to reduce erosion and sedimentation impacts to less than significant levels.

Furthermore, the Modified Project would have 5 percent less impervious surface compared to the Approved Project and would comply with General Plan goals and policies including requiring an assessment of downstream drainage and City stormwater facilities impacted by potential project runoff (9-P-21), requiring new urban development to use BMPs to minimize runoff of construction sediments (9-P-23), and protecting water quality by reducing non-point sources of pollution and the dumping of debris in and near creeks, storm drains, and Contra Costa Canal (9-P-27). Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact with mitigation incorporated.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Summary of the Prior Certified SEIR

As discussed above, the prior certified SEIR found that the increase in impervious surfaces and the proposed storm drainage system would impact groundwater resources in the Pittsburg Plain aquifer. The Initial Study performed for the Approved Project, contained in Appendix A of the prior certified SEIR, found that grading and other construction activities could alter the direction or rate of flow of groundwater, as well as groundwater quantity. The increase in impervious surfaces associated with implementation of the Approved Project would reduce the amount of rainfall infiltration and thus

would impact groundwater recharge. However, the groundwater quality of the Pittsburg Plain aquifer was determined to be poor and could not be used as a source of water for municipal, industrial, or other uses. As such, the prior certified SEIR concluded that this would be a less than significant impact and no mitigation measures were identified related to groundwater supplies or groundwater recharge.

Modified Project Analysis and Conclusions

As discussed in Section XVIII, Utilities and Service Systems, the Modified Project would receive water services from the City. Raw water is provided to the City by the Contra Costa Water District. The Modified Project involves the transfer of dwelling units from other villages into Village C, as well as the rezoning of some units in Village C and Village O from multi-family to single-family and does not include any groundwater wells. While implementation of the Modified Project would increase the amount of impervious surfaces as compared to existing conditions, the prior certified SEIR determined that this represents a less than significant impact to groundwater supplies or groundwater recharge. Furthermore, the General Plan states that groundwater quality is most likely to be impacted by non-point source pollution sources within the City. The Modified Project would comply with General Plan Policy 9-P-27 which aims to protect water quality by reducing non-point sources of pollution and Policy 9-G-7, which requires compliance with RWQCB regulations and standards to maintain and improve the quality of both surface water and groundwater resources. Therefore, the Modified Project would not result in any peculiar effects, or new or more severe impacts related to groundwater beyond what was analyzed in the prior certified SEIR.

Significance Level

Less than significant impact.

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;

Summary of the Prior Certified SEIR

According to the Initial Study prepared for the Approved Project, grading and construction associated with implementation of the Approved Project would alter existing drainage patterns as well as the amount and rate of runoff from the project site, and absorption. As discussed above, the prior certified SEIR states that the Approved Project poses a significant adverse impact with regards to erosion and siltation.

The project site was located on relatively steep slopes with soils that were moderately to highly susceptible to erosion, and the Approved Project site would require large amounts of grading. The Approved Project would also alter existing drainage patterns on the project site which would exacerbate and increase erosion on the project site, or downstream of the project site. Erosion and sedimentation could occur as a result of these factors, representing a significant adverse impact.

As discussed above, the prior certified SEIR concluded that implementation of MM b(1) and MM b(2) would reduce impacts related to erosion and sedimentation during the construction phase to less than significant levels.

Modified Project Analysis and Conclusions

The Modified Project involves the transfer of dwelling units from other villages into Village C, as well as the rezoning of some units in Village C and Village O from multi-family to single-family. The parcels and their orientation would remain substantially the same as previously mapped. The prior certified SEIR concluded that the Approved Project would alter existing drainage patterns on the project site which would exacerbate and increase erosion on the project site, or downstream of the project site. The Modified Project would be subject to prior certified SEIR MM b(1) and MM b(2) (applicable to the Modified Project as MM HYD-1 and MM HYD-2) to reduce impacts related to erosion and sedimentation during the construction phase to less than significant levels. Furthermore, the Modified Project would comply with General Plan goals and policies including using BMPs to minimize runoff of construction sediment (9-P-23), ensuring that development is constructed to reduce erosion (10-P-3), and the restriction of grading to areas going into immediate construction (10-P-7). Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact with mitigation incorporated.

(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

Summary of the Prior Certified SEIR

As previously stated, the Initial Study prepared for the Approved Project, contained in Appendix A of the prior certified SEIR, states that implementation of the Approved Project would alter existing drainage patterns as well as the amount and rate of runoff from the project site. The Approved Project would significantly increase the amount of impervious surfaces on the project site, install a storm drainage system, and redirect run off to one concentrated point. These alterations from the existing conditions of the site would increase the maximum runoff during a single storm event (peak runoff), as well as the total volume of runoff from the project site.

As discussed above, the Approved Project proposed to implement a storm drainage system featuring storm drain lines and a series of detention basins. The FC District had approved the applicant-proposed detention basins and design flows. As such, the proposed storm drainage system would reduce peak discharge to less than significant levels. The prior certified SEIR also stated that the proposed drainage system would likely reduce potential for downstream flooding as compared to existing conditions and downstream channels are adequate to convey 25-year storm discharge. For these reasons, impacts related to the increase in total volume of runoff would also be less than significant.

The prior certified SEIR included the following mitigation measure related to runoff:

MM a Peak Runoff and Volume requires the creation of on-site detention basins approved by the CCCFCWCD [FC District] to mitigate the project-related increases in peak runoff and volume.

Therefore, the prior certified SEIR concluded that with the implementation of the proposed on-site storm drainage system, as stated in MM a, increases in peak runoff and runoff volume would be reduced to a less than significant level.

Modified Project Analysis and Conclusions

The Modified Project involves the transfer of dwelling units from other villages into Village C, as well as the rezoning of some units in Village C and Village O from multi-family to single-family. The Modified Project sites are currently undeveloped, and implementation of the Modified Project would increase impervious surface area as compared to existing conditions which could alter existing drainage patterns as well as the amount and rate of runoff. The Modified Project does not propose to alter the on-site storm drainage system proposed by the Approved Project. According to the prior certified SEIR, the underground storm drainage network would collect all stormwater flowing onto or from the project site and discharge it into the existing Shore Acre Creek at a pre-designed rate that would not exceed the capacity of downstream drainage facilities. Furthermore, the detention basins could collect runoff from a 100-year storm event and discharge it at a rate equivalent to a 25-year storm event, which would potentially reduce risk of flooding downstream. With implementation of the proposed storm drainage system as described in MM a (Modified Project MM HYD-4), the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact with mitigation incorporated.

(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Summary of the Prior Certified SEIR

As discussed above, the prior certified SEIR for the Approved Project found that implementation of the Approved Project would result in an increase in peak runoff and the total volume of runoff from the project site. With the implementation of the FC District approved storm drainage system, impacts related to peak runoff and the volume of runoff would be mitigated to less than significant levels. At the time that the prior SEIR for the Approved Project was certified, the project site was drained by Shore Acres Creek and two of its tributaries, emptying approximately 2.4 miles north of the project site into Suisun Bay. The prior certified SEIR stated that, with the proposed storm drainage system as described in MM a, project runoff would be reduced to levels suitable for the downstream system regardless of the duration or total volume of runoff from the project site.

Modified Project Analysis and Conclusions

As discussed previously, the Modified Project sites are currently undeveloped, and implementation of the Modified Project would increase impervious surface area as compared to existing conditions. As concluded in the prior certified SEIR, the increase in impervious surfaces would increase peak runoff and total volume of runoff. However, with the implementation of the storm drainage system described previously under MM HYD-4 (MM a), impacts related to an increase in stormwater runoff would be mitigated to less than significant levels. The Modified Project consists of the transfer of dwelling units from other villages into Village C, as well as the rezoning of some units in Village C and Village O from multi-family to single-family. The Modified Project does not propose to alter the stormwater drainage system proposed as part of the Approved Project. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact with mitigation incorporated.

(iv) impede or redirect flood flows?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to flood flows. The prior certified SEIR did, however, describe flood hazard zones and local flooding.

According to the prior certified SEIR, the project site was not located within an area that had been designated as a flood hazard zone by the Federal Emergency Management Agency (FEMA). As shown on Figure 35 of the SEIR, local flooding did occur downstream from the project site near the intersection of Pacifica Avenue and Port Chicago Highway.

Culverts and channel design downstream of the project site was designed in accordance with the County-mandated standards at the time for drainage facilities within a watershed less than 4 square miles, such as the Shore Acres Creek watershed where the Approved Project was located. Furthermore, as discussed above, implementation of the proposed storm drainage system could reduce the potential for downstream flooding because detention basins could collect runoff from a 100-year storm event from the majority of the watershed and discharge it at a rate equivalent to a 25-year storm event.

Modified Project Analysis and Conclusions

According to the General Plan and FEMA, the Modified Project sites are not located within a flood hazard area.[34] Additionally, the drainage system proposed as part of the Approved Project would reduce the potential for downstream flooding due to the controlled release in the event of a 100-year storm. Therefore, the Modified Project would not introduce new environmental impacts or

[34] Federal Emergency Management Agency (FEMA). 2021. National Flood Hazard Layer (NFHL) Viewer. Website: https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd. Accessed December 2, 2022.

create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Summary of the Prior Certified SEIR

The prior certified SEIR for the Approved Project did not specifically identify a significant impact related to flood hazard, tsunami, or seiche zones. The prior certified SEIR did, however, describe flood hazard zones and local flooding.

As described above, the project site was not located within an area that had been designated as a flood hazard zone by FEMA. Local flooding did occur downstream from the project site near the intersection of Pacifica Avenue and Port Chicago Highway. Implementation of the proposed storm drainage system described above could reduce the potential for downstream flooding because runoff from a 100-year storm would be discharged at a rate equivalent to a 25-year storm event.

Modified Project Analysis and Conclusions

As discussed above, the Modified Project site is not located within a 100-year floodplain. According to the General Plan, areas of the City adjacent to Suisun Bay are potentially susceptible to tsunami or seiche inundation as a result of earthquake activity. The Modified Project site is over 1.5 miles south of Suisun Bay. Furthermore, the California Department of Conservation does not identify the City as being within a tsunami hazard area.[35] Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to a water quality control plan or sustainable groundwater management plan. The prior certified SEIR did, however, describe possible impacts related to surface water quality as well as groundwater quantity.

[35] California Department of Conservation. 2019. California Tsunami Maps and Data. Website: https://www.conservation.ca.gov/cgs/tsunami/maps. Accessed December 2, 2022.

Modified Project Analysis and Conclusions

As discussed in Impact X(c)(ii) and (d), the Modified Project is not located in a flood, tsunami or seiche hazard area, and thus is not at risk of flooding or inundation. The Modified Project would comply with the terms of the NPDES permit, which requires the preparation and implementation of a SWPPP to minimize any possible erosion and surface water runoff during construction. The Modified Project would be subject to all applicable water quality controls. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

Mitigation Measures

The following mitigation measures identified in the prior certified SEIR are required mitigation for the Modified Project.

MM HYD-1 (MM b(1)) Erosion Control

The project grading plan should include an approved drainage and erosion control plan to minimize impacts from erosion and sedimentation during grading. This drainage and erosion control plan should conform to all standards adopted by Contra Costa County and those measures outlined in Section IV.D.3 of this SEIR (Soils and Geology). The plan should include such erosion control procedures as:

- Restricting grading to the dry season;
- Protecting all finished graded slopes from erosion using such techniques as hillslope benching, erosion control matting, and hydroseeding;
- Protecting downstream storm drainage inlets from sedimentation;
- Use of silt fencing to retain sediment on the project site; and
- Any other suitable measures outlined in the Association of Bay Area Governments' (ABAG) Manual of Standard or Contra Costa County regulations.

MM HYD-2 (MM b(2)) Drainage System Inspection

After construction is completed, all drainage culverts should be inspected for accumulated sediment. If sediment accumulation has occurred, these drainage structures should be cleared of debris and sediment.

MM HYD-3 (MM c)) Water Quality Impacts

To mitigate potential water quality impacts to less than significant levels, the project applicant should apply for and obtain the necessary NPDES stormwater discharge permit (which applies to the grading of five or more acres of land) from the California Water Quality Control Board (RWQCB). This RWQCB permit requirement is relatively new. It is expected that the program for administering such permits will begin in October 1992.

Though a specific regulatory program has not been instituted, development of the size will be required to address non-point source pollutants from sheet runoff, not just construction-related impacts. The Regional Board is currently developing guidelines identifying Best Management Practices (BMPs) for reducing non-point source pollutants. These practices vary, but generally include increased street cleaning, oil and grease separators for large parking areas, infiltration areas, and trash racks. Through these procedures and facilities are not currently required, they are expected to be required in the near future. If not incorporated into the drainage system design for the project, future regulations would possibly mandate costly retro-fitting of the storm drain system. The applicant should either:

1. Incorporated some of these facilities into the subdivision storm drainage design,
2. Design the detention and other drainage facilities in a way which will easily facilitate the future installation of non-point source pollutant control devices, and/or
3. Set aside funds to comply with future regulatory requirements.

The RWQCB must also certify any Section 404 permit issued by the Army Corps of Engineers. This certification should be based on a RWQCB determination that the Section 404 permitted construction activity would comply with RWQCB water quality standards.

MM HYD-4 (MM a) Peak Runoff and Volume

The project-related increase in peak runoff volume would be adequately mitigated by the creation of on-site detention basins (approved by the CCCFCWCD [FC District]) as described in the impact section. The CCCFCWCD has approved the design of the detention basins as described in the impact section. Therefore, it appears that this impact would be mitigated to less that significant levels by the virtue of the Modified Project design. No additional mitigation measures would be necessary.

City staff has indicated that prior to Final Map approval, a hydrology report describing this system must be submitted to all affected agencies. The analysis must be presented with a complete set of hydraulic calculations and determination of peak stormwater discharge beneath the freeway. The

analysis must show the capacity of the proposed detention basin and the recommendations of the CCCFCWCD.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Hydrology and Water Quality. The conclusions from the prior certified SEIR remain unchanged when considering the implementation of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
XI. Land Use and Planning *Would the project:*					
a) Physically divide an established community?	No impact identified	No	No	No	None
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Significant and unavoidable	No	No	No	None

Discussion

a) Physically divide an established community?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to the division of an established community. The prior certified SEIR did, however, describe vehicular access and circulation within the project site.

According to the prior certified SEIR, the Approved Project would include an internal road system with arterial, collector and local street with its own direct connections to Highway 4, Willow Pass Road and Leland Road. Arterial access to the project site would be provided via the eventual extension of West Leland Road east through the Alves property and the project site to connect to Avila Road. In its existing state, Avila Road ran from Willow Pass Road in the City of Concord to the project site's western boundary where it ended in a dead-end. Per the City, this road connection would be required to be completed prior to occupation of the Approved Project.

Figure 6 of the SEIR features the Approved Project's internal road system, which included two arterial streets West Leland Road and Willow Pass Road, and collector loop Street "B." Each of the Approved Project's 13 villages would have its own loop street system which would connect to one of the previously mentioned two arterial streets or to Street "B."

Modified Project Analysis and Conclusions

Both Village C and Village O, as referenced in the Modified Project, are within the Approved Project boundaries. The Modified Project involves the transfer of dwelling units from other villages into Village C, as well as the rezoning of some units in Village C and Village O from multi-family to single-family. Both Village C and Village O are undeveloped. Access to Village C and Village O would be

provided via West Leland Road and internal circulation within both Villages would be provided via loop street system, as was envisioned in the Approved Project. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Summary of the Prior Certified SEIR

The Initial Study prepared for the Approved Project, contained in Appendix A of the prior certified SEIR, states that the Approved Project would significantly alter the existing land use if the project site would require rezoning.

According to the prior certified SEIR, the Approved Project would involve the conversion of 639 acres of rangeland/hillside grazing land to urban use. The project site was zoned temporarily as a "Study" district classification and would require a change in zoning to Planned Development District (P-D). The project site was designated for urban development by the General Plan, with portions of the project site designated as Rural Residential, Residential Estate, Residential Low Density, Residential Medium Density, Agricultural Preserve and Park. As such, the proposed residential types and densities of the Approved Project were consistent with project site land use designation as identified by the General Plan Land Use Map.

The prior certified SEIR included the following mitigation measure related to land use:

MM a(6) Project Development Plan Relationship to Other Planning Considerations requires the preservation of undisturbed open space to achieve project consistency with the City General Plan Land Use Map Open Space designation.

With implementation of MM a(6) and proposed easements surrounding transmission lines on the project site, as well as community parks and trail systems part of the Approved Project, the Approved Project would be consistent with the General Plan's Park and Recreation Element.

However, the prior certified SEIR found that a significant adverse environmental impact would be posed by the proposed culverting and filling of on-site creek channels as part of the Approved Project. The culverting and filling activity would be inconsistent with General Plan provisions pertaining to the preservation and enhancement of creek open space, habitat, recreational and aesthetic values. Furthermore, while the Approved Project is generally consistent with the General Plan, the resulting extension of urban development into previously undeveloped areas in the City's southwestern area would represent a substantial loss of open space which would conflict with the General Plan provisions related to open space listed above. The prior certified SEIR concluded that this impact would be significant and unavoidable.

The prior certified SEIR also analyzed the Approved Project's impact on surrounding land use. Potentially significant land use impacts on the Alves property, the DeBonneville property, Ridge Farms and the Seecon property related to noise and nuisance associated with the occupation of the Approved Project are addressed through implementation of MM b(1) though MM b(5) (IV.A. Land Use). No other impacts to existing land use in the vicinity of the project site were identified by the prior certified SEIR.

Modified Project Analysis and Conclusions

According to the prior certified SEIR, the Approved Project is generally consistent with the 1988 General Plan. However, development of the City's southwest area represents a loss of open space which conflicts with the 1988 General Plan provisions to preserve and enhance creek open space, habitat, recreational and aesthetic values. An update to the General Plan was adopted in 2001. According to the existing General Plan Land Use Map, Unit 17 and Unit 16 have land use designations of High Density Residential and Open Space. The Modified Project involves the transfer of dwelling units from other villages into Village C, as well as the rezoning of some units in Village C and Village O from multi-family to single-family. The total number of units to be developed is the same as what was proposed in the Approved Project. The Modified Project does not propose to alter the boundaries of the Approved Project, or otherwise modify the preservation of open space proposed by the prior certified SEIR pertaining to Village N. . Prior certified SEIR MM a(6) and b(1) through MM b(5) are not applicable to the Modified Project. Policy 2-P-88 of the General Plan states that if any aspect of the entitled approvals for development surrounding the West Leland Road and San Marco Boulevard intersection is sought to be changed, the following would apply:

- Allow a maximum of 1,400 Hillside Low and Low Density units, and 1,500 Medium and High Density units, with additional residential and commercial development permitted in the mixed-use San Marco Village.
- Require a 10-acre mixed-use pedestrian-oriented core, extending along West Leland Road. Encourage site design that provides building fronting along West Leland Road, with parking tucked behind buildings.
- Allow a maximum of 40 acres of Business Commercial and 10 acres of Community Commercial between West Leland Road and State Route 4.
- Ensure grading is kept to a minimum, all designated ridgelines are protected, and impacts to creeks are mitigated.
- Require dedication of one school site, and two neighborhood park sites or in lieu park fees.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Significant and unavoidable impact.

Mitigation Measures

No mitigation measures identified in the prior certified SEIR are required for the Modified Project.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Land Use and Planning. The conclusions from the prior certified SEIR remain unchanged when considering the implementation of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
XII. Mineral Resources *Would the project:*					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	No impact identified	No	No	No	None
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No impact identified	No	No	No	None

Discussion

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to the loss of availability of a known mineral resource that would be of value to the region and the residents of the State. The prior certified SEIR did, however, describe site geologic conditions in Section IV.D *Soils and Geology*.

Modified Project Analysis and Conclusions

The General Plan does not identify any significant mineral deposits or active mining operations within the City boundaries or the City's SOI. The hills to the south of the City's boundaries may contain mineral deposits, but their significance is not known. Therefore, implementation of the Modified Project would not result in the loss of availability of a known mineral resource, and no impact would occur.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to the loss of availability of a locally important mineral resource recovery site. The prior certified SEIR did, however, describe site geologic conditions in Section IV.D *Soils and Geology*.

Modified Project Analysis and Conclusions

As discussed above, no significant mineral deposits have been identified within the City boundaries or SOI and there are no active mining operations. While mineral deposits may be contained within hills to the south of the City, their significance is unknown. Therefore, implementation of the Modified Project would not result in the loss of availability of a locally important mineral resource recovery site, and no impact would occur.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

Mitigation Measures

The prior certified SEIR concluded that there was no significant impact related to mineral resources, and thus no mitigation measures were identified. No new mitigation measures are required for the Modified Project.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Mineral Resources. The conclusions from the prior certified SEIR remain unchanged when considering the adoption of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
XIII. Noise *Would the project:*					
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?	Significant and unavoidable impact in regard to temporary construction noise impacts	No	No	No	MM NOI-1, MM NOI-2, MM NOI-3 (MM a(1) MM a(2) MM c(2))
b) Generation of excessive groundborne vibration or groundborne noise levels?	Less than significant impact	No	No	No	None
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No impact identified	No	No	No	None

Discussion

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?

Summary of the Prior Certified SEIR

According to the prior certified SEIR, project impacts related to environmental noise were analyzed based on local noise compatibility standards and guidelines as outlined by the Noise Element of the General Plan. Policies contained in the Noise Element provided guidance for evaluating the compatibility of proposed land uses with the noise emanating from major noise sources.

Construction

Implementation of the Approved Project would temporarily increase noise levels due to construction activity, such as the operation of construction equipment. The prior certified SEIR concluded that because the project site was surrounded predominantly by vacant land or grazing land, temporary noise associated with construction of the Approved Project would not be anticipated to have a significant impact on existing development in the area. According to the prior certified SEIR, the nearest residential development was located across SR-4 from the project site and noise generated by the highway would exceed noise generated by construction equipment. Therefore, noise associated with project construction would not impact existing development in the vicinity of the project site.

Because construction of the Approved Project would be phased there would be, however, the potential for noise associated with construction to impact new on-site residents during the buildout of the Approved Project.

The prior certified SEIR included the following mitigation measure related to construction noise:

MM c(2) Construction Noise Impacts On-site was included to minimize the impact of project construction noise on new project residents by limiting construction activities to between 8:00 a.m. and 5:00 p.m. and requiring all construction equipment to be adequately maintained and muffled.

However, even with the implementation of MM c(2), the prior certified SEIR found that on-site, temporary noise impacts would remain significant and concluded that the on-site impact of construction noise would be a temporary, unavoidable significant impact.

Operational

According to the prior certified SEIR, noise level increases due to project-generated traffic along Bailey Road, Willow Pass Road, West Leland Road and Highway 4 would not be greater than 1 dB. Therefore, the prior certified SEIR concluded that project-associated noise level increases along these roads would be negligible.

Outdoor noise levels outside of proposed dwelling units closest to Highway 4, Willow Pass Road, and West Leland Road would exceed the normally acceptable exterior L_{dn} standard for 60 dBA for new residential development. Where the exterior noise levels exceed 60 dBA, interior noise levels can be expected to exceed the standard of 45 dB L_{dn} when windows are open. The prior certified SEIR concluded that these locations would be subject to significant adverse impacts. Locations with outdoor noise levels below the normally acceptable standard were the south side of villages B and C at elevations below Leland Road.

The prior certified SEIR included the following mitigation measures related to operational noise:

MM a(1) Outdoor Noise Levels requires a combination of noise abatement methods, such the construction of berms or soundwalls, or the redesign of the site plan to increase distance from the proposed homes to noise sources.

MM a(2) Indoor Noise Levels requires the provision of ventilation or, in some cases, the use of sound-rated glazing so that residents on upper floors could keep the windows closed to meet the indoor noise standard.

The prior certified SEIR concluded that with the implementation of MM a(1) and MM a(2) (MM NOI-1 and MM NOI-2), outdoor and indoor noise level impacts would be mitigated to a less than significant level.

Modified Project Analysis and Conclusions

Bollard Acoustical Consultants, Inc. performed a supplemental traffic and construction noise impact analysis, dated August 29, 2022, for the Modified Project. The following analysis summarizes the findings of this report, which is contained in Appendix D of this document.

Construction

The supplemental analysis was generated to present the noise impacts associated with the proposed changes of the project and to analyze the noise impacts from revised trip generated estimates and on-site construction activities. The supplemental analysis determined that the equipment and activities associated with construction for both single and multi-family residences would be the same. Associated noise levels and construction equipment would also be identical. No increase in off-site construction noise would result from the proposed changes and impacts would align with those identified in the prior certified SEIR. Therefore, in concurrence with the prior certified SEIR, impacts from construction noise would result in a substantial temporary 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. Impacts would be temporary and unavoidable and require implementation of MM NOI-3 (MM c(2)) to minimize project construction noise impacts. As stated in the prior certified SEIR, temporary noise impacts would remain significant and unavoidable for the Modified Project despite mitigation but would not be greater than the impacts identified in the prior certified SEIR.

Operational

A traffic memorandum by Abrams Associated Traffic Engineering was prepared on April 6, 2022, to analyze the resulting transportation noise changes from the Modified Project. The traffic memo found that the alteration of multi-family residential units to single-family residential units would result in a net reduction of 142 daily vehicle trips within the project site. Because the proposed changes to the project would generate fewer net daily vehicle trips, there would be an associated overall reduction in off-site traffic noise levels resulting from the project. Therefore, project-associated nose levels would not increase along previously identified roads in concurrence with the prior certified SEIR.

Bollard Acoustical Consultants, Inc. also prepared a site-specific environmental noise assessment, dated Jun 21, 2022, which analyzed traffic noise compatibility impacts of the Modified Project. This traffic noise analysis identified that the project would result in exposure of noise-sensitive receptors to traffic noise levels in excess of the City's established land use noise compatibility standards. In particular, the Modified Project would be exposed to future State Route 4 traffic noise levels in

excess of the City of Pittsburg's land use noise compatibility standards. As a result, the project would still have to implement and comply with the applicable portions of MM NOI-1 and MM NOI-2 (MM a(1) and MM a(2)) of the prior certified SEIR. Therefore, in compliance with these measures, the project shall implement the project-specific implementation measure IM NOI-1, which would ensure that exterior and interior noise impacts would be reduced to less than significant through the use of site-specific sound barriers and upgraded window and wall assemblies.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Significant and unavoidable impact (construction).

Less than significant impact (operation).

b) Generation of excessive groundborne vibration or groundborne noise levels?

Summary of the Prior Certified SEIR

The prior certified SEIR for the Approved Project did not specifically identify a significant impact related to the generation of excessive groundborne vibration or groundborne noise. The certified SEIR did analyze potential impacts to noise levels as a result of project construction and operation, as discussed above.

Modified Project Analysis and Conclusions

Short-term Construction Vibration Impacts

The Modified Project construction activities could result in groundborne vibration impacts to existing structures located in the vicinity of the plan area.

The nearest off-site structure to the project construction footprint where the heaviest equipment would operate is a single-family residential unit located directly south of the project site. The façade of this closest structure would be located around 130 feet from where the heaviest construction equipment would potentially operate on-site during construction of the project. At this distance, groundborne vibration levels would range up to 0.017 peak particle velocity (PPV) from operation of the types of equipment that would produce the highest vibration levels. This is well below the Federal Transit Administration (FTA) Construction Vibration Impact Criteria of 0.3 PPV for this type of structure, a building of engineered concrete and masonry construction. Therefore, the impact of short-term groundborne vibration associated with construction to off-site receptors would be less than significant.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Operational Vibration Impacts

Anticipated development that would occur in the plan area would not include any permanent sources of vibration that would expose persons in the plan area to groundborne vibration levels that could be perceptible without instruments at any receiving property adjacent to the project site. Furthermore, the proposed residential development would not be located within 50 feet of any off-site loading area or truck route. Therefore, operational vibration impacts would be less than significant.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to the Modified Project's proximity to a private airstrip or public airport, or any applicable airport land use plan. The prior certified SEIR did analyze potential impacts to noise levels as a result of project construction and operation, as discussed above.

Modified Project Analysis and Conclusions

The nearest public airport to the plan area is the Buchanan Field Airport, located approximately 4.5 miles west of the plan area. The plan area is located outside of the 55 dBA CNEL airport noise contours of this closest airport. Additionally, the project area is not located within the vicinity of a private airstrip. Therefore, implementation of the project would not expose persons residing or working in the project vicinity to noise levels from airport activities that would be in excess of normally acceptable standards for the proposed land use development, and no impact would occur.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

Mitigation and Implementation Measures

The following mitigation measures identified in the prior certified SEIR are required mitigation for the Modified Project.

MM NOI-1 (MM a(1)) Outdoor Noise Levels

Providing for noise levels that are consistent with the goals of the City of Pittsburg General Plan throughout the proposed development would require mitigation. Various combinations of noise abatement methods could be used to mitigate projected on-site noise levels. These could include the construction of berms of soundwalls, and redesign of the site plan to increase distance from the proposed homes to the adjacent noise source. Since one of the goals of the City of Pittsburg General Plan is to avoid the use of visible soundwalls, the required heights of both berms and soundwalls necessary to mitigate projected on-site noise levels have been calculated. Berms are generally more effective sound barriers than walls due to the increased acoustical effectiveness provided by the shape and content of a berm.

- Highway 4. An eight-foot berm at the top of the slope along the elevated Highway 4 cross section as shown on Figure 43 would mitigate the projected noise intrusion into the project to levels below an L_{dn} of 60 dB. Alternatively, an 11-foot high sound wall could be constructed in the same location to achieve equivalent noise mitigation. Either of these two measures, or a combination of the two, would reduce noise impacts along Highway 4 to less than significant levels.
- Willow Pass Road Extension. Mitigating noise exposure alone the extension of Willow Pass Road would require the use of a sound wall because the proposed site plan does not provide enough room for a berm. A wall seven-feet high on both sides of the Willow Pass Road Extension (Project Street A) would reduce the noise exposure for both the single-family homes on the east side and the multi-family homes on the west side to less than 60 dB. Because the multi-family homes would be located 10 to 15 feet below the road, the wall at this location would also reduce noise levels outside of the upper floors. Alternatively, the project would be redesigned to allow for a more visually acceptable berm along this route, rather than a noise wall.
- Leland Road. The highest noise outside of a building along Leland Road west of the Willow Pass Road extension would be an L_{dn} of 62 dB. It is probable that such noise levels would be adequately attenuated on individual decks and patios by construction of local or individual fences with noise-abating specifications. Noise levels along Leland Road east of the Willow Pass extension, on the other hand, would be quite high, particularly outside of the single-family homes on the north side of the road in proposed Village A. A sound wall nine-feet high would be

necessary to reduce noise levels in the yards of these homes to an L_{dn} less than 60 dB. The exterior noise levels for multi-family homes on the south side of Leland Road in this area would reach an L_{dn} of 65 dB. Because there are multi-family homes and because the primary outdoor use areas would be in the center of the development, it is anticipated that mitigation would take place for localized patios in the form of fences.

The berms and walls recommended above provide a conceptual indication regarding the type of mitigation that would be required to make the project compatible with the noise environment and to reduce project noise-related impacts to less than significant levels. Precise locations and heights of berms, walls and fences would need to be determined at the project development stage.

MM NOI-2 (MM a(2)) Indoor Noise Levels

The berms or walls would reduce noise levels outside of the first floors to below an L_{dn} of 60dB. This means that noise levels inside the first floor of homes in the area would be below and L_{dn} of 45 dB, even with first floor windows open for ventilation. Second stories, however, could be exposed to noise levels in excess of 60 dB. In these cases, ventilation must be provided so that residents could keep the windows closed to meet the indoor noise standard. Additionally, in some cases, exterior noise levels may be severe enough to require the use of sound-rated glazing in upper floor windows.

MM NOI-3 (MM c(2)) Construction Noise Impacts–On-site

To minimize the impact of project construction noise on new project residents, construction should be limited to daytime hours on weekdays between 8:00 a.m. and 5:00 p.m. All equipment used in the project should be adequately muffled and maintained.

Project-Specific Implementation Measure for the Modified Project

To implement the SEIR mitigation measures identified above, the following implementation measure will be required as a condition of approval.

IM NOI-1 Site-Specific Noise Reduction Measure

1. Solid noise barriers should be constructed at the locations shown in Figure 2 [of the noise report dated June 21, 2022]. The following barrier heights would result in satisfactory exterior noise levels relative to the conditionally acceptable range of 55 dB DNL to 70 dB DNL.
   a. 8-foot-tall barrier at Lots 32-42, 45, 68-80.
   b. 10-foot-tall barrier at Lots 46-51, 54, 108-109, 55-67.

c. Recommended barrier heights are relative to the pad elevations. Suitable materials for the traffic noise barriers include masonry and precast concrete panels. Other materials may be acceptable but should be reviewed by an acoustical consultant prior to use.

2. Window assembly upgrades should be included at the residences constructed nearest to State Route 4. Figure 2 [of the noise report dated June 21, 2022] illustrates those locations and the required STC ratings.
3. Mechanical ventilation (air conditioning) should be provided for all residences in this development to allow the occupants to close doors and windows as desired to achieve compliance with the applicable interior noise level criteria.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Noise. The conclusions from the prior certified SEIR remain unchanged when considering the adoption of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
XIV. Population and Housing *Would the project:*					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	No impact identified	No	No	No	None
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No impact identified	No	No	No	None

Discussion

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to unplanned population growth. The prior certified SEIR analyzed potential impacts to population, projected housing needs, and jobs-housing ratios as a result of the Approved Project.

According to the Initial Study completed for the Approved Project, contained in Appendix A of the prior certified SEIR, the development of 2,938 housing units would result in changes in population location, distribution, density, and growth rate. Using a projected 2005 average of 2.63 persons per household, the Approved Project was anticipated to accommodate approximately 7,730 residents. According to the prior certified SEIR, this increase in population would represent approximately 60 percent of the City area population increase and approximately 49 percent of the City area increase in households projected by ABAG between 1990 and 2005.

The Approved Project proposed a variety of housing types and prices, including 1,363 single-family units, ranchettes, and townhomes, and 1,575 multi-family units. None of the units were anticipated

to be affordable in the very low-income range, with the pricing of a majority of the proposed units falling within the low-income and moderate-income affordability range based on California Average Median Income at the time. Approximately 25 percent of the proposed units would be affordable in the above moderate income range. The prior certified SEIR stated that, in the year 2005, the Approved Project would be anticipated to reduce the ratio of jobs per employed resident in the City from 0.76 to approximately 0.68. This was not identified as a significant adverse impact.

The prior certified SEIR also considered the cumulative impacts of the Approved Project and other anticipated housing development projects in the immediate vicinity of the project site. With implementation of the Approved Project, it was determined that the population in the immediate vicinity of the project could increase by approximately 8,768 people by 2005 and housing units could increase by 3,812. With the Approved Project, citywide population could increase by 14,782 people and housing units could increase by 6,427. Table 9 of the SEIR shows that these cumulative projected increases slightly exceeded projections published by ABAG in 1989. These impacts, in and of themselves, did not represent a significant environmental impact. No mitigation measures related to population and housing were identified in the prior certified SEIR.

Modified Project Analysis and Conclusions

The prior certified SEIR calculated anticipated residents using a projected 2005 average of 2.63 persons per household. Based on the anticipated development of a total of 2,938 housing units, the prior certified SEIR concluded that the Approved Project would accommodate approximately 7,730 residents.

Utilizing the persons per household ratio identified in the prior certified SEIR, the 206 units that are the subject of the Modified Project would result in a population of 542 persons. However, population trends have indicated an increase in household occupancies since 1990. The most recent U.S. census completed in 2020 determined that between 2016 and 2020 the City had an average of 3.34 persons per household. Using this increased ratio to determine household occupancy, the estimated population of the 206 units in the Modified Project at buildout would be approximately 688 persons, an increase of 146 persons as compared to estimated residents for these units cited in the prior certified SEIR. The transfer of units to Village C and the conversion of multi-family to single-family units would not result in an increase in household occupancies, as household size is calculated the same for single-family and multi-family units.

As noted above, the prior certified SEIR did not identify population growth, in and of itself, to be a significant adverse environmental impact. While population trends have indicated an increase in household occupancies since 1990, the overall increased population for the Modified Project would be consistent with the expected increase analyzed in the prior certified SEIR and remains within the population projections of the 2020 General Plan.

Furthermore, the Modified Project would not alter or extend the boundaries of the Siena at San Marco Development and thus would not result in a significant number of additional residents in an area that had not previously been evaluated for residential development in the prior certified SEIR. Therefore, the Modified Project would not introduce new environmental impacts or create more

severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to the displacement of existing people or housing. The prior certified SEIR analyzed potential impacts to population, projected housing needs, and jobs-housing ratios as a result of the Approved Project as discussed above. As discussed in the prior certified SEIR, the anticipated price and rental ranges for the Approved Project dwelling units' anticipated price and rental ranges described, none of the 2,938 project homes would be affordable to households in the very low-income range; roughly 25 to 30 percent would be affordable to households in the low-income range; roughly 45 to 50 percent would be affordable to households in the moderate income category; and roughly 25 percent would be affordable to households in the above moderate income category. It should be noted that housing affordability is a socioeconomic issue not subject to CEQA analysis. Therefore, affordability of the Approved Project's housing units is provided for informational purposes only.

Modified Project Analysis and Conclusions

As discussed above, the Modified Project would not alter the overall number of units to be developed as proposed in the Approved Project. Modified Project would transfer 98 units from Village M, 9 units from Village B, and 5 units from Village O into Village C for a total of 451 units in Village C. In Village C 181 units would be converted from multi-family units to single-family units, and 25 units within Village O would be converted from multi-family units to single-family units. All units would be constructed on property that is currently undeveloped and would thus not require the removal of any existing housing or the construction of replacement housing. As noted above, the affordability of single-family versus multi-family housing is not subject to analysis under CEQA. Thus, the Modified Project would have no impact on the displacement of residents or existing housing. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

Mitigation Measures

The prior certified SEIR concluded that there was no significant impact related to population and housing, and thus no mitigation measures were identified. No new mitigation measures are required for the Modified Project.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Population and Housing. The conclusions from the prior certified SEIR remain unchanged when considering the implementation of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
XV. Public Services *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*					
a) Fire protection?	Less than significant with mitigation	No	No	No	MM PUB-1, MM PUB-2, MM PUB-3 (MM c(1), MM c(2), MM c(3))
b) Police protection?	Less than significant with mitigation	No	No	No	MM PUB-4 (MM (c))
c) Schools?	Less than significant with mitigation	No	No	No	MM PUB-5 (MM (c))
d) Parks?	Less than significant with mitigation	No	No	No	None
e) Other public facilities?	Less than significant with mitigation	No	No	No	MM PUB-6, MM PUB-7, MM PUB-8 (MM c(1), MMc(2), MM c(3))

Discussion

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection?

Summary of the Prior Certified SEIR

According to the prior certified SEIR, fire protection and suppression services would be provided to the project site by the RFPD. The RFPD has since been replaced by the Contra Costa County Fire Protection District. The RFPD Station 86, approximately 1.5 miles from the project site, was the nearest fire station. The 1991 amendment of the General Plan provided for an additional fire station to be located approximately 2 miles from the project site at West Leland Road across from John Henry Johnson Parkway. According to the SEIR, the RFPD was operating at capacity.

The northern portion of the project site fell within the RFPD's 1.5-mile response contour standard, while the southernmost portion of the project site would have had an estimated response time of 12 minutes. This exceeded the RFPD's acceptable response time of 5 minutes. Therefore, the Approved Project would increase population in an area with inadequate fire service response times, which would represent a significant adverse impact. Furthermore, the proposed joining of Leland and Avila Roads may have a minor impact on emergency service provisions.

The prior certified SEIR included the following mitigation measures related to fire protection:

MM c(1) Response Time Impacts requires contributions toward the construction of new fire station in consultation with the RFPD to meet the District's response time standard. This location may be on the project site or elsewhere within the response time standard.

MM c(2) Personnel and Equipment Impacts requires the payment of fair-share fees toward local fire capital improvements and operating expenses not adequately covered by the Fire Facilities Element Fees of Benefit Assessment Fees.

MM c(3) Additional Measures requires the implementation of the RFPD recommendations to ensure adequate fire protection and fire suppression services for the project.

With implementation of MM c(1) through MM c(3), potential adverse impacts associated with fire services would be mitigated to less than significant levels. The new additional fire station was recently completed on Willow Pass Road just north of State Route 4 across from the San Marco Property.

Modified Project Analysis and Conclusions

The Modified Project would not alter the overall number of units to be developed as compared to what was proposed in the Approved Project. The Modified Project would transfer a total of 112 units from other villages into Village C and convert a total of 206 multi-family units to single-family units. The certified SEIR identified MM c(1) through MM c(3) (applicable to the Modified Project as MM PUB-1 through MM PUB-3) to reduce impacts to fire protection response times, facilities and personnel to less than significant levels. That portion of the mitigation that applies to construction of a new fire station no longer applies to the Modified Project.

Furthermore, the Modified Project would comply with the City Municipal Code requiring the payment of a fire protection facilities fee, as well as the CFC. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact with mitigation incorporated.

b) Police protection?

Summary of the Prior Certified SEIR

According to the prior certified SEIR, police protection services would be provided to the project site by the City of Pittsburg Police Department. At the time of certification of the SEIR, the Police Department operated out of a single central station located at 55 Civic Avenue with 67 officers and 19 marked patrol cars. The project site was located in the "Beat 3" service area, which was staffed by between one and eight officers at any given time. Response times for non-emergency calls and emergency calls were approximately 20 to 30 minutes and 3 to 5 minutes, respectively. The Police Department had a service standard of 1.3 officers per 1,000 population in middle-income residential areas.

The Approved Project would result in an increase in population and an associated increase in calls for police services, which could increase response times for emergency and non-emergency calls. According to the prior certified SEIR, this would represent a significant adverse impact to police services. The Approved Project would necessitate the hiring of 15 additional police personnel to maintain the Police Department's service standard.

The prior certified SEIR included the following mitigation measure related to police protection:

MM (c) states that the formation of a new police beat would accommodate the response time needs of the project and details project measures recommended by the Police Department to improve crime prevention and reduce impacts to police service.

With the establishment of a new police beat for the southwest area and the implementation of Police Department recommended safety measures as described in MM (c), impacts to police services would be reduced to less than significant.

Modified Project Analysis and Conclusions

As discussed above, the Modified Project would not alter the overall number of units to be developed as compared to what was anticipated in the Approved Project. The Modified Project would transfer a total of 112 units from other villages into Village C and convert a total of 206 multi-family units to single-family units. MM (c) (applicable to the Modified Project as MM PUB-4) included in the prior certified SEIR discussed the creation of a southwest area police patrol beat in addition to the four-beat structure operating at the time that the SEIR was certified. According to the

Pittsburg Police Department (PPD) Annual Report for the 2018-2019 fiscal year, the PPD operates five patrol beats to provide equal police protection coverage to the entire City.[36] The Modified Project would also be subject to the recommended safety measures as described in MM PUB-4 (MM (c)), which the SEIR concluded would mitigate impacts to police services to less than significant levels. Homes in the Modified Project will help to fund police services through the payment of taxes to San Marco CFD 2004-01.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact with mitigation incorporated.

c) Schools?

Summary of the Prior Certified SEIR

According to the prior certified SEIR, the project site would be served by the Mount Diablo Unified School District (MDUSD). Elementary school aged residents of the Approved Project could attend any of the three elementary schools in the area including Bel Air Elementary School, Shore Acres Elementary School or Rio Vista Elementary School. These schools were operating at 94, 98 and 81 percent capacity, respectively. At the time that the SEIR for the Approved Project was certified, the MDUSD determined that a new elementary school would need to be constructed to accommodate future enrollment increases.

As shown in Table 32 of the prior certified SEIR, the additional enrollment attributable to the Approved Project would result in over-enrollment at each elementary school as well as Riverview Middle School. This represents a significant adverse impact on school services.

The prior certified SEIR included the following mitigation measure related to schools:

MM (c) requires the payment of impact fees and fair-share participation in a future added capital facilities program.

The implementation of MM (c) would reduce impacts to schools to a less than significant level.

Modified Project Analysis and Conclusions

As discussed above, the Modified Project would not alter the overall number of units to be developed as compared to what was proposed in the Approved Project. The Modified Project would transfer a total of 112 units from other villages into Village C and convert a total of 206 multi-family units to single-family units. The prior certified SEIR concluded that, with the payment of impact fees

[36] Pittsburg Police Department. 2019. Annual Report. Website: https://www.pittsburgca.gov/home/showpublisheddocument/10966/637479142624630000. Accessed December 1, 2022.

and fair-share participation in a future added capital facilities program, impacts to school facilities would be less than significant.

Furthermore, since the certification of the prior certified SEIR, Delta View Elementary School has been constructed within the boundaries of the Approved Project. The Modified Project would comply with payment of the MDUSD School Fees per MM (c) (applicable to the Modified Project as MM PUB-5) of $1.20 per square foot for new residential development within its boundaries.[37] The portion of MM (c) that refers to formation of a Mello-Roos District is no longer applicable and does not apply to the Modified Project. The Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact with mitigation incorporated.

d) Parks?

Summary of the Prior Certified SEIR

According to the prior certified SEIR, park and recreation services in the project site area would be provided by the City of Pittsburg Leisure Services Department. Stoneman Park is the closest City public recreation facility to the project site, located approximately 2 miles to the east. Additionally, a new park had been proposed approximately 0.5 mile from the project site within the Oak Hills South development. The City had a standard of 2 acres of community park and 3 acres of neighborhood park per 1,000 residents. According to the prior certified SEIR, the City's Park Dedication Ordinance provided for the acquisition and improvements of neighborhood and parks to meet the park and recreation service standard. Based on this standard, the Approved Project would require an additional 15.5 acres of community parks and 23 acres of neighborhood parks.

The Approved Project included a 36-acre community park, two "community recreation areas" totaling 8 acres, and three "village parks" totaling 3 acres. As such, the Approved Project exceeded the City's community park dedicated requirement but did not technically meet the neighborhood park dedication requirement at the time of certification of the SEIR. However, all residences of the Approved Project would be located within 0.5 mile of a community recreation area, a village park or community park and would therefore meet the City standards for distance between residences and neighborhood parks. While the Approved Project ultimately provided sufficient park facilities, if these facilities were not completed at pace with residential phasing, the prior certified SEIR concluded that significant interim impacts on the provision of park and recreation services would occur. Ensuring that at least one neighborhood park would be constructed with the first three project villages, as detailed in MM (c), impacts to park and recreation services would be less than significant.

[37] While MM Schools (c) still applies to the Modified Project, the schools impact fee has increased to $1.20 per square foot since the prior certified SEIR.

Modified Project Analysis and Conclusions

As discussed in Section XVI., Recreation of this Addendum, the Modified Project does not propose to alter park dedications proposed as part of the Approved Project. The Modified Project consists of transferring a total of 112 units from other villages into Village C and the conversion of a total of 206 multi-family units to single-family units. The overall number of units to be developed would be the same as what was proposed in the Approved Project. The prior certified SEIR concluded that the Approved Project would have no significant impacts to the provision of park and recreation facilities. A 3.88-acre neighborhood park (Larry Lasater Park) has since been constructed within the Approved Project boundaries on the corner of Rancho Bernardo Drive and Santa Teresa Drive, which is located approximately 0.39 mile south of the Modified Project site. Park amenities include a tot lot playground, two baby swings, two picnic tables with BBQ pits, benches and a pet friendly drinking fountain.[38] Giacomelli Park was completed in 2018 and is located at 2013 West Leland Road between the Vista Del Mar and San Marco subdivisions (adjacent to Village M of the Approved Project). This 2.44-acre park features amenities such as a playground, BBQ grills, picnic tables, a soccer field and a miniature dog park.[39] A 2.77-acre West San Marco Park is being constructed at the corner of Delano and Aragon Drives. The three parks fully satisfy the park land dedication and construction obligation of the Approved and Modified Projects. Mitigation measure c from the prior certified SEIR no longer applies to the Modified Project.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

e) Other public facilities?

Summary of the Prior Certified SEIR

According to the prior certified SEIR, library services would be provided to the Approved Project by the Contra Costa County Library. The two closest branches to the project site were the Pittsburg branch and the Concord branch, which combined served approximately 172,500 people at the time of the certification of the SEIR. The population increase as a result of the Approved Project would represent an approximately 4.5 percent increase in the combined service population of the Pittsburg and Concord branches. The Approved Project would also lower the library square footage per capita ratio to 0.10 for the Pittsburg branch and 0.11 for the Concord branch and lower the books per capita ratio to 0.49 and 0.65, respectively. These changes represent significant adverse impacts.

The prior certified SEIR included the following mitigation measure related to libraries:

[38] City of Pittsburg. 2022. Larry Lasater Park. Website: https://www.pittsburgca.gov/services/parks-and-recreation/parks-facilities/parks-at-a-glance/larry-lasater-park. Accessed December 6, 2022.

[39] City of Pittsburg. 2022. Giacomelli Park. Website: https://www.pittsburgca.gov/services/parks-and-recreation/parks-facilities/parks-at-a-glance/giacomelli-park. Accessed December 8, 2022.

MM c(1) Service Area Population requires a project contribution, such as funding for additional books and additional library space, to meet the accepted standard described below.

MM c(2) Square Feet of Library Space Per Capita Ratio requires a project contribution of a fee adequate to construct 3,865 square feet of added library space either as an addition to an existing branch or a new library branch.

MM c(3) Books Per Capita Ratio requires a project contribution of a total of 15,460 volumes of books to meet the library's goal of two volumes of books per capita.

The prior certified SEIR concluded that the contribution of additional library facilities, fees, or books as outlined in MM c(1) through MM c(3) would reduce impacts to library services to less than significant levels.

Modified Project Analysis and Conclusions

Library services would be provided to the Modified Project by the Contra Costa County Library. Since the certification of the prior certified SEIR, an additional library branch is operating in Bay Point, CA. The Bay Point branch is approximately 0.77 mile north of the Modified Project sites.

The prior certified SEIR concluded that with the contribution of additional library facilities, fees, or books (MM c(1) through MM c(3), applicable to the Modified Project as MM PUB-6 through MM PUB-8) impacts to library services would be less than significant. These mitigation measures would be applicable to the Modified Project. The Modified Project would not alter the overall number of units to be developed as was proposed by the Approved Project. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact with mitigation incorporated.

Mitigation Measures

The following mitigation measures identified in the prior certified SEIR are required mitigation for the Modified Project.

MM PUB-1 (MM c(1)) Response Time Impacts

A new fire station must be constructed at a location to be established in consultation with the District which will meet the District's response time standard. This location may be on the project site or elsewhere within the response time standard. The project's contribution toward the construction of this fire station would be collected via the Fire Facilities Element Fees and

those additional charges described below as determined in consultation with the RFPD.

In addition, the joining of Avila Road and Leland Road routes, should be clearly marked, with these markings placed in a location clearly visible to motorists.

MM PUB-2 (MM c(2)) Personnel and Equipment Impacts

As a condition of approval, the project should be required to provide, to the satisfaction of the RFPD, its fair share of those local fire capital improvement and operating expenses which would not be adequately covered by *Fire Facilities Element Fees* or *Benefit Assessment Fees* from the project. No project homes should be occupied until adequate fire protection and suppression services are in place to the satisfaction of the District.

MM PUB-3 (MM c(3)) Additional Measures

The Fire District has also recommended the following additional specific provisions to ensure adequate fire protection and fire suppression services for the project:

- Water storage and pressure should be provided for the project as required by the Uniform Fire Code (UFC) Appendix Chapter III;
- Fire sprinkler protection should be provided in all project structures, including single-family homes;
- Fire-retardant roofing should be required for all project structures, including single-family homes; and
- Adequate emergency vehicle access should be provided to all project homes, as required by the UFC and the Fire District.

MM PUB-4 (MM (c)) According to the Police Department, the creation of a new separate beat is warranted to accommodate the response time needs of the project and anticipated cumulative residential development in the southwest area to less than significant levels. The present four-beat structure is currently undergoing re-evaluation. However, this evaluation is more likely to result in the realignment of current beat boundaries, rather than the creation of additional beats. The Police Department anticipates that the creation of a new, fully staffed, separate southwest area beat would reduce project and cumulative impacts on police response time and citywide service levels to less than significant levels. New staffing should be funded by revenue flow increases to the City's General Fund due to anticipated cumulative southwest area growth.

Several additional project measures have also been recommended by the Police Department to improve crime prevention and further reduce project impacts on the provision of police service. These measures include: (1) provision of adequate, well lighted, accessible and non-isolated parking areas and visible entries for all multi-family structures; (2) provision of streets which are consistent with existing standards and do not vary in width; and (3) avoidance of developed open space (I.e., parks) which abut side and rear yards of residential dwellings.

MM PUB-5 (MM (c)) Assuming little change in current local school capacity conditions between now and project buildout (I.e., no new school construction), the project alone would result in over-enrollment at all elementary and middle schools in the District attended by project residents. Project adverse impacts on school enrollment would be partially mitigated through the existing impact fee requirements ($0.75 per residential square foot). According to the District, application of the current impact fee is expected to have minimal effect in covering the full cost of the school expansion needs generated by the project and by cumulative residential growth in the area.

To mitigate the project contribution to the cumulative impact on school enrollment, approval of the project should be conditioned upon project commitment to fair-share participation in a future added capital facilities program to be established Mount Diablo Unified School District.

Project participation in the added capital facilities program should include the following:

- Payment of existing school impact fees;
- Payment of additional school impact fees established by the School District after the expiration of the existing fee agreement in 1994 so long as these additional fees are within State-mandated limits and have been adequately justified; and
- Establishment of a Mello-Roos District for the project to fund the project's fair share of the cost of necessary school improvements which are not covered by the fee programs described above.

The applicant's participation in the above listed mitigation requirements could be reduced to an extend mutually agreed upon by the City, the school district, and the applicant, in exchange for project participation in direct financing or construction of a new elementary school on the site.

MM PUB-6 (MM c(1)) **Service Area Population**

A project contribution of additional library facilities equivalent to the increase demand generated by the project would reduce project impacts to an

insignificant level. This project contribution could include funding for additional books and additional library space to meet the accepted standard described under measures (2) and (3) below.

Alternately, the provision of service facilities which could directly serve the project-generated population, such as a bookmobile, may also be considered.

MM PUB-7 (MM c(2)) Square feet of Library Space Per Capita Ratio

With the project expected to ultimately add approximately 7,730 residents to the library service areas, project contribution of a fee adequate to construct 3,865 square feet of added library space in the form of an addition to an existing branch or a new library branch prior to project buildout would meet the standard of 0.5 square feet per capita. This action would reduce the impact of the project on County library space needs to a less than significant level.

MM PUB-8 (MM c(3)) Books Per Capita Ratio

With the project expected to generate 7,730 residents, a project contribution of a total of 15,460 volumes of books to build a new library branch of 7,730 volumes to each branch would meet the library's goal of two volumes of books per capita. This action would reduce the impact of the project on County library book needs to a less than significant level.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Public Services. The conclusions from the prior certified SEIR remain unchanged when considering the implementation of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
XVI. Recreation *Would the project:*					
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?	No impact identified	No	No	No	None
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 identified	No	No	No	None

Discussion

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?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to the physical deterioration of existing park facilities as a result of increased use. The prior certified SEIR did discuss planned park and recreation facilities and park dedication requirements.

According to the prior certified SEIR, park and recreation services in the project site area would be provided by the City of Pittsburg Leisure Services Department. Stoneman Park was the closest City public recreation facility to the project site, located approximately 2 miles to the east. Additionally, a new park had been proposed approximately 0.5 mile from the project site within the Oak Hills South development. At the time of certification of the SEIR, the City had a standard of 2 acres of community park and 3 acres of neighborhood park per 1,000 residents. The City's Park Dedication Ordinance provided for the acquisition and improvements of neighborhood and parks to meet the park and recreation service standard. Based on this standard, the Approved Project would require an additional 15.5 acres of community parks and 23 acres of neighborhood parks.

The Approved Project included a 36-acre community park, two "community recreation areas" totaling 8 acres, and three "village parks" totaling 3 acres. As such, the prior certified SEIR stated that the Approved Project exceeded the City's community park dedicated requirement at the time but did not technically meet the neighborhood park dedication requirement. However, all residences of the Approved Project would be located within 0.5 mile of a community recreation area, a village park or community park and would therefore meet the City standards for distance between residences and neighborhood parks. The prior certified SEIR concluded that, while the Approved Project ultimately provides sufficient park facilities, if these facilities were not completed at pace with residential phasing, significant interim impacts on the provision of park and recreation services would occur. Ensuring that at least one neighborhood park would be constructed with the first three project villages, as detailed in MM (c), would ensure that impacts to park and recreation services would be less than significant.

Modified Project Analysis and Conclusions

According to the General Plan, the City currently maintains a park development standard of 5 acres of neighborhood and community parkland per 1,000 residents (8-P-1). Development standards also include the development of park and recreation facilities within reasonable walking distance of all homes (8-P-2), and the development of a minimum of 2 contiguous acres of parkland in new residential developments (8-P-6). As discussed above, the Approved Project proposed the development of a 36-acre community park, 8 acres of community recreation areas and 3 acres of village parks. The prior certified SEIR concluded that with the construction of at least one park facility which is equivalent to a neighborhood park (5 acres or greater in size) with the first three project villages, Approved Project impacts would be less than significant.

A 3.88-acre neighborhood park (Larry Lasater Park) has since been constructed within the Approved Project boundaries on the corner of Rancho Bernardo Drive and Santa Teresa Drive, which is located approximately 0.39 mile south of the Modified Project site. Park amenities include a tot lot playground, two baby swings, two picnic tables with BBQ pits, benches and a pet friendly drinking fountain.[40] Giacomelli Park was completed in 2018 and is located at 2013 West Leland Road between the Vista Del Mar and San Marco subdivisions (adjacent to Village M of the Approved Project). This 2.44-acre park features amenities such as a playground, BBQ grills, picnic tables, a soccer field and a miniature dog park.[41] A 2.77-acre West San Marco Park is being constructed at the corner of Delano and Aragon Drives. The three parks fully satisfy the park land dedication and construction obligation of the Approved and Modified Projects. Mitigation measure c from the prior certified SEIR no longer applies to the Modified Project.

The Modified Project consists of transferring a total of 112 units from other villages into Village C and the conversion of a total of 206 multi-family units to single-family units. The overall number of units to be developed would be the same as what was proposed in the Approved Project. The Modified Project does not propose to alter park dedications proposed as part of the Approved

[40] City of Pittsburg. 2022. Larry Lasater Park. Website: https://www.pittsburgca.gov/services/parks-and-recreation/parks-facilities/parks-at-a-glance/larry-lasater-park. Accessed December 6, 2022.

[41] City of Pittsburg. 2022. Giacomelli Park. Website: https://www.pittsburgca.gov/services/parks-and-recreation/parks-facilities/parks-at-a-glance/giacomelli-park. Accessed December 8, 2022.

Project. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to the construction of recreational facilities. The prior certified SEIR did discuss planned park and recreation facilities and park dedication requirements.

According to the prior certified SEIR, the Approved Project included a 36-acre community park, two "community recreation areas" totaling 8 acres, and three "village parks" totaling 3 acres. As such, the prior certified SEIR determined that the Approved Project exceeded the City's community park dedicated requirement but did not technically meet the neighborhood park dedication requirement. However, all residences of the Approved Project would be located within 0.5 mile of a community recreation area, a village park or community park and would therefore meet the City standards for distance between residences and neighborhood parks. The prior certified SEIR concluded that, while the Approved Project ultimately provided sufficient park facilities, if these facilities were not completed at pace with residential phasing, significant interim impacts on the provision of park and recreation services would occur. Ensuring that at least one neighborhood park would be constructed with the first three project villages, as detailed in MM (c) included in the prior certified SEIR, would ensure that impacts to park and recreation services would be less than significant.

Modified Project Analysis and Conclusions

The Modified Project would transfer a total of 112 units from other villages into Village C and convert a total of 206 multi-family units to single-family units. The overall number of units to be developed would be the same as what was proposed in the Approved Project. The Modified Project does not include additional recreational facilities beyond what was originally proposed as part of the Approved Project. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

Mitigation Measures

No mitigation measures identified in the prior certified SEIR are required for the Modified Project.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Recreation. The conclusions from the prior certified SEIR remain unchanged when considering the implementation of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
XVII. Transportation *Would the project:*					
a) Conflict with a program plan, ordinance or policy of the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less than significant with mitigation	No	No	No	None
b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	No impact identified	No	No	No	None
c) 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 identified	No	No	No	None
d) Result in inadequate emergency access?	No impact identified	No	No	No	None

Discussion

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Summary of the Prior Certified SEIR

According to the Initial Study completed for the Approved Project, contained in Appendix A of the prior certified SEIR, implementation of the Approved Project would generate substantial additional traffic which would increase congestion on existing roads in the project site vicinity.

Even without the Approved Project, traffic volumes were projected to significantly impact Highway 4, including impacts to westbound Highway 4 west of Willow Pass Road-Concord by 1998, westbound east of Bailey Road by 2005, the westbound on-ramp from southbound Willow Pass Road-Pittsburg and eastbound east of Bailey Road by 1998. Without the Approved Project, traffic volumes were projected to result in significant operational impacts to non-freeway road segments including Bailey Road south of Leland Road and westbound Willow Pass Road-Pittsburg east of Port Chicago Highway by 2005, as well as Bailey Road south of Leland Road by the year 2000 and on Willow Pass Road-

Concord by 2005. Impacts to intersections, without implementation of the Approved Project, included the Willow Pass Road-Concord/Avila-Leland Road intersection by the year 2000, and signal warrant criteria was projected to be reached at the Willow Pass Road extension/Highway 4 eastbound ramps intersections by 1998 and at the Willow Pass Road-Concord/Avila-Leland Road by 2000. The prior certified SEIR for the Approved Project identified these effects as significant operational impacts.

MM b(1) through MM b(5) included in the prior certified SEIR addressed operational conditions without implementation of the Approved Project. With the requirement of fair-share contributions and traffic impacts fees for necessary road and intersection improvements, operational impacts to roads and intersections described above would be reduced to less than significant levels.

According to the prior certified SEIR, the City of Pittsburg Public Works staff identified road system locations that were most likely to be impacted by the Approved Project (Figures 15 and 16 of the SEIR). Portions of Highway 4 were likely to be impacted by the Approved Project, as well. According to Table 16 of the SEIR, Phase I of the Approved Project was anticipated to generate 9,550 daily two-way trips on an average weekday, including 740 AM peak-hour two-way trips and 1,010 PM peak-hour two-way trips. Phase II of the Approved Project was anticipated to generate an additional 7,560 daily two-way trips, including 600 AM peak-hour two-way trips and 780 PM peak-hour two-way trips. Phase III of the Approved Project was anticipated to generate an additional 5,910 daily two-way trips including 465 AM peak-hour two-way trips and 580 PM peak-hour two-way trips. Table 18 of the SEIR presents the increase in traffic volumes to the local roadway network during AM and PM commute periods as a result of the full development of the Approved Project. Increases in AM traffic volumes ranged from 4 percent to 42 percent and increases to PM traffic volume ranged from 5 percent to 75 percent.

The Approved Project was projected to result in operational impacts or aggravate pre-existing operational needs to the following road segments and intersections:

- Highway 4 westbound from the Willow Pass Road extension-Pittsburg to Willow Pass Road-Concord by 2005 (AM peak-hour)
- Highway 4 westbound west of Willow Pass Road-Concord by 2005 (AM peak-hour)
- Bailey Road south of Leland Road by 1998 (PM peak-hour)
- Bailey Road south of Leland Road by 2005 (AM peak-hour)
- Willow Pass Road-Concord south of Avila Road by 2005
- Willow Pass Road extension/Highway 4 eastbound ramps intersection by 1998
- Willow Pass Road-Concord/Avila-Leland Road intersection by 2000

The Approved Project would also result in cumulative impacts to the Citywide roadway system, in addition to the roadway segments and intersection identified above. On-site traffic impacts of the Approved Project were identified as follows:

- Avila-Leland Road/Willow Pass Road extension intersection would operate at Level of Service (LOS) E (AM peak-hour) by 2005
- Avila-Leland Road/Willow Pass Road extension intersection would experience unacceptable LOS by 2000 (PM peak-hour)
- Avila-Leland Road/Village A and M access would experience unacceptable LOS by 2000
- Avila-Leland Road/Village B-Park access would experience unacceptable LOS by 2000
- Avila-Leland Road/B Street-Village C access would experience unacceptable LOS by 2000
- Avila-Leland/Willow Pass Road extension intersection would warrant a traffic signal by 2000

The prior certified SEIR for the Approved Project included mitigation measures to address the Approved Project's impact on off-site and on-site traffic LOS and circulation. MM c(2) included measures to be implemented by the City and Approved Project, including the collection of fair-share contributions and an emphasis on public transit opportunities, to reduce identified project impacts on freeway traffic volumes to less than significant levels. MM c(3) involves the collection of fair-share contributions to local roadways to reduce potential impacts to less than significant levels. According to MM c(4), the collection of fair-share contributions and the provision of a right turn lane on the eastbound Leland Road approach to Bailey Road would reduce project impacts to off-site intersections to less than significant levels. MM c(5) states that payment of a regional traffic impact mitigation fee developed by the Contra Costa Transportation Authority (CCTA) and fair-share payment by the Approved Project would reduce impacts on regional roadways to less than significant levels. Finally, the construction of Leland Road through the Alves property and the redesign of the Approved Project site plan to eliminate the Village A street connection to Avila-Leland as noted in MM d would reduce impacts related to on-site circulation to less than significant levels. However, unacceptable operation during the PM peak-hour would remain for the stop sign controlled outbound left turn movement from the Village B driveway, even with the implementation of MM d.

Modified Project Analysis and Conclusions

SB 743, signed into law in 2013, updated CEQA Guidelines Section 15064.3 to specify that VMT shall be the most appropriate measure of transportation impacts. The provisions of this updated Guideline requiring a VMT Analysis began applying to CEQA documents circulated for public review statewide on or after July 1, 2020. The VMT methodology was, therefore, not required for transportation impact analysis at the time the prior certified SEIR was circulated for public review or certified.

Section 15007 specifically directs that changes to the Guidelines apply prospectively only and do not apply to CEQA documents that have already been circulated for public review. Under CEQA, addendums are not required to be circulated for public review in the same manner as Environmental Impact Reports. The operable document for public review is the original EIR that the Addendum relates back to; here, the operable document is the 1992 certified SEIR. Because the SEIR was circulated for public review in 1992 and preceded the requirement in Section 15064.3, it includes an extensive traffic analysis but does not include a discussion of VMT impacts and is not required to do

so in an Addendum. Additionally, it is important to note that the specific transportation impacts that a VMT Analysis would evaluate are not new information within the meaning of CEQA because VMT could have been evaluated in 1992. Accordingly, the requirements of SB 743 are not applicable. However, for informational purposes and for review by the decision-makers, the following discussion is provided.

Abrams Associates Traffic Engineering, Inc. completed a Trip Generation Assessment for the Modified Project on April 6, 2022 (Appendix E). The trip generation rates for the Modified Project are based on the Institute of Transportation Engineers (ITE) rates for low-rise apartments, mid-rise apartments and single-family homes from the 10th Edition of the ITE Trip Generation Manual. The following analysis of the Modified Project is based on the memorandum prepared by Abrams Associates and analyzes impacts of the Modified Project based on VMT.

Modified Project Trip Generation Changes

Under the Modified Project, Village C would contain 181 single-family homes and 270 multi-family units (total 451 units). Under the Approved Project, Village C was previously planned to contain 339 multi-family units. As shown in Table 12 below, the revised plans for Village C under the Modified Project would not increase daily traffic as compared to the Approved Project but would result in an increase in 15 AM peak-hour trips and 45 PM peak-hour trips. Additionally, the Modified Project would convert 25 multi-family units within Village O to single-family homes. As shown in Table 13 below, this change would result in a minor increase in daily trips (an increase of 49 trips) as well as an increase of 7 AM peak-hour trips and 11 PM peak-hour trips. Overall, the Modified Project would result in a decrease in 142 daily trips. However, the Modified Project is anticipated to result in an increase of 22 AM peak-hour trips and 56 PM peak-hour trips.

Table 13: Summary of Trip Generation Changes Associated with the Modified Project

Land Use	ADT	AM Peak-hour			PM Peak-hour		
		In	Out	Total	In	Out	Total
Trip Generation Changes to Village C	-191	9	6	15	27	18	45
Trip Generation Changes to Village O	*49*	*2*	*5*	*7*	*8*	*3*	*11*
Net New Trip Generation with the Siena Tentative Map Rezoning	**-142**	**11**	**11**	**22**	**35**	**21**	**56**

Notes: ADT=Average Daily Traffic
Source: Abrams Associates Traffic Engineering, Inc. 2022. Trip Generation Analysis for the Proposed Changes to the Siena village at San Marco. April 6.

Internal Circulation and Access

According to the Trip Generation Assessment the internal roadway network has been reviewed by licensed traffic engineers and no issues have been identified that would cause a traffic safety problem or unusual traffic congestion or delay.

Furthermore, the Modified Project would comply with Municipal Code Chapter 15.90 *Transportation Mitigation Fee,* which requires new development in the City to pay a transportation mitigation fee to mitigation transportation impacts and fund necessary public road improvements. Because the Modified Project would result in a net decrease in daily trips, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Summary of the Prior Certified SEIR

As discussed above, the prior certified SEIR did not identify a significant impact related to CEQA Guidelines Section 15064.3, subdivision (b). The prior certified SEIR did analyze impacts to traffic and circulation off-site and on-site.

Modified Project Analysis and Conclusions

As discussed above, changes to the CEQA Guidelines were adopted in December 2018 to implement SB 743 and do not apply to the certified SEIR. Guideline Section 15064.3, which describes criteria for evaluating a project's transportation impacts, provides that VMT is generally "the most appropriate measure of transportation impacts," and that except for roadway capacity projects, a project's effect on traffic delays, usually measured as LOS, "shall not constitute a significant environmental impact." These provisions went into effect July 1, 2020, after the certified SEIR was circulated for public review and certified. While Guideline Section 15064.3 governs a lead agency's assessment of traffic impacts under CEQA, it does not preclude a discussion of LOS for informational purposes or other traffic analysis based on general plan or zoning standards, or on other agency policies. Accordingly, the following evaluation is provided for the decision-makers' review and consideration.

Abrams Associates Traffic Engineering, Inc completed a VMT Analysis for the Modified Project on June 3, 2022 (Appendix E). VMT is one performance measure which can be used to quantify the transportation impacts of a project. The City does not currently have adopted CEQA thresholds for VMT. The VMT Analysis therefore was conducted according to CCTA VMT Analysis Methodology for Land Use Projects in Contra Costa.[42]

The Governor’s Office of Planning and Research (OPR) guidelines for VMT screening went into effect July 1, 2022. The OPR guidelines state that projects generating fewer than 110 daily trips would have a less than significant transportation impact and are thus exempt from VMT Analysis. The County’s

[42] Contra Costa Transportation Authority (CCTA). 2020. VMT Analysis Methodology for Land Use Projects in Contra Costa. Growth Management Task Force Review Draft. July 9.

Growth Management Program additionally requires a project to generate an average of less than 836 vehicle miles per day to be considered exempt.

Based on the CCTA Travel Model, the County average daily VMT per resident is approximately 19.4. Therefore, the threshold for existing plus Modified Project VMT impact is 16.5 vehicle miles traveled per resident, which is 15 percent below the County average of 19.4. According to the VMT Analysis, the existing (2022) plus Modified Project scenario would have an average VMT per resident of 15.3, which is below the threshold. Additionally, as discussed above in impact XVII a), the Modified Project would result in 142 net fewer trips per day as compared to the Approved Project. This net reduction in daily trips is equivalent to a net reduction of approximately 2,170 VMT per day. Therefore, if VMT were used as the methodology for determining transportation impacts of the Modified Project, as is current practice but was not at the time of preparation of the prior certified SEIR, the Modified Project would have a less than significant VMT impact.

As noted, VMT was not a threshold of significance for analyzing transportation impacts at the time of the prior certified SEIR; thus, the prior certified SEIR did not identify any impacts related to VMT. For purposes of subsequent review, there is a presumption that a certified EIR is adequate in the absence of substantial evidence that the modified project will result in new or more severe impacts. As discussed above, as compared to the certified SEIR and even utilizing the current VMT methodology, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to an increase in hazards due to design features or incompatible uses. The prior certified SEIR did analyze impacts to traffic and circulation off-site and on-site.

According to the Initial Study completed for the Approved Project, contained in Appendix A of the prior certified SEIR, implementation of the Approved Project may result in traffic hazards from the increase in traffic and the proposed circulation pattern. As discussed above, impacts to roadway segments and intersections on-site and off-site would be reduced to less than significant levels with implementation of MM a, MM b(1) through MM b(5), MM c(1) through MM c(5) and MM d. Furthermore, the prior certified SEIR states that the geometric design of the proposed internal project site roadways meet the current City roadway design standards.

Modified Project Analysis and Conclusions

The Modified Project would transfer 98 units from Village M, 9 units from Village B, and 5 units from Village O into Village C for a total of 451 units in Village C. In Village C, 181 units would be converted from multi-family units to single-family units, and 25 units within Village O would be converted from multi-family units to single-family units. As such, the Modified Project does not involve alterations to existing streets or highways. Access to Village C and Village O would be provided via existing streets (West Leland Road via San Marco Boulevard).

Furthermore, the Trip Generation Assessment noted that the internal roadway network has been reviewed by licensed traffic engineers and no issues have been identified that would cause a traffic safety problem or unusual traffic congestion or delay. Prior certified SEIR mitigation measures are not applicable to the Modified Project, as these improvements have been completed. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

d) Result in inadequate emergency access?

Summary of the Prior Certified SEIR

The prior certified SEIR did not identify a significant impact related to emergency access. The prior certified SEIR did analyze impacts to traffic and circulation off-site and on-site.

The prior certified SEIR did state that no specific emergency access connections were included in the preliminary development plan for the Approved Project. Access to the project site would be provided via Leland Road, Willow Pass Road and Avila Road with the possibility of two additional future connections. During the Phase I construction, no emergency vehicle access connections were proposed from the Willow Pass extension of the Leland Road extension. This lack of access represents a temporary significant adverse impact prior to the completion of construction of Phase II. The proposed joining of Leland and Avila Roads could cause confusion which would have a minor impact on emergency service provisions.

MM c(1) Response Time Impacts from Section IV.H., *Municipal Services* of the SEIR states that the joining of Avila Road and Leland Road routes should be clearly marked and visible to motorists.

Modified Project Analysis and Conclusions

As previously discussed, the Modified Project does not involve alterations to existing streets or highways. Access to Village C and Village O would be provided via existing streets (West Leland Road via San Marco Boulevard) as shown in Exhibit 3a and Exhibit 3b. Furthermore, the City and the Contra Costa County Fire Protection District (CCCFPD) would require that the internal roadway network for Village C and Village O provide adequate emergency access. This includes General Plan

Policy 11-P-29 which requires adequate road widths in new development to accommodate fire response trucks and Municipal Code Section 15.20.040 which details amendments to the CFC, including the addition of Section 105.7.17 which requires a permit for the installation or modification of public or private roadways, driveways or bridges for which Fire District access is required by the Fire Code.[43] Therefore, the Modified Project would have a less than significant impact on emergency access. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

Mitigation Measures

It should be noted that the City's Municipal Code now contains provisions for a base mitigation fee to fund fair-share improvements to City roadways and/or the improvements specified in the mitigation measures have been completed; therefore, no mitigation measures from the prior certified SEIR are required for the Modified Project.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Transportation. The conclusions from the prior certified SEIR remain unchanged when considering the implementation of the Modified Project.

[43] City of Pittsburg. 2022. Municipal Code Chapter 15.20, Section 15.20.040 Amendments.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
XVIII. Utilities and Service Systems *Would the project:*					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less than significant impact with mitigation incorporated	No	No	No	MM UTIL-1 (MM (c))
b) 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 with mitigation incorporated	No	No	No	None
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Less than significant impact with mitigation incorporated	No	No	No	MM UTIL-2 (MM 3)
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	No impact identified	No	No	No	None

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	No impact identified	No	No	No	None

Discussion

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Summary of the Prior Certified SEIR

Water

According to the prior certified SEIR, there was no municipal water service on the project site. The Water Master Plan Update for the Southwest Hills was completed by the City in 1990 which covered future water service within the Southwest Hills area, including the project site. Planned expansion of the City's water system would provide approximately 5,300 residential units with roughly 1.6 million gallons of water per day. Water would be provided to the Approved Project via new water mains on Leland Road and project site streets A, B and C. This distribution system would require the construction of two 1-million-gallon reservoirs, two pump stations and a fire pump.

According to the prior certified SEIR, the Approved Project would require an average of approximately 1.14 million gallons of water per day, with a peak-hour demand of 4.72 million gallons per day. Raw water is provided to the City by the Contra Costa Water District. The City's water treatment plant capacity was expanded to 32 million gallons per day (MGD) from 16 MGD, and an additional water storage water reservoir was constructed. These improvements ensured that the City has adequate water supply to serve the Southwest Hills area, including the project site. According to the prior certified SEIR, the water demand of the Approved Project was consistent with anticipated demand outlined in the Water Master Plan Update for the Southwest Hills Region.

The prior certified SEIR included the following mitigation measure related to water services:

MM (c) requires that the project be responsible for the construction of all improvements listed on page 4 of the City's Water Master Plan Update, pay its fair share of the cost of recent water treatment plant expansion and raw water storage facilities, and include drought tolerant plant species in landscaping plans.

With the implementation of MM (c), the Approved Project's impacts to water service would be less than significant.

Wastewater

According to the prior certified SEIR, there was no sewer service on the project site. The City owns and maintains the local sewage collection system and the Delta Diablo Sanitation District (DDSD) owns and maintains regional interceptors and the sewage treatment plant. Planned improvements to the West Pittsburg sewer system by the City and the DDSD include the extension of new mains from the West Pittsburg interceptor to the project site via Port Chicago Highway and Willow Pass Road.

An existing 8-inch trunk line on West Leland Road, which serves the Oak Hills project, was the nearest line to the project site. According to the prior certified SEIR, the Approved Project was anticipated to produce approximately 567,610 gallons of wastewater per day. This flow would be accommodated by the improvements to the West Pittsburg sewer system detailed above. Thus, the increase in wastewater flow as a result of the Approved Project was concluded to be within the DDSD treatment capacity.

The prior certified SEIR included the following mitigation measure related to sewer services:

MM 3 (applicable to the Modified Project as MM UTIL-2) required the payment of sewer development fees for DDSD Zone 1 as well as the completion of a sewer capacity study by the applicant.

Therefore, implementation of MM UTIL-2 (MM 3) would adequately address the Approved Project's potential impacts to sanitary sewer services.

Stormwater

As discussed in Section IV.E., Drainage and Water Quality, of the SEIR, an underground storm drainage network consisting of storm drain lines and a series of detention basins would collect all stormwater flowing onto or from the project site. The FC District had approved the proposed dimension basin design and design flow requirements. Collected runoff would eventually be discharged into the existing Shore Acre Creek at a pre-designed rate that would not exceed the capacity of downstream drainage facilities. Shore Acres Creek empties approximately 2.4 miles north of the project site into Suisun Bay. The prior certified SEIR stated that, with the proposed storm drainage system, project runoff would be reduced to levels suitable for the downstream system regardless of the duration or total volume of runoff from the project site.

Electric Power, Natural Gas, Telecommunications

According to the Initial Study completed for the Approved Project, contained in Appendix A of the prior certified SEIR, implementation of the Approved Project would generate substantial new demand for electric power, natural gas and communication systems.

However, the prior certified SEIR did not specifically identify a significant impact related to electric power, natural gas, or telecommunication systems. The prior certified SEIR discusses existing on-site electrical transmission lines and natural gas wells.

Modified Project Analysis and Conclusions

Water

The Modified Project would involve the transfer of some units from other villages to Village C and the conversion of a total of 206 multi-family units to single-family units. The transfer and rezoning of units would not increase the number of units overall. According to the City of Pittsburg 2020 Urban Water Management Plan (UWMP), multi-family residential housing uses less water per dwelling unit as compared to single-family.[44] The conversion of a total of 206 multi-family units to single-family units proposed by the Modified Project could, therefore, result in a higher demand for water. However, the City's 2015 Water System Master Plan update determined that the San Marco Development would require 0.94 MGD of water and a preliminary analysis of water demand conducted by West Yost determined that the Modified Project would add an additional 0.01 MGD of water demand for a total of 0.95 MGD. This is significantly less than the 1.14 million MGD need anticipated in the prior certified SEIR. Furthermore, the 2020 UWMP concluded that water supply will exceed demand under normal year and single dry year conditions through 2045. Under multiple dry year conditions, the City may be required to implement water reduction actions as well as perform additional groundwater extractions to account to supply deficits.[45] MM c of the prior certified SEIR (applicable to the Modified Project as MM UTIL-1), also required the use of drought tolerant plants for landscaping, which would further reduce demand for water. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Wastewater

The Modified Project would involve the transfer of some units from other villages to Village C and the conversion of a total of 206 multi-family units to single-family units. The overall number of units to be developed would remain the same. Therefore, the amount of wastewater produced is not anticipated to change substantially. According to the prior certified SEIR, the Approved Project is anticipated to produce approximately 567,610 gallons of wastewater per day. The Wastewater Collection System Master Plan (Master Plan) completed by the City in 2003 concluded that capacity improvements to Highway 4 Trunk, West Leland Road and Bailey Road were needed to serve new development in the southwestern areas of the City. These improvement projects would be funded by fees collected from new development as the development proceeds.[46] As such, the payment of sewer development fees as specified in MM UTIL-2 (MM 3) in Section IV.H. *Municipal Services,* of the SEIR would be applicable to the Modified Project. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the

[44] City of Pittsburg. 2021. 2020 Urban Water Management Plan. Website: https://www.pittsburgca.gov/home/showpublisheddocument/13176/637636628161700000. Accessed December 1, 2022.
[45] City of Pittsburg. 2021. 2020 Urban Water Management Plan. Website: https://www.pittsburgca.gov/home/showpublisheddocument/13176/637636628161700000. Accessed December 1, 2022.
[46] City of Pittsburg. 2019. Sewer System Management Plan. Website: https://www.pittsburgca.gov/home/showpublisheddocument/12899/637596085248430000. Accessed December 1, 2022.

prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Stormwater

The Modified Project would involve the transfer of some units from other villages to Village C and the conversion of a total of 206 multi-family units to single-family units. The Modified Project does not propose to alter the underground storm drainage network proposed as part of the Approved Project. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Electric Power, Natural Gas, Telecommunications

As discussed above, the prior certified SEIR did not specifically identify a significant impact related to electric power, natural gas, or telecommunication systems. The Modified Project would involve the transfer of some units from other villages to Village C and the conversion of a total of 206 multi-family units to single-family units and would maintain the overall number of units to be developed. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact with mitigation incorporated.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to water supplies during normal, dry and multiple dry years. The prior certified SEIR did analyze Approved Project water demand and City water resources.

As discussed above, the Approved Project would require an average of approximately 1.14 million gallons of water per day, with a peak-hour demand of 4.72 MGD. According to the prior certified SEIR, the City's water treatment plant capacity was expanded to 32 million MGD and an additional water storage water reservoir was constructed which would ensure adequate water resources to serve the Approved Project. Furthermore, the anticipated water demand of the Approved Project was consistent with anticipated demand outlined in the Water Master Plan Update for the Southwest Hills Region.

With the implementation of improvements included in the Water Master Plan Update, the payment of fair-share costs, and the inclusion of drought tolerant landscaping, as described in MM c (MM UTIL-1), the Approved Project's impacts to water service would be less than significant.

Modified Project Analysis and Conclusions

As discussed above, the Modified Project is anticipated to increase water demand by 0.1 MGD to a total of 0.95 MGD, which is less than the 1.14 million MGD demand anticipated by the prior certified SEIR. A water supply analysis was performed for the Modified Project by West Yost (Appendix F), which determined that there would be sufficient water supply to accommodate the Modified Project through 2045.[47] Furthermore, the 2020 UWMP concluded that water supply will exceed demand under normal year and single dry year conditions through 2045. Implementation of water reduction actions and increased groundwater extractions may be required to meet demand under multiple dry year conditions.[48] Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact.

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Summary of the Prior Certified SEIR

As discussed above, the prior certified SEIR states that the Approved Project is anticipated to produce approximately 567,610 gallons of wastewater per day. Planned improvements to the West Pittsburg sewer system by the City and the DDSD, which included the extension of new mains from the West Pittsburg interceptor to the project site via Port Chicago Highway and Willow Pass Road, would accommodate the anticipated wastewater generated from the Approved Project. Therefore, the increase in wastewater flow as a result of the Approved Project is within the DDSD treatment capacity.

The payment of sewer development fees and the completion of sewer capacity study, as discussed in MM 3 would adequately address the Approved Project's potential impacts to sanitary sewer services.

Modified Project Analysis and Conclusions

As discussed above, the Modified Project would involve the transfer of some units from other villages to Village C and the conversion of a total of 206 multi-family units to single-family units. The overall number of units to be developed would remain the same. Therefore, the amount of wastewater produced is not anticipated to change substantially. The DDSD currently treats approximately 13 million gallons of wastewater each day.[49] The certified SEIR anticipated the Approved Project to produce approximately 567,610 gallons of wastewater per day. The 2003 Master Plan concluded that capacity improvements to Highway 4 Trunk, West Leland Road and Bailey Road

[47] West Yost, 2022. XX (TBC)
[48] City of Pittsburg. 2021. 2020 Urban Water Management Plan. Website: https://www.pittsburgca.gov/home/showpublisheddocument/13176/637636628161700000. Accessed December 1, 2022.
[49] Delta Diablo Sanitation District. 2022. About Us. Website: https://www.deltadiablo.org/about-us. Accessed December 1, 2022.

were needed to serve new development in the southwestern areas of the City. These improvement projects would be funded by fees collected from new development as the development proceeds.[50] As such, the payment of sewer development fees as specified in MM 3 (applicable to the Modified Project as MM UTIL-2) in Section IV.H. *Municipal Services,* of the SEIR would be applicable to the Modified Project. The prior certified SEIR concluded that with implementation of this mitigation, impacts to sewer services would be less than significant. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

Less than significant impact with mitigation incorporated.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Summary of the Prior Certified SEIR

According to the Initial Study completed for the Approved Project, contained in Appendix A of the prior certified SEIR, implementation of the Approved Project would generate substantial new demand for solid waste disposal services. However, the prior certified SEIR did not specifically identify a significant impact related to solid waste generation.

Modified Project Analysis and Conclusions

Solid waste services for the City are provided by Pittsburg Disposal Services (PDS), and residential waste is disposed of at Keller Canyon Landfill. According to California Department of Resources Recycling and Recovery, the Keller Canyon Landfill has a daily throughput of 4,330 tons per day and a total permitted capacity of 83,100,000 cubic yards. As of January 1, 2006, the remaining landfill capacity was 13,872,000 cubic yards.[51] As noted above, the prior certified SEIR did not identify a significant impact related to solid waste generation. The Modified Project involves the transfer of some units from other villages to Village C and the conversion of a total of 206 multi-family units to single-family units and would not alter the overall number of units to be developed. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

[50] City of Pittsburg. 2019. Sewer System Management Plan. Website: https://www.pittsburgca.gov/home/showpublisheddocument/12899/637596085248430000. Accessed December 1, 2022.
[51] California Department of Resources Recycling and Recovery (CalRecycle). 2019. SWIS Facility/Site Activity Details. Website: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1194?siteID=3591. Accessed December 1, 2022.

e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to federal, State, and local management and reduction statutes and regulations related to solid waste.

Modified Project Analysis and Conclusions

The Modified Project would be required to comply with applicable federal, State and local statutes related to solid waste. As discussed above, the Modified Project would not alter the overall number of units to be developed. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

Mitigation Measures

The following mitigation measure identified in the prior certified SEIR is required mitigation for the Modified Project.

MM UTIL-1 (MM (c)) Implementation of the following measures would reduce project-related impacts on water service to less than significant levels:

- The project should be responsible for construction of all improvements listed on page 4 of the City's Water Master Plan Update. The preliminary anticipated total cost of these improvements in 1990 dollars is $7,290,000. All final water system design specifications and constructed improvements would be subject to the approval of the City of Pittsburg. These specifications shall include adequate provisions for maintenance access to these facilities.
- The project should pay its fair share of the cost of recent water treatment plant expansion and raw water storage facilities.
- The overall project landscape plan which is described on page 73 of this SEIR should be revised and refined to include drought tolerant plant species whenever possible. Future subarea landscape plans and guidelines for Villages A, C, D, and M should include similar provisions.

MM UTIL-2 (MM 3) In order to adequately address project-related impacts on the local sewage collection and treatment system, the project would be required to pay the sewer development fees for DDSD Zone 1 as per the DDSD Schedule of Fees identified in the WPSMU.

Applicant completion of a sewer capacity study would also be necessary to determine the size of the project sewer extension lines and the points of connection to the DDSD main facilities.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Utilities and Service Systems. The conclusions from the prior certified SEIR remain unchanged when considering the implementation of the Modified Project.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
XIX. Wildfire *If located in or near State Responsibility Areas or lands classified as very high fire hazard severity zones, would the project:*					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No impact identified	No	No	No	None
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	No impact identified	No	No	No	None
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	No impact identified	No	No	No	None
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	No impact identified	No	No	No	None

Discussion

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to wildfire within a State Responsibility Area or lands classified as very high fire hazard severity zones.

However, according to the Initial Study completed for the Approved Project, contained in Appendix A of the prior certified SEIR, impacts related to possible interference with an emergency response plan or an emergency evacuation plan were found to be insignificant and no further environmental analysis was performed. The prior certified SEIR did state that no emergency access connections were included in the preliminary development plan for the Approved Project. However, as detailed in Section IV.C Transportation of the prior certified SEIR, vehicular access to the project site would be provided via three through access points. Additionally, impacts to fire protection services are discussed in Section IV.H, Municipal Services, of the prior certified SEIR.

Modified Project Analysis and Conclusions

According to the California Department of Forestry and Fire Protection (CAL FIRE) State Responsibility Area Viewer, the project site is not located within a State Responsibility Area (SRA). The project site does, however, directly border an SRA zone along SR-4 along the northern portion of the project site (Village C).[52] Furthermore, the project site is not located within a very high fire hazard severity zone (VHFHSZ). The nearest VHFHSZ is located approximately 8.25 miles west of the western boundary of Village C. The area within the SRA that borders the northern portion of Village C is identified as a High Fire Hazard Severity Zone.[53] Village C would contain more total units than were assumed in the prior certified SEIR.

The City adopted an EOP in 2018 and the General Plan includes a Health and Safety Element. Neither of these documents identify evacuation routes.[54] However, access to Village C and Village O would be provided via West Leland Road, a major four lane road. The project site is also abuts SR-4, with highway access provided via San Marco Boulevard which intersects with West Leland Road. Therefore, residents would have adequate access out of the project site and the City, should there be a need to evacuate.

Therefore, implementation of the Modified Project would not impact an emergency response plan or emergency evacuation plan, and a less than significant impact would occur. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

[52] California Department of Forestry and Fire Protection (CAL FIRE). 2022. State Responsibility Area (SRA) Viewer. Website: https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=468717e399fa4238ad86861638765ce1. Accessed November 21, 2022.
[53] California Department of Forestry and Fire Protection (CAL FIRE). 2022. FHSZ Viewer. Website: https://egis.fire.ca.gov/FHSZ/. Accessed November 21, 2022.
[54] City of Pittsburg. 2018. City of Pittsburg Emergency Operations Plan.

Significance Level

No impact.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to wildfire within an SRA or lands classified as very high fire hazard severity zones.

Modified Project Analysis and Conclusions

As discussed above, the project site is not located within an SRA or VHFHSZ.[55,56] The Modified Project would transfer a total of 112 units from other villages into Village C and convert a total of 206 multi-family units to single-family units. According to the prior certified SEIR, the Southwest Hills area and the project site contains areas with steep slopes and exhibits a history of landslides. Additionally, CAL FIRE has recorded three fire incidents within 2 miles of the project site since 2017, with the nearest being just north of the project site across SR-4 near the intersection of Evora Road and Mota Drive. All three incidents burned fewer than 28 acres.[57]

Average monthly windspeed recorded at the nearest BAAQMD monitoring station approximately 6.21 miles southwest of the project site ranges from 2 miles per hour (mph) to 4 mph.[58] Therefore, prevailing wind speeds would not exacerbate wildfire risk in the vicinity of the project site. Additionally, the Approved Project, and therefore the Modified Project, would develop previously undeveloped land, which would reduce the risk of wildfires. Furthermore, Village C is bounded by SR-4 to the north and West Leland Road to the south with existing residential development to the south and east. Similarly, Village O is bounded by West Leland Road to the north and surrounded by existing residential development to the west and south and San Marco Boulevard to the east.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

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[55] California Department of Forestry and Fire Protection (CAL FIRE). 2022. State Responsibility Area (SRA) Viewer. Website: https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=468717e399fa4238ad86861638765ce1. Accessed November 21, 2022.

[56] California Department of Forestry and Fire Protection (CAL FIRE). 2022. FHSZ Viewer. Website: https://egis.fire.ca.gov/FHSZ/. Accessed November 21, 2022.

[57] California Department of Forestry and Fire Protection (CAL FIRE). 2022. Incidents Overview. Website: https://www.fire.ca.gov/incidents/. Accessed November 21, 2022.

[58] Bay Area Air Quality Management District (BAAQMD). 2020. Wind Speed. Website: https://www.baaqmd.gov/about-air-quality/current-air-quality/air-monitoring-data/#/met?date=2020-01-01&id=203&view=monthly&style=chart&zone=f9c8748a-510a-442c-b703-804bdcd5f1d7. Accessed November 21, 2022.

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

Summary of the Prior Certified SEIR

The prior certified SEIR for the Approved Project did not specifically identify a significant impact related to wildfire within an SRA or lands classified as very high fire hazard severity zones.

Modified Project Analysis and Conclusions

The Modified Project would transfer a total of 112 units from other villages into Village C and convert a total of 206 multi-family units to single-family units. According to the prior certified SEIR, water would be provided to the Approved Project via new water mains on Leland Road and project site streets A, B and C. Wastewater services would be provided via extension of new mains from the West Pittsburg interceptor to the project site via Port Chicago Highway and Willow Pass Road. The Modified Project is not anticipated to require the construction of any additional utilities beyond what was previously analyzed in the SEIR for the Approved Project. Development under the Modified Project would be required to adhere to the 2019 CFC as adopted by the City's Municipal Code. Furthermore, the Municipal Code requires that any utility distribution facilities (including electric and communication lines) providing service to new construction shall be installed underground. Therefore, infrastructure resulting from the Modified Project would not exacerbate fire risks and impacts would be less than significant.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Summary of the Prior Certified SEIR

The prior certified SEIR did not specifically identify a significant impact related to wildfire within an SRA or lands classified as very high fire hazard severity zones. The prior certified SEIR does analyze flooding, landslides and drainage changes in Section IV.E Drainage and Water Quality and Section IV.D Soils and Geology.

Modified Project Analysis and Conclusions

As previously discussed, the project site is not in a fire hazard zone as identified by CAL FIRE. Additionally, the project site is not within a 100-year flood zone as identified by the General Plan or FEMA. The prior certified SEIR for the Approved Project did identify the Southwest Hills area and the project site contains areas with steep slopes and a history of landslides. The General Plan similarly identifies areas with slopes greater than 30 percent and moderately unstable slopes within the

project area. However, MM c(1) Slope Stability–General (MM GEO-4) and MM c(2) Landsliding (MM GEO-5), as identified in the SEIR for the Approved Project, would reduce potential impacts related to soil stability and landslides to less than significant levels. Because the project site is not in a flood hazard area and impacts related to slope stability would be mitigated to less than significant levels with the implementation of MM's identified in the prior certified SEIR, the Modified Project would not be at risk of downstream or downslope flooding or landslides and impacts would be less than significant.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Significance Level

No impact.

Mitigation Measures

The prior certified SEIR concluded that there was no significant impact related to wildfire, and thus no mitigation measures were identified. No new mitigation measures are required for the Modified Project.

Conclusion

The prior certified SEIR did not contain a specific analysis of Wildfire impacts, as this was not a CEQA requirement at the time. For the Modified Project, there is no new information identifying new significant effects.

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
XX. Mandatory Findings of Significance					
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	No impact identified	No	No	No	MM BIO-1 (MM a(1))
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)?	No impact identified	No	No	No	MM AQ-1, MM AQ-2, MM AQ-3, MM AQ-4 (MM a, MM c(1), MM c(2), MM c(3))

Environmental Issue Area	Conclusion in Prior Certified SEIR	Do the Proposed Changes Involve New or More Severe Impacts?	New Circumstances Involving New or More Severe Impacts?	New Information Requiring New Analysis or Verification?	Mitigation Measures Applicable to the Modified Project
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	No impact identified	No	No	No	None

Discussion

The prior certified SEIR did not contain a Mandatory Findings of Significance section; therefore, the following analysis focuses on the Modified Project.

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

A significant impact may occur if a project would have an identified potentially significant impact for any of the above issues. Based on discussion provided above, the Modified Project does not present any new significant effects, or an increase in the severity of previously identified impacts, related to biological resources or cultural resources, or any other resource.

The BRA completed for the Modified Project indicated that the probability of most special-status plant and wildlife species occurring within the project site is extremely low. However, the BRA concluded that burrowing owls could occur in the site in the future and construction activities could impact nesting birds. With the implementation of COA BIO-1, which would implement General Plan policies to protect biological resources, potential impacts to burrowing owls and nesting birds would be reduced to less than significant levels. In accordance with the prior certified SEIR, the BRA did not identify any special-status plant or wildlife species within the project site and noted a lack of valuable wildlife or aquatic habitat on the project site. However, in accordance with the SEIR, implementation of the Modified Project would contribute to a cumulative loss of annual grassland habitat and associated biological resource values, a significant impact acknowledged in the SEIR and which remains unchanged for the Modified Project.

As discussed in Section V, Cultural and Tribal Cultural Resources, it is possible that previously undiscovered historical and archaeological resources could be encountered during earth-disturbing activities associated with construction. Implementation of General Plan policies related to historical and archaeological resources through implementation of COA CUL-1 would reduce potential impacts

related to the disturbance or destruction of these resources to a less than significant level. Furthermore, the CRA did not identify any disturbances to human remains or cemeteries and the implementation of COA CUL-2 and compliance with State law would reduce potential impacts related to human remains to a less than significant level in the event of inadvertent discovery of human remains.

Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

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)?

A significant impact may occur if the Modified Project, in conjunction with other related projects in the area of the Modified Project site would result in impacts that are less than significant when viewed separately but would be significant when viewed together.

The prior certified SEIR concluded that the Approved Project would have a significant and unavoidable impact related to the cumulatively considerable increase of any net criteria pollutant and exposure of sensitive receptors to pollutants, even with implementation of MM a, MM c(1), c(2), and c(3), which also apply to the Modified Project as MM AQ-1, MM AQ-2, MM AQ-3, and MM AQ-4. Additionally, as discussed in Section IV., Biological Resources, the prior certified SEIR identified cumulative regional losses in wildlife range, such as open grassland habitat. This impact was determined to be significant and unavoidable. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

Based on the discussion provided in Sections I through XIX of this Addendum, the Modified Project would not result in any new significant effects, or an increase in the severity of previously identified impacts. Therefore, the Modified Project would not introduce new environmental impacts or create more severe impacts than those analyzed in the prior certified SEIR and none of the conditions described in Section 15162 has occurred. No additional analysis is required.

Mitigation Measures

The following mitigation measures set forth in the prior certified SEIR are required mitigation for the Modified Project and are identified utilizing the updated nomenclature for the Modified Project.

Aesthetics, Light, and Glare: MM AES-1 through MM AES-11

Air Quality: MM AQ-1 through MM AQ-4

Biological Resources: MM BIO-1

Geology, Seismicity, and Soils: MM GEO-1 through MM GEO-7

Hydrology and Water Quality: MM HYD-1 through MM HYD-4

Land Use and Planning: MM LU-1

Noise: MM NOI-1 through MM NOI-3

Public Services: MM PUB-1 through MM PUB-8

Utilities and Service Systems: MM UTIL-1 and MM UTIL-2

Conditions of Approval

The following project-specific Conditions of Approval apply to the Modified Project:

COA BIO-1 If construction, grading, vegetation removal, or other project-related activities are scheduled during the nesting season, February 1 to August 31, a focused survey for active nests shall be conducted by a qualified Biologist within 7 days prior to the beginning of project-related activities. The survey shall consist of the entire project limits, as well as a minimum 500-foot buffer. If a lapse in project-related work of 7 days or longer occurs, another focused survey shall be required before project work can be reinitiated. If an active nest is found during surveys, qualified Biologist shall establish site- and species-specific no-work buffers. The buffer distances shall be specified to protect the bird's normal behavior to prevent nesting failure or abandonment. The buffer distance recommendation shall be developed after field investigations that evaluate the bird(s) apparent distress in the presence of people or equipment at various distances. Abnormal nesting behaviors which may cause reproductive harm include, but are not limited to, defensive flights/vocalizations directed toward project personnel, standing up from a brooding position, and flying away from the nest. The qualified Biologist shall have authority to order the cessation of all nearby project activities if the nesting birds exhibit abnormal behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established.

The qualified Biologist shall monitor the behavior of the birds (adults and young, when present) at the nest site to ensure that they are not disturbed by project work. Nest monitoring shall continue during project work until the young have fully fledged (have completely left the nest site and are no longer being fed by the parents), as determined by the qualified Biologist, unless otherwise approved in writing by the California Department of Fish and Wildlife (CDFW).

COA BIO-2 Pre-construction surveys for nesting burrowing owls within 250 feet of the site prior to commencement of construction activities between February 1 through August 31 are recommended. If occupied burrows are found, a qualified Biologist should determine the need (if any) for temporal restrictions on construction. The determination should be pursuant to criteria set forth by CDFW (CDFG, 2012).

COA CUL-1 If buried cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified Archaeologist shall be consulted to determine whether the resource requires further study. The qualified Archaeologist shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant cultural resources consist of, but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria.

If the resources are determined to be unique historic resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the Archaeological Monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Lead Agency where they would be afforded long-term preservation to allow future scientific study.

COA CUL-2 In the event of an inadvertent discovery or recognition of any human remains, Public Resources Code Section 5097.98 must be followed. In this instance, once project-related earthmoving begins and if there is inadvertent discovery or recognition of any human remains, the following steps shall be taken:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the "most likely descendant" of the deceased Native American. The Most Likely Descendant (MLD) may make

recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resources Section 5097.98, or

2. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the MLD or on the project site in a location not subject to further subsurface disturbance:
   - The NAHC is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission.
   - The descendant identified fails to make a recommendation.
   - The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

Conclusion

There is no new information identifying new significant effects, nor is there an increase in the severity of previously identified impacts related to Mandatory Findings of Significance. The conclusions from the prior certified SEIR remain unchanged when considering the implementation of the Modified Project.

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