5 STATUTORILY REQUIRED SECTIONS

Introduction

The Statutorily Required Sections chapter of the Draft EIR includes brief discussions regarding those topics that are required to be included in an EIR, pursuant to *CEQA Guidelines*, Section 15126.2. The chapter includes a discussion of the proposed project's potential to induce economic or population growth. In addition, the chapter includes lists of significant irreversible environmental changes, cumulative impacts, and significant and unavoidable impacts caused by the proposed project.

Growth-Inducing Impacts

An EIR must discuss the ways in which a proposed project could foster economic or population growth in the vicinity of the project and how that growth would, in turn, affect the surrounding environment (see *CEQA Guidelines*, Section 15126.2[d]). Growth can be induced in a number of ways, including through the elimination of obstacles to growth or through the stimulation of economic activity within the region. The discussion of the removal of obstacles to growth relates directly to the removal of infrastructure limitations or regulatory constraints that could result in growth unforeseen at the time of project approval.

A number of issues must be considered when assessing the growth-inducing effects of development plans, such as the proposed project, including the following:

> **Elimination of Obstacles to Growth:** The extent to which infrastructure capacity provided to accommodate the proposed project would allow additional development in surrounding areas; and
>
> **Economic Effects**: The extent to which development of the proposed project could cause increased activity in the local or regional economy.

Growth-inducing impacts associated with the proposed project would be considered to be any effects of the project allowing for additional growth or increases in population beyond that proposed by the project or anticipated in the Pittsburg General Plan. The proposed project includes annexation to the City of Pittsburg of both the approximately 170-acre Tuscany Meadows Tentative Map site, and the existing approximately 23-acre Chevron facility property located near the northern portion of the project site. The single family and multi-family uses proposed for the Tuscany Meadows Tentative Map site are consistent with the General Plan Land Use Designations of Low Density and High Density Residential, which were assigned to the Tentative Map site during the November 8, 2011 voter-approved Measure I. The approximately 170-acre property would be subdivided into a maximum of 917 single-family units and a high density parcel that could support development of up to 365 multi-family units,

and would include all infrastructure required to support the proposed development. As discussed in further detain in Chapter 4.8, Public Services, Recreation, and Utilities, of this EIR, the project could introduce an additional 4,218 new residents to the City of Pittsburg, which would directly induce population in the area. However, as the proposed project is considered infill development, the project site would likely have been developed in the future. The project site was planned for urban development by the Antioch General Plan and the existing infrastructure on site would likely be expanded by future development. In addition, the proposed project would assist the City in meeting the Regional Housing Needs Allocation which has not been met. Furthermore, the proposed infrastructure has been properly sized and would not be designed to handle additional development adjacent to the project site.

A physical obstacle to growth typically involves the lack of public service infrastructure. The extension of public service infrastructure, including roadways, water mains, and sewer lines, into areas that are not currently provided with these services, would be expected to support new development. Similarly, the elimination or change to a regulatory obstacle, including existing growth and development policies, could result in new growth. The primary infrastructure systems installed as part of the proposed project, including roadways and wastewater, water, and storm drain systems, would be sized to meet demands created by the proposed project. It should be noted that existing utility lines currently exist in the project vicinity, and the proposed project would include connection to the existing lines.

As discussed in in further detail in Chapter 4.8 of this EIR, in order to ensure that population growth does not outpace availability of adequate infrastructure, the City has adopted a Growth Management Element within their General Plan (Chapter 3 of the Pittsburg General Plan 2020), which states that any project seeking development approval shall first contact the public service agencies and/or districts to assure that areas of urban expansion will have all necessary infrastructure. Compliance with the City's Growth Management goals and policies would ensure that the City has adequate public service infrastructure available and the ability to provide adequate services to the proposed project. The proposed project's impacts related to public services and utilities are discussed in further detail in Chapter 4.8, Public Services, Recreation, and Utilities, of this EIR. As determined in Chapter 4.8, the proposed project's impacts related to public services, recreation, and utilities would be less than significant with implementation of the required mitigation measures where appropriate.

Therefore, because the growth associated with the proposed project would be consistent with the type of development anticipated for the site by the City of Pittsburg voters in their approval of the General Plan Amendment, and the infrastructure required for the proposed project would be sized to meet the demands created solely by the project, the proposed project would not be expected to generate any new growth-inducing impacts.

Cumulative Impacts

CEQA Guidelines, Section 15130 requires that an EIR discuss the cumulative and long-term effects of the proposed project that adversely affect the environment. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (*CEQA Guidelines*, Section 15355).

"[I]ndividual effects may be changes resulting from a single project or a number of separate projects" (*CEQA Guidelines*, Section 15355, subd. [a]). "The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time" (*CEQA Guidelines*, Section 15355, subd. [b]).

The need for cumulative impact assessment reflects the fact that, although a project may cause an "individually limited" or "individually minor" incremental impact that, by itself, is not significant, the increment may be "cumulatively considerable," and, thus, significant, when viewed together with environmental changes anticipated from past, present, and probable future projects (*CEQA Guidelines*, Section 15064, subd. [h(1)], Section 15065, subd. [c], and Section 15355, subd. [b]). Accordingly, particular impacts may be less than significant on a project-specific basis but significant on a cumulative basis if their small incremental contribution, viewed against the larger backdrop, is cumulatively considerable. However, it should be noted that *CEQA Guidelines*, Section 15064, Subdivision (h)(5) states, "[…]the mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." Therefore, even where cumulative impacts are significant, any level of incremental contribution is not necessarily deemed cumulatively considerable.

Section 15130(b) of *CEQA Guidelines* indicates that the level of detail of the cumulative analysis need not be as great as for the project impact analyses, but that analysis should reflect the severity of the impacts and their likelihood of occurrence, and that the analysis should be focused, practical, and reasonable. To be adequate, a discussion of cumulative effects must include the following elements:

> (1) Either (a) a list of past, present and probable future projects, including, if necessary, those outside the agency's control, or (b) a summary of projections contained in an adopted general plan or related planning document, or in a prior certified EIR, which described or evaluated regional or area-wide conditions contributing to the cumulative impact, provide that such documents are reference and made available for public inspection at a specified location;
>
> (2) A summary of the individual projects' environmental effects, with specific reference to additional information and stating where such information is available; and
>
> (3) A reasonable analysis of all of the relevant projects' cumulative impacts, with an examination of reasonable, feasible options for mitigating or avoiding the project's contribution to such effects (Section 15130[b]).

For some projects, the only feasible mitigation measures will involve the adoption of ordinances or regulations, rather than the imposition of conditions on a project-by-project basis (Section 15130[c]). Section 15130(a)(3) states that an EIR may determine that a project's contribution to a significant cumulative impact will be rendered less than cumulatively considerable, and thus

not significant, if a project is required to implement or fund the project's fair share of a mitigation measure or measures designed to alleviate the cumulative impact.

Cumulative Setting

The lead agency should define the relevant geographic area of inquiry for each impact category (id., Section 15130, subd. [b][3]), and should then identify the universe of "past, present, and probable future projects producing related or cumulative impacts" relevant to the various categories, either through the preparation of a "list" of such projects or through the use of "a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact" (id., subd. [b][1]).

The proposed project, in conjunction with development in the vicinity of the project site and within the region, would contribute to cumulative environmental impacts. The cumulative analysis for the proposed project is based on buildout of the Pittsburg General Plan, as well as present and probable future projects. See Table 5-1 for a list of all the projects considered in the cumulative analysis.

Table 5-1
Cumulative Projects Considered

Project Name or Applicant	Jurisdiction	# of Units / Square Feet (sq. ft.) / Acres (ac.)	Status
Residential			
Almenara Phase II	Pittsburg	44 multi-family units	Pending
Almondridge East Tract 7906	Antioch	81 single-family units	Approved
Alves Ranch	Pittsburg	167 single-family units 364 to 393 multi-family units	Approved
Athenian School Faculty Housing	Contra Costa County	5 residential units for faculty housing	Pending; Environmental review (CEQA) underway
Aviano	Antioch	553 single-family units (adult community)	Approved
Bancroft Gardens II	Pittsburg	28 single-family units	Approved
Bayview Residential	Contra Costa County	163 single-family units	Pending; Environmental review (CEQA) underway
Black Diamond Ranch	Antioch	280 single-family units	Under Construction with new floor plans in progress
Bridle Ranch Master Development Plan	Antioch	Approximately 370 single-family units	Pending
Deer Valley Estates	Antioch	136 single-family units	Pending

(Continued on next page)

Table 5-1 Cumulative Projects Considered			
Project Name or Applicant	**Jurisdiction**	**# of Units / Square Feet (sq. ft.) / Acres (ac.)**	**Status**
De Fremery Minor Subdivision	Contra Costa County	31.41 acres	Pending; Environmental review (CEQA) underway
Golden Bow Estates	Antioch	12 single-family units	Under Construction
Greystone Place	Pittsburg	37 single-family units	Pending
Hilden Glen	Antioch	371 single-family units	Under Construction
Lawlor Estates	Pittsburg	50 single-family units	Under Construction
Los Medanos Apartments	Pittsburg	30 multi-family units	Approved
Mariner Walk	Pittsburg	123 single-family units	Under Construction
Mira Vista Hills	Antioch	180 single-family units	Under Construction
Monterra (Nelson Ranch)	Antioch	360 single-family units	Under Construction
Montreux	Contra Costa County (planned annexation to Pittsburg)	368 single-family units	Pending
Park Ridge	Antioch	525 single-family units	Approved
The Point	Antioch	60 single-family units	Pending
Quail Cove	Antioch	31 single-family units	Pending
Roddy Ranch	Antioch	574 single-family units Approximately 100 units and hotel	Pending
San Marco	Pittsburg	1,412 single-family units 1,526 multi-family units	Under Construction
Sand Creek Ranch	Antioch	377 single-family units	Under Construction
Sierra Vista	Antioch	50 single-family units	Approved
Sky Ranch	Pittsburg	415 single-family units	Approved
Sunnyside Estates	Pittsburg	33 single-family units	Pending
Tabora Gardens	Antioch	85 multi-family units (senior apartment)	Approved
Tierra Villas	Antioch	122 single-family units	Approved
Vista Del Mar	Pittsburg	518 single-family units	Under Construction
Commercial			
190 E. 4th Street Building Addition	Pittsburg	3,741 sq. ft.	Pending
2110 Railroad Avenue Retail Shell Building	Pittsburg	8,250 sq. ft.	Pending
2100 L Street	Antioch	6.870 sq. ft.	Pending

(Continued on next page)

Table 5-1
Cumulative Projects Considered

Project Name or Applicant	Jurisdiction	# of Units / Square Feet (sq. ft.) / Acres (ac.)	Status
Alves Ranch Commercial	Pittsburg	221,500 (four buildings)	Approved
AutoZone	Antioch	0.7875 acres	Under Construction
Bank of Agriculture	Antioch	2.4 acres	Pending
Blue Rock Business Center	Antioch	122, 856 sq. ft.	101,256 sq. ft. Built
Buchanan Crossings	Antioch	107,870 sq. ft.	Pending
Building the Cross Ministries	Antioch	--	Pending
Century Plaza Remodel	Pittsburg	439,830 sq. ft	Approved (expires 9/26/14)
Christ Embassy church	Antioch	--	Pending
Deer Valley Business Park	Antioch	16 buildings 1,800 – 7,000 sq. ft.	Pending
Delta Gateway Pad 12	Pittsburg	10,623 sq. ft.	Approved
Hillcrest Summit	Antioch	1,500 sq. ft. retail 35,077 sq. ft. office	Pending
Holy Cross Cemetery	Antioch	100,100 sq. ft.	Pending
Kaiser Medical Center	Antioch	500,000 sq. ft. hospital 450,000 sq. ft. medical offices	340,400 sq. ft. Hospital Built 313,050 sq. ft. Medical Offices Built
Lakeview Center	Antioch	--	Under Construction
Lone Tree Landing	Antioch	413,790 sq. ft.	25,000 sq. ft. Built
New Bethel Missionary Baptist Church	Pittsburg	20,600 sq. ft.	Under Construction
St. Ignatius Church Expansion	Antioch	12,995 sq. ft.	Under Construction
North Park Commercial Center Expansion	Pittsburg	63,151 sq. ft.	Approved
PBA Chapel Project	Pittsburg	28,517 sq. ft.	Pending
Phoa Lee Hoa Phat Building Remodel	Pittsburg	6,733 sq. ft.	Pending
Pittsburg Library Expansion and Café	Pittsburg	3,330 sq. ft.	Under Construction
Police Training Range	Pittsburg	--	Pending
San Marco Gas Station and Convenience Store	Pittsburg	6,000 sq. ft.	Approved
Scavengers Motorcycle Club	Pittsburg	2,380 sq. ft.	Pending

(Continued on next page)

Table 5-1 Cumulative Projects Considered			
Project Name or Applicant	**Jurisdiction**	**# of Units / Square Feet (sq. ft.) / Acres (ac.)**	**Status**
Shri Guru Ravidass Temple	Pittsburg	3,168 sq. ft. (addition)	Pending
Synergy Charter School	Pittsburg	6,800 sq. ft.	Approved
Tony's Automotive Addition	Pittsburg	10,112 sq. ft.	Approved
WalMart Expansion	Antioch	33,575 sq. ft. with additional parking	Pending
Industrial			
Avila Road RV Storage Yard and Caretaker's Quarters	Pittsburg	1,198 sq. ft.	Built
Columbia Solar Farm	Pittsburg	115 ac.	Approved
Harbor Street Investments Contractor Yard	Pittsburg	2,160 sq. ft.	Approved
Irish Construction	Pittsburg	7,770 sq. ft.	Under Construction
Lara's Concrete	Pittsburg	4,800sq. ft.	Pending
Marine Express Site Improvements	Pittsburg	2.86 ac.	Pending
Mount Diablo Resource Recovery Park	Pittsburg	82,611	Use Permit Pending
PraxAir Temporary Modular Office Trailer	Pittsburg	1,200 sq. ft.	Under Construction
Ramar Foods Solar Panels	Pittsburg	2.27 ac.	Approved
Ramar Foods Fuel Cell Installation	Pittsburg	2.27 ac.	Approved
Rege Yard	Pittsburg	Portion of 217,800 sq. ft.	Pending
Transbay Cable	Pittsburg	5.6 ac.	Built; Additions Approved
USS-POSCO Lunch Room Replacement	Pittsburg	1,440 sq. ft.	Pending
WesPac Energy – Pittsburg Terminal	Pittsburg	--	Use Permit Pending
Long-Range Planning Projects			
Hillside Development Standards & Design Guidelines	Pittsburg	TBD	On Hold (indefinitely)

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Table 5-1 Cumulative Projects Considered			
Project Name or Applicant	**Jurisdiction**	**# of Units / Square Feet (sq. ft.) / Acres (ac.)**	**Status**
James Donlon Blvd. Extension & Southeast Hills Annexation, including General Plan Amendment and Rezoning	Pittsburg	TBD	Pending; Environmental review (CEQA) underway
Old Town Park	Pittsburg	1.34 ac.	In design
Pittsburg Bay Point BART Master Plan	Pittsburg	Approximately 55 ac.	Approved
Pittsburg Housing Element	Pittsburg	City-wide	Approved; and certified by the State Department of Housing and Community Development
Railroad Avenue Specific Plan (eBart)	Pittsburg	1,076 ac.	Approved
Southwest Hills/Faria Annexation	Pittsburg	607 ac.	Pending; Environmental review (CEQA) underway

Cumulative Impacts

Cumulative impacts are analyzed in each of the technical chapters of this EIR (Chapters 4.1 through 4.9) and are summarized below.

Air Quality and Greenhouse Gas Emissions

The Air Quality and Greenhouse Gas Emissions chapter of the EIR addresses cumulative impacts associated with regional air quality and greenhouse gas emissions separately. Each of the discussions included in the EIR are summarized below.

Cumulative Criteria Air Pollutants

A project's emissions may be individually limited, but cumulatively considerable when taken in combination with past, present, and future development projects. By its very nature, air pollution is largely a cumulative impact. The long-term emissions associated with operation of the proposed project in conjunction with other existing or planned development in the area would incrementally contribute to the region's air quality. The BAAQMD has established cumulative thresholds for emissions of ROG, NO_X, PM_{10}, and $PM_{2.5}$. The proposed project's contribution to cumulative emissions of criteria air pollutants were calculated using CalEEMod, and were

estimated to be below the applicable thresholds of significance, with the exception of ROG emissions. Therefore, the proposed project's incremental contribution to cumulative air quality impacts would be considered significant. Implementation of the suggested mitigation measure would reduce the project's cumulative emissions, but not such that a less-than-significant impact would occur. Because additional feasible mitigation does not exist to reduce ROG emissions, the project's incremental contribution to cumulative air quality impacts would remain ***significant and unavoidable***.

Cumulative Emissions of Toxic Air Contaminants (TACs)

Cumulative impacts associated with the exposure of on-site sensitive receptors associated with the proposed project to nearby sources of TACs were evaluated in the Health Risk Assessment prepared for the proposed project. The cancer risk, hazard index, and $PM_{2.5}$ concentrations from each nearby source were added together and compared to the BAAQMD Community Risk significance thresholds for cumulative sources. Table 4.1-13 (page 4.1-35) shows the estimated increase in community risk from each identified source on the proposed sensitive receptors. As shown in the table, the estimated cumulative risk would be well below the applicable thresholds of significance. Therefore, a ***less than significant*** cumulative impact associated with exposure of sensitive receptors to TAC concentrations would occur.

Greenhouse Gas Emissions

Global climate change is, by nature, a cumulative impact. A single project could not generate enough GHG emissions to contribute noticeably to a change in the global average temperature. However, the combination of GHG emissions from a project in combination with other past, present, and future projects contribute substantially to the world-wide phenomenon of global climate change and the associated environmental impacts. Implementation of the proposed project would contribute to increases of GHG emissions that are associated with global climate change. It should be noted that construction-related GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change, as global climate change is inherently a cumulative effect that occurs over a long period of time.

Achieving the State target set by AB 32 of reducing emissions to 1990 levels by 2020 would require a reduction in emissions of 21.7 percent from projected 2020 Business As Usual (BAU) conditions. In order to meet the target reduction, the City has developed a variety of reduction strategies. For new development projects constructed in the City of Pittsburg, the City encourages the installation of clean-burning fireplaces and wood stoves as well as cooperation with the BAAQMD to achieve emissions reductions for ozone and its precursor, PM-10. Further, the City of Pittsburg has adopted Development Review Green Building Design Guidelines (Planning Commission Resolution No. 9864) that provides guidance on green building design attributes for new development. In addition, the most recent State ozone plan, the 2010 Clean Air Plan (CAP), serves as the backbone of the BAAQMD's current PM control program. The strategies proposed in the General Plan and CAP are expected to achieve local reductions that are adequate to meet the City's 2020 target.

A detailed discussion of the project's cumulative impacts to greenhouse gas emissions is included in Chapter 4.1 of the Draft EIR. In summary, the project's total unmitigated annual GHG emissions, including construction-related emissions, were estimated to be approximately 3.07 MTCO2e per service population per year, which is below the BAAQMD threshold of significance for GHG emissions. It should be noted that the actual annual GHG emissions of the proposed project would be less due to the amortization of the one-time release of construction-related GHG emissions over a 40-year lifetime and implementation of the mitigation measures prescribed throughout this chapter. Because the project's unmitigated annual GHG emissions would be below the 4.6 MTCO2e per service population per year threshold utilized by the City, the proposed project would be considered to result in a ***less than significant*** cumulative impact related to GHG emissions and global climate change.

Biological Resources

The Pittsburg area, like other communities in the Bay Area, has experienced significant urban growth since the 1990s. Several housing developments are already approved, pending or under construction in the surrounding areas (see Table 5-1, Cumulative Projects Considered). Cumulatively, these projects would reduce common wildlife habitat and the numbers of special-status plant and animal species. The majority of the Tuscany Meadows project site is highly disturbed as a result of past industrial use, agricultural use, and other human activities and is surrounded by development on three sides. However, disturbed lands provide habitat for common species and may provide habitat for some special-status species.

The Pittsburg General Plan EIR concludes that development proposed under the General Plan has the potential to affect sensitive habitat areas and special status species within the Pittsburg Planning Area. The General Plan EIR also states that conservation efforts proposed by the General Plan would ensure that special-status species and their habitats are protected from destruction. However, loss of sensitive habitat in the Planning Area could still occur, and would be considered potentially significant pursuant to CEQA. The implementation of Policy 9-P-3 in the General Plan requiring cooperation in the development of an HCP with surrounding jurisdictions would reduce cumulative impacts to a less-than-significant level. As detailed above, the East Contra Costa County HCP/NCCP has been adopted by the City of Pittsburg.

The Pittsburg General Plan EIR notes that cumulative impacts associated with the buildout of the Pittsburg Planning Area could have a significant impact on special-status species and sensitive habitats. According to the biological resources report prepared for the project, the site does not provide high quality habitat for any special-status species. However, implementation of the proposed project could result in a loss of habitat for burrowing owl, San Joaquin kit fox, and other special-status animal species. The proposed project's participation in the East Contra Costa County HCP/NCCP would provide a mechanism to adequately mitigate impacts to potentially occurring sensitive species listed in the HCP/NCCP. Impacts to species not covered under the East Contra Costa County HCP/NCCP would be mitigated to a less-than-significant level with the mitigation measures required in Chapter 4.2, Biological Resources. As a result, the project's contribution to the cumulative biological impact related to increasing urbanization would be ***less than significant***.

Geology, Soils, and Seismicity

The Geology, Soils, and Seismicity chapter of the EIR addresses cumulative impacts associated with geology, soils, and seismicity separately. Each of the discussions included in the EIR are summarized below.

Geology and Soils

Development of the proposed project would increase the number of structures that could be subject to the damaging effects of expansive soils. Site preparation would also result in temporary and permanent topographic changes that could affect erosion rates or patterns. However, potentially adverse environmental effects associated with geologic or soils constraints, topographic alteration, and erosion, are usually site-specific and generally would not combine with similar effects that could occur with other projects in Pittsburg. Furthermore, all projects would be required to comply with the UBC, the City of Pittsburg's General Plan, and other applicable regulations. Consequently, the proposed project would generally not be affected by, nor would it affect, other development approved by the City of Pittsburg. Therefore, the project's incremental contribution to cumulative geology and soils impacts would be considered ***less than significant***.

Seismicity

According to the Geotechnical Engineering Report, the project site is not underlain by any active or potentially active faults based on published records, geological maps, or aerial photographs. In addition, the project site is not located within an Alquist-Priolo Earthquake Fault Zone, and surface evidence of faulting was not observed by Wallace Kuhl and Associates, Inc. (WKA) during site reconnaissance. Based upon these factors, WKA has concluded that ground rupture at the project site resulting from seismic activity is unlikely. Similarly, because the project site is underlain by stiff and dense soil and groundwater is deeper than 100 feet below existing site grades, WKA has concluded that liquefaction of soils beneath the site during strong earthquake ground shaking is highly unlikely.

Notwithstanding the fact that damage to structure and risks to people from ground rupture and ground failure, including liquefaction, is highly unlikely at the project site, it is important to note that the design of all project structures would be required to adhere to the provisions of the 2010 California building code (CBC). The 2010 CBC contains provisions to safeguard against major structural failures or loss of life caused by earthquakes or other geologic hazards. As a result of the above considerations, seismic activity in the area of the proposed project would not expose people or structures to substantial ground rupture, groundshaking, or liquefaction; and therefore, the impact is considered ***less than significant***.

Hazards and Hazardous Materials

Impacts associated with hazardous materials are site-specific and generally do not affect, or are not affected by, cumulative development. Cumulative effects could be considered if the project was, for example, part of a larger development in which industrial processes that would use

hazardous materials are proposed. However, this is not the case with this project, and project-specific impacts were found to be less than significant with the implementation of the recommended mitigation measures. In addition, surrounding development would be subject to the same federal, State, and local hazardous materials management requirements as would the proposed project, which would minimize potential risks associated with increased hazardous materials use in the community, including potential effects, if any, on the proposed project. Therefore, implementation of the proposed project would have a ***less than significant*** impact associated with cumulative hazardous materials use.

Hydrology and Water Quality

While cumulative development within the City of Pittsburg would result in additional stormwater runoff and entry of pollutants into receiving waters via construction and operation of future projects, each project is required to comply with the City's regulatory stormwater documents, standards, and requirements. Compliance with such would ensure that each project provides adequate storage capacity for the additional stormwater runoff generated, as well as incorporates sufficient Best Management Practices (BMPs) to successfully remove pollutants from site runoff during the construction and operational phases. The proposed project would not result in any significant impacts to hydrology (drainage and flooding) or water quality. As a result, the proposed project's incremental contribution to cumulative hydrology and water quality impacts would be ***less than significant***.

Land Use and Planning

The Land Use and Planning chapter of the EIR addresses cumulative impacts associated with land use and planning. The proposed project, along with reasonably foreseeable projects within the City of Pittsburg, would change the intensity of land uses within the geographic area that would be affected by the proposed project. The cumulative land use impacts of the project, together with the related impacts of other foreseeable projects would be considered less than significant. The increased development associated with these projects would result in environmental impacts, such as impacts related to traffic, air, and noise, which are analyzed in other sections of this EIR.

With the approval of Measure I, the project site has been assigned City of Pittsburg General Plan Land Use Designations and prezoning of Low Density Residential and High Density Residential, as well as Industrial; therefore, the project is consistent with the Pittsburg General Plan. Furthermore, the final authority for determination of consistency with the Pittsburg General Plan rests with the Pittsburg City Council. Given the land use controls, Pittsburg General Plan goals and policies, and development standards presently in use within Pittsburg, the project's incremental contribution to cumulative land use impacts would be minimized to a level that is considered ***less than significant***.

Noise

The cumulative context for noise impacts associated with the proposed project would consist of the existing and future noise sources that could affect the project or surrounding uses. Noise

generated by construction would not add to the permanent noise environment or be considered as part of the cumulative context.

Cumulative noise impacts would occur primarily as a result of increased traffic on local roadways due to the proposed project and on-site activities resulting from operation of the proposed project. Estimated cumulative traffic noise levels with and without the proposed project are presented in Chapter 4.7 of this EIR. According to the estimates, traffic noise from the proposed project is not expected to increase traffic noise levels in excess of the City's 5 dBA CNEL increase criteria at existing sensitive receptors. Thus, the proposed project would not result in significant increases in traffic noise levels at existing sensitive receptors. In addition, the new residential uses proposed for the project would be constructed to comply with the applicable City of Pittsburg exterior and interior noise level standards.

Because the increase in noise levels associated with implementation of the proposed project would be below the normally perceptible range and below the City's applicable thresholds of significance, the total noise increase associated with the proposed project would be considered small incremental increases to the existing and future noise environment. Therefore, the proposed project would not be expected to have a cumulatively considerable incremental contribution to the surrounding noise environment, and the cumulative noise impact would be considered ***less than significant***.

Public Services, Recreation, and Utilities

The proposed project site includes a reorganization to encompass the project boundaries consistent with the 2011 voter-approved Urban Limit Line. Implementation of the proposed project would contribute to an increased demand for public services and facilities in the City of Pittsburg. Public service and utility needs for the City of Pittsburg were evaluated in the Pittsburg General Plan EIR and associated Master Plans to ensure that adequate services would be available for buildout of the Pittsburg General Plan, according to the Land Use Diagram. The analyses found that with implementation of the General Plan goals and policies, impacts to public services and utilities from buildout of the Pittsburg General Plan would be less than significant. The single family and multi-family uses proposed for the Tuscany Meadows Tentative Map site are consistent with the General Plan Land Use Designations of Low Density Residential and High Density Residential, which were assigned to the Tentative Map site during the November 8, 2011 voter approval of Measure I. The proposed project would comply with all applicable City goals and policies, including payment of development impacts fees to support adequate provisions for fire facilities, staffing, and equipment, developer fees per SB 50 for schools (Mitigation Measure 4.8-6), established community facilities district fees for police services and the necessary in lieu fees for park and recreation facilities. Similar to the proposed project, other future development projects would be required by the City to pay their fair-share fees toward the provision of adequate public services and facilities, including towards the necessary upgrades and expansions of facilities and equipment.

Therefore, the proposed project's individual incremental contribution to the increase in demand for public services and facilities would not be cumulatively considerable, and cumulative impacts would be considered ***less than significant***.

Transportation, Traffic, and Circulation

The Transportation, Traffic, and Circulation chapter of the EIR addresses cumulative impacts associated with study roadway intersections, study freeway facilities, and alternative transportation facilities. Each of the discussions included in the EIR are summarized below.

Study Roadway Intersections

The proposed project would cause cumulatively significant impacts at a number of intersections, as presented in Chapter 4.9 of this EIR. The majority of impacts are the result of projected unacceptable operations being degraded to a significant degree. Although implementation of mitigation measures set forth in this EIR would reduce the significance of cumulative considerable project impacts, due to the uncertainty infeasibility of the mitigation measures, the impact would remain ***significant and unavoidable***.

Study Freeway Facilities

The proposed project would increase the total traffic during both AM and PM peak hours. However, the proposed project has already been assumed in all cumulative build-out traffic forecasts that have been used in the design of freeway facilities in the area (Pittsburg, Antioch, and CCC General Plans). The East County Action Plan specifies a maximum delay index of 2.5 for SR 4. As shown in Table 4.9-12 in Chapter 4.9, the proposed project would not significantly increase the delay index under cumulative conditions and would continue to be well within the multi-modal traffic service objective of 2.5. Therefore the proposed project would have a ***less-than-significant*** cumulative impact to freeway operations.

Transit System

The project would not disrupt existing or planned transit services or facilities or create an inconsistency with applicable policies related to transit. Therefore, even when considering the cumulative setting, this impact is considered ***less than significant***.

ENERGY CONSERVATION

Appendix F of the CEQA Guidelines requires that EIRs include a discussion of the potential energy impacts of the proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy. The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

(1) Decreasing overall per capita energy consumption;
(2) Decreasing reliance on fossil fuels such as coal, natural gas and oil; and
(3) Increasing reliance on renewable energy sources.

The project area has historically been considered part of Pittsburg and is a logical extension of the residential Highlands Ranch development and can be served by existing, stubbed City services. The proposed project would include sustainability features and mitigation measures

which aim to avoid or reduce inefficient, wasteful, and unnecessary consumption of energy. Mitigation Measures 4.1-3(a), 4.1-3(b), 4.1-3(c), and 4.1-3(d), discussed further below, are included in the Air Quality and Greenhouse Gas Emissions chapter, which aim to avoid or reduce inefficient, wasteful, and unnecessary consumption of energy during construction. The proposed project's inherent site and sustainability features, as described in the Project Description chapter, include the project's density, proximity to existing transit stations, and bicycle and pedestrian connection improvements.

California Green Building Standards Code

The 2013 California Green Building Standards Code, otherwise known as the CALGreen Code (CCR Title 24, Part 11), became effective January 1, 2014. The energy provisions of the CALGreen Code became effective July 1, 2014. The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. The provisions of the code apply to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout California.

In order to comply with Title 24, Mitigation Measures 4.1-1(a) and 4.1-1(b) require all diesel-powered equipment larger than 50 horsepower and all generators to meet the U.S. Environmental Protection Agency's emissions standards for Tier 2 and Tier 4 engines, respectively. In addition, Mitigation Measures 4.1-2(a), 4.1-2(b), 4.1-2(c), and 4.1-2(d) require additional measures to reduce the proposed project's long-term operational air quality emissions. Furthermore, the proposed project would connect to the existing transmission lines in the vicinity. Therefore, the proposed project would not require the construction of new energy production and/or transmission facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.

Significant Irreversible Environmental Changes

The State CEQA Guidelines mandate that an EIR address any significant irreversible environmental changes that would result if the proposed project were implemented (CEQA Guidelines, Section 15126.2[c]). An impact would fall into this category if any of the following would occur:

- The project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses (e.g., a highway provides access to a previously remote area);
- The project involves uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The phasing of the proposed consumption of resources is not justified (e.g., the project involves a wasteful use of energy).

The proposed project would likely result in, or contribute to, the following irreversible environmental changes:

- Conversion of currently undeveloped land to urban land uses;
- Placement and/or extension of roadways in areas providing access to the proposed project and connecting to adjacent developments;
- Irreversible consumption of goods and services associated with the future population; and
- Irreversible consumption of energy and natural resources associated with the future population.

Significant and Unavoidable Impacts

According to CEQA Guidelines, an EIR must include a description of those impacts identified as significant and unavoidable should the proposed action be implemented (CEQA Guidelines §15126.2[b]). Such impacts would be considered unavoidable when the determination is made that either mitigation is not feasible or only partial mitigation is feasible such that the impact is not reduced to a level that is less-than-significant. This section identifies significant impacts that could not be eliminated or reduced to a less-than-significant level by mitigations imposed by the City. The final determination of the significance of impacts and the feasibility of mitigation measures would be made by the City as part of the City's certification action.

The significant and unavoidable impacts of the proposed project are summarized below.

Long-term operational air quality impacts (Impact 4.1-3)

The majority of ROG emissions associated with the proposed project are from consumer products (e.g., deodorants, cleaning products, spray paint, aerosols, etc.). Potential measures that could be applied to reduce operational ROG emissions include providing electrical outlets on the outside of the proposed homes to encourage the use of electric landscaping equipment, limiting the VOC content of consumer projects used in the proposed homes, or monitoring the use of consumer products in the proposed homes. Although such measures would reduce the overall operational ROG emissions associated with the proposed project, such measures cannot be enforced or regulated in any manner that would ensure a reduction of ROG emission to below the applicable threshold of significance. Because feasible mitigation measures do not exist that would ensure reduction of operational ROG emissions to below the applicable threshold of significance, the above impact would remain significant and unavoidable.

Cumulative impacts to regional air quality related to emissions of criteria air pollutants (Impact 4.1-5)

The long-term emissions associated with operation of the proposed project in conjunction with other existing or planned development in the area would incrementally contribute to the region's air quality conditions. The BAAQMD has established cumulative thresholds for emissions of ROG, NO_X, PM_{10}, and $PM_{2.5}$. The proposed project's contribution to cumulative emissions of criteria air pollutants were calculated using CalEEMod.2013.2.2 and are presented in Air Quality

and Greenhouse Gas Emissions chapter, Table 4.1-11. As shown in the table, the proposed project's cumulative emissions of ROG would exceed the BAAQMD cumulative threshold of significance. Therefore, the proposed project's incremental contribution to cumulative air quality impacts would be considered potentially significant. Implementation of the suggested mitigation measure would reduce the project's cumulative emissions; however, implementation of the mitigation measure would not reduce the above impact to a level of less than significant. Thus, the impact would remain significant and unavoidable.

Construction noise impacts to existing sensitive receptors in the project vicinity (Impact 4.7-1)

Development of the project would expose existing area residences to construction-generated noise over multiple building seasons. As shown in Table 4.7-6, the proposed project's noise emissions from construction equipment may result in elevated noise levels. Given the potential for substantial increases in noise at adjacent residences as a result of project construction and the likelihood that substantial noise increases would likely occur for more than one year, construction activities would result in periods of elevated noise levels that could result in a significant impact. Therefore, the proposed project's contribution to noise impacts would be considered significant. Implementation of the suggested mitigation measure would reduce the project's impacts to sensitive receptors; however, implementation of the mitigation measure would not reduce the above impact to a level of less than significant. Thus, the impact would remain a significant and unavoidable short-term impact.

Study roadway intersections under Existing Plus Project conditions (Impact 4.9-2)

The proposed project would result in an increase in vehicle trips in the project area. The project would generate approximately 9,940 new daily trips, 797 new AM peak hour trips, and 947 new PM peak hour trips. As shown in Table 4.9-6, all study intersections would operate at an acceptable level both with and without the proposed project except for three intersections, Railroad Avenue & E. Leland Road (Intersection #3), Harbor Street & Buchanan Road (Intersection #7) and Somersville Road & Buchanan Road (Intersection #22). The delay at the Railroad Avenue & E. Leland Road intersection during the PM peak hour is expected to increase by approximately nine seconds with the development of the proposed project. The delay at the Harbor Street & Buchanan Road intersection is expected to increase by approximately seven seconds during the AM peak hour with the development of the proposed project. With development of the proposed project, the Somersville Road & Buchanan Road intersection would deteriorate from LOS C to LOS E during the AM and PM peak hours.

Construction of an additional southbound left turn lane and associated widening of Railroad Avenue at E. Leland Road would cause an increase in traffic flow at other intersections in the area where right of way constraints exist; therefore, is not a feasible mitigation measure. The widening of Buchanan Road is not a feasible mitigation measure due to the lack of available right of way. Furthermore, successful implementation of the alternatively recommended additional metering would need approval by all local agencies in the area, over which the City of Pittsburg has no control. For this reason, the City of Pittsburg is conservatively acknowledging the possibility that, despite its own commitment to work with the surrounding local agencies,

mutually acceptable accommodation may not be reached. In addition, the construction for the James Donlon Boulevard Extension is estimated to be approximately $56 million dollars and would therefore be too financially burdensome for one project to construct. Thus, the impact would remain significant and unavoidable.

Study roadway intersections under Baseline Plus Project conditions (Impact 4.9-3)

The Baseline scenario evaluates the existing conditions with the addition of traffic from reasonably foreseeable projects in the area, including traffic from the approved Sky Ranch Project (415 units), the approved Black Diamond Residential Project (286 units), the Buchanan Crossings Commercial Project (103,000 square feet), and the planned Montreux Residential Project (368 units). In addition, the general baseline growth in traffic was developed based on the assumption that the project completion date would be 2017. The baseline scenario was prepared in coordination with the City of Pittsburg and includes all reasonably foreseeable projects that would significantly affect the traffic volumes in the project study area.

The Baseline plus proposed project traffic forecasts were developed by adding project-related traffic to the baseline traffic volumes. As shown in Table 4.9-7, all of the signalized study intersections would continue to have acceptable conditions (LOS D or better) during the weekday AM and PM peak hours except for seven intersections which would operate at LOS E or F during either the AM or PM peak hours. The unacceptable intersections include the intersections of Railroad Avenue & E. Leland Road (Intersection #3), Harbor Street & Buchanan Road (Intersection #7), Loveridge Road & Buchanan Road (Intersection #12), Buchanan Road & Ventura Drive (Intersection #13), Buchanan Road & Tuscany Meadows Drive (Intersection #15), and Buchanan Road & Tuscany Meadows Apartments (Intersection #17), and Somersville Road & Buchanan Road (Intersection #22). The widening of Buchanan Road is not a feasible mitigation measure due to the lack of available right of way. Furthermore, successful implementation of the alternatively recommended additional metering would need approval by all local agencies in the area, of which the City of Pittsburg has no control. For this reason, the City of Pittsburg is conservatively acknowledging the possibility that, despite its own commitment to work with the surrounding local agencies, mutually acceptable accommodation may not be reached. In addition, the construction for the James Donlon Boulevard Extension is estimated to be approximately $56 million dollars and would therefore be too financially burdensome for one project to construct. Thus, the impact would remain significant and unavoidable.

Study roadway intersections under Cumulative Plus Project conditions (Impact 4.9-7)

The proposed project trips were added to the cumulative traffic volumes for the Cumulative Plus Project Conditions. As shown in Table 4.9-8, during the PM peak hour, the delay at the Railroad Avenue & East Leland Road (Intersection #3), which operates unacceptably under no project conditions, would increase by more than five seconds during the PM peak hour. The Somersville Road & Buchanan Road (Intersection #22) would deteriorate from acceptable LOS to an unacceptable LOS during the AM and PM peak hour. The widening of Buchanan Road is not a feasible mitigation measure due to the lack of available right of way. Furthermore, successful implementation of the alternatively recommended additional metering would need approval by

all local agencies in the area, of which the City of Pittsburg has no control. For this reason, the City of Pittsburg is conservatively acknowledging the possibility that, despite its own commitment to work with the surrounding local agencies, mutually acceptable accommodation may not be reached. Thus, the impact would remain significant and unavoidable.