

4.0

INTRODUCTION TO THE ANALYSIS

INTRODUCTION

The technical chapters of the Draft EIR analyze the potential impacts of buildout of the Tuscany Meadows project (proposed project) on a range of environmental issue areas. Chapters 4.1 through 4.9 describe the focus of the analysis, references and other data sources for the analysis, the environmental setting as the setting relates to the specific issue, project-specific impacts and mitigation measures, and the cumulative impacts of the project for each issue area. The format of each of these chapters is described at the end of this chapter.

DETERMINATION OF SIGNIFICANCE

Under CEQA, a significant effect is defined as a substantial or potentially substantial adverse change in the environment (Public Resources Code §21068). The Guidelines implementing CEQA require that this determination be based on scientific and factual data. The specific criteria for determining the significance of a particular impact are identified within the impact discussion in each section, and are consistent with significance criteria set forth in the CEQA Guidelines.

INITIAL STUDY

The Initial Study prepared for the proposed project as a part of this EIR includes a detailed environmental checklist addressing a range of technical environmental issues (See Appendix C). For each technical environmental issue, the Initial Study identifies the level of impact for the proposed project. The Initial Study identifies the environmental effects as “no impact,” “less-than-significant,” “less-than-significant with mitigation incorporated,” and “potentially significant.”

Impacts identified in the Initial Study as less-than-significant with mitigation incorporated, less-than-significant, or no impact are presented below. All remaining issues identified in the Initial Study as potentially significant are discussed in the subsequent technical chapters of this EIR. It should be noted that all mitigation measures identified in the Initial Study are included in Table 2-1, Summary of Impacts and Mitigation Measures, in the Executive Summary chapter, of this EIR.

- *Aesthetics (a,b,c,d)*: The project site is an infill site predominately surrounded by residential development, and the proposed development is consistent with the surrounding development and adopted land use plans for the area. State Route (SR) 4, which is the nearest state highway to the project site, is not a designated State scenic highway within the vicinity of the project site. Furthermore, the project site is currently vacant, void of vegetation, and is predominantly

surrounded by existing development. As such, rock outcroppings, large trees, or historic buildings do not exist on-site; thus, such resources would not be adversely affected by the project. The project would not substantially damage any scenic resources within the vicinity of a State scenic highway. Because the type and amount of lighting are not currently specified, the possibility exists for a potentially significant impact to occur related to light and glare; however, a mitigation measure has been included in the Initial Study that would reduce the impact to a less-than-significant level. Thus, the project would result in an overall *less-than-significant* impact related to aesthetics.

- *Agriculture and Forest Resources (a,b,c,d,e)*: The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. In addition, the project site is not under a Williamson Act contract and the site is not designated or zoned for agricultural uses. The project site is also not considered forest land (as defined in Public Resources Code section 12220[g]), timberland (as defined by Public Resources Code section 4526), and is not zoned Timberland Production (as defined by Government Code section 51104[g]). The impacts described above related to Agricultural Resources have been deemed as *less than significant* and *no impact*.

A comment letter was received from the Contra Costa Local Agency Formation Commission (LAFCo) dated December 27, 2012 during the Notice of Preparation (NOP) public review period. Because the project involves boundary changes, LAFCo would be a Responsible Agency pursuant to CEQA and would need to rely on the City's environmental document for the proposed project in consideration of the boundary changes. In order for LAFCo to make determinations required under Section 56668 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) (Government Code Section 56000 et seq.), LAFCo has requested in their December 27, 2012 comment letter that further analysis and discussion regarding the loss of agricultural lands in the context of CKH Sections 56016, 56064, and 56668(e) be provided.

Section 56016 of the CKH defines "agricultural lands" as land currently used for the purpose of producing an agricultural commodity for commercial purposes, land left fallow under a crop rotational program, or land enrolled in an agricultural subsidy or set-aside program. Section 56064 defines "Prime agricultural land" as an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

- a) Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.
- b) Land that qualifies for rating 80 through 100 Storie Index Rating.

- c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003.
- d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre.
- e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years.

Section 56668(e) states that factors to be considered in the review of a proposal shall include, but not be limited to, the effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

As discussed in the Initial Study, ruderal grassland habitat makes up the entire vacant site and, due to the current remediation activities, as well as past industrial use, agricultural use, and other human activities, the site has been regularly disturbed, regraded and disced. As such, trees or shrubs do not exist on-site and very little vegetation exists throughout the site. The site is not currently used for agricultural production for commercial purposes, is not under a crop rotation program, or enrolled in an agricultural subsidy or set-aside program; thus, the project site is not considered agricultural land per Section 56016 of the CKH. Because the project site is not considered agricultural land per Section 56016 of the CKH, the project would not affect maintenance of any physical or economic integrity of agricultural lands. The project site is not currently developed as an agricultural use, is not designated, zoned, or planned for agricultural use, is surrounded by existing development, and does not meet any of the qualifications for Prime agricultural land per Section 56064. Therefore, consistent with the conclusions presented in the Initial Study, the project would have a *less-than-significant* impact associated with agriculture and forest resources in the context of CKH Sections 56016, 56064, and 56668(e).

- *Air Quality (e)*: The proposed project may cause temporary odors from diesel exhaust during construction. However, these odors would cease after construction is completed. Residential uses are generally not considered to be a source of offensive odors. Therefore, operation of the proposed project is not likely to generate odors or expose receptors to offensive odors and this is considered a *less-than-significant* impact.
- *Biological Resources (e)*: The City of Pittsburg does not have a tree preservation ordinance; however, goals and policies are carried out through adopted Development Review and Design Guidelines, which encourage preservation of

mature trees. However, the project site is currently vacant and void of vegetation. As such, the proposed project would not require the removal of any trees. Therefore, the proposed project would have *no impact*.

- *Cultural Resources (a,b,c,d)*: The proposed project site is currently vacant and does not contain any structures or buildings. According to the City of Pittsburg General Plan, known cultural and historical resources in the area are not within the vicinity of the project site. Furthermore, due to the current remediation activities, as well as past industrial use, agricultural use, and other human activities, the site has been regularly disturbed, regraded and disced. Therefore, the project would not cause a substantial adverse change in the significance of any historical resources. Due to the highly disturbed nature of the project site from remediation activities, the probability for archaeological and cultural resources that have not been previously found and mapped to be unearthed during the construction process and become damaged or lost is highly unlikely. In addition, the City of Pittsburg General Plan includes polices to protect uncovered archeological resources such as General Plan Policies 9-P-40 and 9-P-41, that require the halt of construction and preparation of a resource mitigation plan and monitoring program and if any resources are discovered during the construction process, with which the project would comply. Therefore, impacts related to cultural resources would be *less than significant*.

Inclusion in the Central Valley Project (CVP) area requires NEPA compliance. Thus, the Initial Study conclusions are adequate for purposes of CEQA, but additional information may be necessary at the time of CVP Inclusion application for purposes of NEPA compliance.

- *Geology and Soils (e)*: The proposed project would include construction of the necessary infrastructure to receive wastewater service from the City and Delta Diablo. In addition, the project would not require the use of septic systems. Therefore, *no impact* would occur.
- *Hazards and Hazardous Materials (c,e,f,g,h)*: The project site is not located within 0.25-mile of an existing school and, upon completion of construction, would not create hazardous emission or include the handling of substantial hazardous materials, substances, or waste. The nearest airport to the project site is the Buchanan Field Airport located approximately 11 miles west of the site. As such, the project site is not located within two miles of any public airports or private airstrips, and does not fall within an airport land use plan area. The project would not impair implementation of or physically interfere with any adopted emergency response plan or emergency evacuation plan. Development of the proposed project would include the installation of fire suppression systems and would be designed in accordance with the latest requirements of the California Fire Code. In addition, the proposed development would be subject to fire safety requirements of the Contra Costa County Fire Protection District, which would review all plans as part of the City's Building Permit review process.

Furthermore, the project would be located within one and one half miles of the newly constructed Fire Station 85 at 2331 Loveridge Road in accordance with General Plan Policy 11-P-26. Impacts associated with fire protection services are addressed in the Public Services, Recreation, and Utilities chapter, of this EIR. The impacts described above related to Hazards and Hazardous Materials have been deemed as *less than significant* and *no impact*.

- *Hydrology and Water Quality (g,h,i,j)*: According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) number 06013C0326F, the proposed project is within Flood Hazard Zone X, which is described by FEMA as an area of minimal flood hazard, usually above the 500-year flood level. Therefore, the proposed project site would not place housing or structures within a 100-year floodplain or expose people or structures to risks involving flooding. The project site is located in an inland area that would not be subject to seiches, tsunamis, or mudflow. Therefore *less-than-significant* impacts would occur.
- *Land Use (a)*: The proposed project site is currently vacant and surrounded by existing development, including residential land uses. As such, the project would connect to an existing street system and would not physically divide an established community, resulting in *no impact*.
- *Mineral Resources (a,b)*: The proposed project site is currently undergoing soil remediation associated with the former crude oil tank sites and surface impoundments. Soils testing associated with the remediation activities have not suggested that any valuable mineral deposits exist on the project site. As significant mineral deposits or active mining operations do not currently exist in the project area, the proposed project would have *no impact* on known mineral resources or recovery sites.
- *Noise (e,f)*: The nearest airport to the project site is the Buchanan Field Airport located approximately 11 miles west of the site. As such, the project site is not located within two miles of any public airports or private airstrips, and does not fall within an airport land use plan area. Therefore, *no impact* would occur.
- *Population and Housing (b,c)*: The proposed project site is currently vacant and does not have any on-site housing. Therefore, the project would not displace existing housing or people and *no impact* would occur.
- *Transportation and Circulation (c,d,e)*: The nearest airport to the project site is the Buchanan Field Airport located approximately 11 miles west of the site. Because the project is not located in close proximity to an existing airport, a change in air traffic patterns would not occur as a result of the project. The proposed project would not significantly alter the existing street system and does not include any potentially hazardous design features. The project is surrounded by existing development, including residential land uses; thus, the project would

not result in any incompatible uses. The proposed project would not significantly alter the existing street system and would provide new connections throughout the project site. In addition, the project would be designed to allow adequate emergency vehicle access pursuant to City zoning ordinances and policies. The impacts described above related to Transportation and Circulation have been deemed as *less than significant* and *no impact*.

ISSUES ADDRESSED IN THIS EIR

The Initial Study identified several environmental impacts as potentially significant and requiring further analysis. This EIR provides the additional analysis necessary to address the technical environmental impacts not fully resolved in the Initial Study. Consistent with the conclusions of the Initial Study, the following environmental issues are addressed in separate technical chapters of this EIR:

- Air Quality and Greenhouse Gas Emissions;
- Biological Resources;
- Geology, Soils, and Seismicity;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning;
- Noise;
- Public Services, Recreation, and Utilities; and
- Transportation, Traffic, and Circulation.

TECHNICAL CHAPTER FORMAT

Each technical chapter addressing a specific environmental issue begins with an **introduction** describing the purpose of the section. The introduction is followed by a description of the project's **existing environmental setting** pertaining to that particular issue. The setting description is followed by the **regulatory context** and the **impacts and mitigation measures** discussion. This discussion contains the **significance criteria**, followed by the **method of analysis**. The **impact and mitigation** discussion includes impact statements prefaced by a number in bold-faced type. An explanation of each impact and an analysis of the impact's significance follow each impact statement. All mitigation measures pertinent to each individual impact follow directly after the impact statement (see below). The degree of relief provided by identified mitigation measures is also evaluated. An example of the format is shown below:

4.x-1 Statement of impact.

Discussion of impact for the proposed project in paragraph format.

Statement of *level of significance* of impact prior to mitigation is included at the end of each impact discussion.

Mitigation Measure(s)

Statement of *level of significance* after the mitigation is included immediately preceding mitigation measures.

4.x-1(a) *Required mitigation measure(s) presented in italics and lettered in consecutive order.*

4.x-1(b) *etc., etc.*