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INTRODUCTION AND SCOPE OF EIR

INTRODUCTION

This Draft Environmental Impact Report (Draft EIR) was prepared in accordance with the California Environmental Quality Act of 1970 (CEQA) as amended. The City of Pittsburg is the lead agency for the environmental review of the Tuscany Meadows project evaluated herein and has the principal responsibility for approving the project. As required by Section 15121 of the CEQA Guidelines, this Draft EIR will (a) inform public agency decision-makers, and the public generally, of the significant environmental effect of a project, (b) identify possible ways to minimize the significant effects, and (c) describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information that may be presented to the agency.

PROJECT DESCRIPTION

The proposed project is located on Contra Costa County Assessor's Parcel Number (APN) 089-150-013 near the southeast corner of the City of Pittsburg, just outside of the existing Sphere of Influence, but within the Urban Limit Line. The project site consists of approximately 170 acres and is bordered by Buchanan Road to the north, Highlands Ranch residential subdivision to the west, Somersville Road to the east, and Black Diamond Ranch Estates to the south. The surrounding areas to the northwest and west of the site are within the City of Pittsburg limits. Surrounding areas to the northeast, east, and south of the site are within the City of Antioch limits. Thus, the project site is currently an unincorporated island between the two cities. It should be noted that, in 2011, the City of Pittsburg Urban Limit Line and General Plan were amended, via voter initiative, to reflect and accommodate the proposed project area in anticipation of future annexation and development. Surrounding land uses include low density residential to the north, west and south; multi-family residential and open space to the east; and a former landfill to the southeast. In addition, an existing Chevron facility is located within the northern central portion of project site (APN 089-150-015). The existing Chevron facility will remain industrial; however, the site is included with the annexation and sphere of influence (SOI) amendment for the project.

The proposed project includes an amendment to the City of Pittsburg Sphere of Influence to encompass the project boundaries. In addition, the project includes annexation of both the approximately 170-acre area of proposed improvements (APN 089-150-013) and the existing approximately 23-acre Chevron facility property located near the northern portion of the project site (APN 089-150-015) to the City of Pittsburg. Again, it should be noted that the Chevron facility land use and operations would remain unchanged as result of the proposed project. The proposed annexation and SOI amendment are herein referred to as "reorganization." The project includes annexation to the Contra Costa Water District (CCWD) including inclusion in the

Central Valley Project (CVP) and Delta Diablo and amendment of service boundaries for the provision of water and wastewater services.

The proposed Vesting Tentative Map would subdivide the proposed project parcel into a combination of low density residential single-family lots, one high density residential area (Parcel A), and park/detention basin and utility easement parcels. The approximately 170-acre single family residential area would be subdivided into up to approximately 917 single-family units and the high density residential area (Parcel A) could support development of up to 365 multi-family units. The proposed project would include all infrastructure required to support the proposed development.

PURPOSE OF THE EIR

As provided in the CEQA Guidelines Section 15021, public agencies are charged with the duty of avoiding or minimizing environmental damage where feasible. When considering a proposed project, the public agency has an obligation to balance a variety of public objectives, including economic, environmental, and social issues.

CEQA requires the preparation of an EIR prior to approving any project that may have a significant effect on the environment. For the purposes of CEQA, the term *project* refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]). With respect to the Tuscany Meadows project, the City has determined that, within the definition of CEQA, the proposed residential development is a *project* that has the potential for resulting in significant environmental effects.

An EIR is an informational document that appraises decision-makers and the general public of the potential significant environmental effects of a proposed project. An EIR must identify possible means to minimize significant effects and describe a reasonable range of feasible alternatives to the project. The City of Pittsburg is the lead agency for this project and is required to consider the information in the EIR before deciding whether to approve the project. The basic requirements for an EIR include discussions of the environmental setting, environmental impacts, mitigation measures, project alternatives, growth inducing impacts, and cumulative impacts.

TYPE OF DOCUMENT

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a *project-level EIR*, pursuant to CEQA guidelines Section 15161, which examines the environmental impacts of a specific project. The project-level EIR should focus primarily on changes in the environment, which result from the development of the project. All phases of the project, including planning, construction, and operation are included in the analysis.

EIR PROCESS

The EIR process begins with the decision by the lead agency to prepare an EIR, either during a preliminary review of a project or at the conclusion of an initial study. The City of Pittsburg made the decision to prepare an EIR and a Notice of Preparation (NOP) was released on November 29, 2012 for a 30-day review, which ended on December 28, 2012 (See Appendix A). As soon as the EIR is completed, a Notice of Completion is filed with the Office of Planning and Research (OPR) and public notice is published to inform interested parties that the EIR is available for agency and/or public review, which provides information regarding location of drafts and any public meetings or hearings that are scheduled. The EIR is circulated for a period of 45 days, during which time reviewers may make comments. If comments received during the public circulation of the Draft EIR result in the addition of significant new information to an EIR, the revised EIR or affected chapters must be recirculated for an additional public review period with related comments and responses.

Once the lead agency is satisfied that the EIR has adequately addressed the pertinent issues in compliance with CEQA, a Final EIR composed of all comments on the Draft EIR and responses to those comments, is prepared and made available for review by the public and commenting agencies. Before approving a project, the lead agency certifies that the Final EIR has been completed in compliance with CEQA, has been presented to the decision-making body of the lead agency and has been reviewed and considered by that body, and that the Final EIR reflects the lead agency's independent judgment and analysis.

The findings of fact prepared by the lead agency must be based on substantial evidence in the administrative record and must include an explanation that bridges the gap between evidence in the record and the conclusions required by CEQA.

Based on these findings, the lead agency may also prepare a Statement of Overriding Considerations (Statement) as part of the project approval process if the decision-making body elects to proceed with a project that would have unavoidable significant impacts. A Statement explains the decision to balance the benefits of the project against unavoidable environmental impacts of the project.

SCOPE OF THE EIR

State CEQA Guidelines § 15126.2(a) states, in pertinent part:

An EIR shall identify and focus on the significant environmental effects of the proposed project. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced.

Pursuant to these guidelines, the scope of this EIR includes specific issues and comments identified as potentially significant.

The Initial Study that was prepared for the proposed project concluded that less-than-significant impacts would result for the following environmental issues:

- Aesthetics;
- Agricultural and Forest Resources;
- Cultural Resources; and
- Mineral Resources.

Additionally, the Initial Study identified the following environmental issues for study in this EIR (See Appendix C):

- 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;
- Population and Housing;
- Public Services;
- Recreation;
- Transportation, Traffic, and Circulation; and
- Utilities and Service Systems.

The evaluation of effects is presented on a resource-by-resource basis in Subchapters 4.1 through 4.9. Each subchapter is divided into the following four sections: Introduction, Existing Environmental Setting, Regulatory Context, and Impacts and Mitigation Measures.

Impacts that are determined to be significant in Chapter 4, and for which feasible mitigation measures are not available to reduce those impacts to a less-than-significant level, are identified as significant and unavoidable. Chapter 5 in the EIR presents a discussion and comprehensive list of all significant and unavoidable impacts identified in Chapter 4.

COMMENTS RECEIVED ON THE NOP

The City of Pittsburg received ten (10) comment letters during the open comment period on the NOP for the Tuscany Meadows EIR. A copy of each letter is provided in Appendix B of this EIR. The following letters were authored by representatives of State and local agencies and other interested parties.

- Alm, Erik – California Department of Transportation
- Cleak, Trevor – Central Valley Regional Water Quality Control Board
- Gentry, Mindy – City of Antioch
- Gilmore, Terry – Resident

- Gross, Jeremy – Chevron Pipe Line Company
- Leeds, Mary – Public and Environmental Health Advisory Board
- Schuh-Gariby, Kara – Contra Costa Flood Control and Water Conservation District
- Seedal, Mark A – Contra Costa Water District
- Stamps, Jamar – TRANSPLAN
- Teixeira, Lou Ann – Contra Costa Local Agency Formation Commission (LAFCo)

The following list, categorized by issue, summarizes the comments expressed in the letters:

<p><u>Project Description</u> (Chapter 3)</p>	<p>Comments related to the proposed project:</p> <ul style="list-style-type: none"> • Site contamination • References to LAFCo actions, Cortese-Knox-Hetzberg (CKH) • Inclusion in Central Valley Project Area
<p><u>Biological Resources</u> (Chapter 4.2)</p>	<p>Comments related to the proposed project:</p> <ul style="list-style-type: none"> • Impacts to wildlife and habitat, endangered species
<p><u>Hazardous Materials and Hazards</u> (Chapter 4.4)</p>	<p>Comments related to the proposed project:</p> <ul style="list-style-type: none"> • Containment of potentially hazardous materials • Exposing future residents to potentially harmful hazardous materials due to soil contamination • Impacts to existing Chevron pipelines • Soil and/or groundwater contamination on Chevron parcel • Impacts from neighboring landfill
<p><u>Hydrology and Water Quality</u> (Chapter 4.5)</p>	<p>Comments related to the proposed project:</p> <ul style="list-style-type: none"> • Watersheds and existing watercourses; impacts related to downstream flooding, watercourses • Potential impacts to on and off-site drainage, surface water runoff, stormwater runoff, detention basins, jurisdictional waters • Post-development flow control, Regional Water Quality Control Board (RWQCB) requirements • Access to the Los Medanos Pump Station along Tuscany Meadows Drive • National Pollution Discharge Elimination System (NPDES) permit • C3 compliance • Impacts to adjacent multi-purpose pipelines • Impacts to adjacent Contra Costa Canal
<p><u>Land Use and Planning</u> (Chapter 4.6)</p>	<p>Comments related to the proposed project:</p> <ul style="list-style-type: none"> • Regional housing needs • Sustainable growth, sustainable community strategies • Increased development rates • Social or economic communities of interest

<p><u>Noise</u> (Chapter 4.7)</p>	<p>Comments related to the proposed project:</p> <ul style="list-style-type: none"> • Noise impacts to surrounding areas within Pittsburg, the City of Antioch • Exterior sound walls, noise complaints • Neighborhood boundary to minimize noise from added traffic and residents
<p><u>Public Service, Recreation, and Utilities</u> (Chapter 4.8)</p>	<p>Comments related to the proposed project:</p> <ul style="list-style-type: none"> • Construction water usage • Degree of permanent landscaping • Operational water usage, Water Supply Assessment (WSA), water service to project site • Impacts related to fire protection services • Availability of adequate municipal services • Impacts to school districts from proposed annexation • Present and probable need for public facilities, as well as capacity • Impacts to adjacent multi-purpose pipelines • Impacts to adjacent Contra Costa Canal
<p><u>Transportation, Traffic, and Circulation</u> (Chapter 4.9)</p>	<p>Comments related to the proposed project:</p> <ul style="list-style-type: none"> • Impacts related to bicycle and pedestrian routes, access to transit facilities • Traffic impacts to California State Route 4, City of Antioch roadways and surrounding communities • Impacts to traffic conditions with and without the James Donlon Boulevard/Buchanan By-Pass (JDB) project
<p><u>Alternatives</u> (Chapter 6)</p>	<p>Comments related to the proposed project:</p> <ul style="list-style-type: none"> • Potential land use alternatives for Chevron parcel, effects of Tuscany Meadows project on Chevron parcel
<p><u>Initial Study</u> (Appendix C)</p>	<p>Comments related to the proposed project:</p> <ul style="list-style-type: none"> • Loss of agricultural land • Section 106 of National Historic Preservation Act

ORGANIZATION OF THE EIR

The Tuscany Meadows EIR is organized into the following sections:

Chapter 1 – Introduction

Provides an introduction and overview describing the intended use of the EIR and the review and certification process.

Chapter 2 – Executive Summary

Summarizes the elements of the project and the environmental impacts that would result from implementation of the proposed project, describes proposed mitigation measures, and indicates the level of significance of impacts after mitigation. Acknowledges alternatives that would reduce or avoid significant impacts.

Chapter 3 – Project Description

Provides a detailed description of the proposed project, including location, background information, major objectives, and technical characteristics.

Chapter 4 – Environmental Setting, Impacts and Mitigation

Contains a project-level analysis of environmental issue areas. The subsection for each environmental issue contains an introduction and description of the setting of the project site, identifies impacts (project and cumulative), and includes appropriate mitigation measures.

Chapter 5 – Statutorily Required Sections

Provides discussions required by CEQA regarding impacts that would result from the proposed project, including a summary of cumulative impacts, potential growth-inducing impacts, significant and unavoidable impacts, and significant irreversible changes to the environment.

Chapter 6 – Alternatives Analysis

Describes the alternatives to the proposed project, their respective environmental effects, and a determination of the environmentally superior alternative.

Chapter 7 – References

Provides bibliographic information for all references and resources cited.

Chapter 8 – EIR Authors / Persons Consulted

Lists report authors who provided technical assistance in the preparation and review of the EIR.

Appendices

Includes the NOP, comments on the NOP, the Initial Study, and additional technical information and reports.