

**ANNOTATED
AGENDA
CITY OF ANTIOCH PLANNING COMMISSION
ANTIOCH COUNCIL CHAMBERS
THIRD & "H" STREETS**

WEDNESDAY, FEBRUARY 20, 2013

6:30 P.M.

**NO PUBLIC HEARINGS WILL BEGIN AFTER 10:00 P.M.
UNLESS THERE IS A VOTE OF THE PLANNING COMMISSION
TO HEAR THE MATTER**

APPEAL

All items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on **MONDAY, FEBRUARY 28, 2013.**

ROLL CALL **6:30 P.M.**

Commissioners	Baatrup, Chair
	Azevedo, Vice-Chair
	Westerman
	Motts
	Sanderson
	Hinojosa
	Miller

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

CONSENT CALENDAR

All matters listed under Consent Calendar are considered routine and are recommended for approval by the staff. There will be one motion approving the items listed. There will be no separate discussion of these items unless members of the Commission, staff or the public request specific items to be removed from the Consent Calendar for separate action.

1. APPROVAL OF MINUTES: January 16, 2013

MINUTES

APPROVED

* * * END OF CONSENT CALENDAR * * *

NEW PUBLIC HEARING

2. Public hearing to receive comments on the Northeast Antioch Reorganization Mitigated Negative Declaration.

COMMENTS RECEIVED

ORAL COMMUNICATIONS

STAFF REPORT

WRITTEN COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT

Notice of Availability of Reports

This agenda is a summary of the actions proposed to be taken by the Planning Commission. For almost every agenda item, materials have been prepared by the City staff for the Planning Commission's consideration. These materials include staff reports which explain in detail the item before the Commission and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. All of these materials are available at the Community Development Department located on the 2nd floor of City Hall, 3rd and H Streets, Antioch, California, 94509, between the hours of 8:00 a.m. and 11:30 a.m. or by appointment only between 1:00 p.m. and 5:00 p.m. Monday through Thursday for inspection and copying (for a fee). Copies are also made available at the Antioch Public Library for inspection. Questions on these materials may be directed to the staff member who prepared them, or to the Community Development Department, who will refer you to the appropriate person.

**CITY OF ANTIOCH
PLANNING COMMISSION MINUTES**

**Regular Meeting
6:30 p.m.**

**January 16, 2013
City Council Chambers**

CALL TO ORDER

Chairman Baatrup called the meeting to order at 6:30 p.m. on Wednesday, January 16, 2013, in the City Council Chambers. He stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on Monday, January 28, 2013.

ROLL CALL

Present: Commissioners Motts, Sanderson, Westerman
Chair Baatrup and Vice-Chair Azevedo
Absent: None
Staff: Director of Community Development, Tina Wehrmeister
Senior Planner, Mindy Gentry
City Attorney, Lynn Nerland
Minutes Clerk, Cheryl Hammers

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes: December 5, 2012

On motion by Vice Chair Azevedo, and seconded by Commissioner Motts, the Planning Commission approved the Minutes of December 5, 2012.

AYES: Azevedo, Motts, Sanderson and Westerman
NOES: None
ABSTAIN: Baatrup
ABSENT: None

END OF CONSENT CALENDAR

NEW PUBLIC HEARINGS

2. **UP-12-10** – Jay Dynes of Building the Cross Ministries requests the approval of a use permit for religious assembly. The use will include church gatherings, worship, Bible studies, and the reaching of life building skills. The project is located at 300 H Street (**APN: 066-061-012**).

Senior Planner Gentry provided a summary of the staff report dated January 10, 2013.

OPENED PUBLIC HEARING

Applicant, Jay Dynes, said that their goal is to help people better themselves offering life skills.

Vice Chair Azevedo confirmed with applicant that they had read all conditions and were in agreement, including Condition 19 stating that they would not operate a school, day care facility or food distribution program and permit weddings and funerals as needed.

Applicant clarified that while they want to use the office and have normal functions on Mondays and earlier hours each day, that for assembly purposes they do not intend to have any assembly activities during the day or on Monday evenings. He said that if that becomes necessary in the future for a special event, they will come back and request that.

Commissioner Motts asked the applicant if their intent was to have assembly on Friday and Saturdays to which Mr. Dynes said that while it is not planned at this point in time, as they grow and reach out to the community, if people need help that they want to have that time available just in case.

Chairman Baatrup asked the applicant if this was a new ministry or one that was relocating from another location. Mr. Dynes said that while he was involved in another Church in Antioch which he left approximately three years ago, he became an ordained minister and this is a new church.

CLOSED PUBLIC HEARING

Commissioner Motts said that he lives in the Rivertown District and while he is not sure this is the best use of commercial properties in downtown, feels that given the lack of commercial presently, he does not see that it causes a problem.

RESOLUTION NO. 2012-**

On motion by Commissioner Westerman and seconded by Vice Chair Azevedo, the Planning Commission approved UP-12-10, subject to all conditions.

AYES: Baatrup, Azevedo, Motts, Sanderson and Westerman
NOES: None

ABSTAIN: *None*
ABSENT: *None*

3. **UP-12-11** – David and Kerry Dorn of Delta Dog Day Camp request a use permit to operate a dog day camp with training and overnight boarding. The project is located at 2400 Devpar Court (**APN: 068-300-010**).

Senior Planner Gentry provided a summary of the staff report dated January 10, 2013, and gave a summary of the memo which was placed on the dais for this item.

Commissioner Westerman said that he was uncertain as to the purpose of the temporary fence and asked if that at some point this fence will be permanent given that the property is currently surrounded by a fence.

SP Gentry said that the temporary fence was only for the dog run and that this was highlighted on the plan.

Commissioner Sanderson questioned staff about the memo and asked what about the existing trash enclosure was unacceptable to which SP Gentry said that Condition 25 contains detail requirements per code such as heavy gauge metal doors and decorative masonry.

Commissioner Sanderson asked staff if the issue with the drive aisle had been added as a condition to which SP Gentry said that the second part of Condition 20 addressed that issue.

Chairman Baatrup questioned staff about the fence and storage issues. SP Gentry said that there are currently storage containers on site which per Code need to be removed or concealed from public view. She said that while there is currently an electric gate, there are no vinyl slats and the storage is visible and would need to be concealed with an opaque fence or wall or it would have to be removed.

Vice Chair Azevedo asked if they would need to replace the slats on the gate to which SP Gentry said that slats would create a visual obstacle for vehicles.

Commissioner Motts asked staff about requirements for extra insulation from surrounding properties to which SP Gentry said that based on location, the single use occupancy and considering that there would be no outdoor dog times after 7:00 p.m., that staff is not concerned with noise.

Chairman Baatrup asked about animal waste and whether they were hosing down and draining to the sewer to which SP Gentry said that she would leave that for the applicant to answer.

OPENED PUBLIC HEARING

Applicants, David Dorn and Kerry Dorn, stated that they are residents of Antioch, that they currently have a similar operation in Oakley for the past three years which is a

family run business and that they have grown to over 900 clients necessitating an expansion as they continue to grow. They said that there is currently not one of these in Antioch and one is needed, that there are structures already inside the facility for insulation for noise and that the fence is temporary so that it can be moved if needed since they don't own the building. They said that with respect to Condition 25 on the trash enclosure, that the current dumpster is an acceptable spot per Allied Waste, that the carts which are similar to those used at homes are kept inside of that and that to knock down and rebuild the structure would be a hardship in both time and expense. They said that all waste is picked up, that they wash down the exterior and that they are a dry facility inside and that urine is not rinsed down drains.

Commissioner Sanderson confirmed with applicant that they had read all conditions and that the only problem is with Condition 25 requesting demolishing the existing trash structure and asked applicants if they would be amenable to a compromise and be willing to replace the current door with heavy gauge doors.

Applicants said that the existing lighting can be dealt with by the property owner but that the existing trash enclosure can accommodate recycling, that it will rarely fill up, that there is currently a solid door on the structure and that they would prefer that it be grandfathered in.

Commissioner Sanderson stated that it appears that there will not be staff on site 24 hours a day and that there are periods at night that would be monitored. Applicants said that the facility is monitored 24 hours a day, that there is security that can visually see them exteriorly on site but that their research in Oakley found that to have someone inside at night caused the animals to not rest.

Commissioner Motts asked applicants if there are particular materials that they use where the dogs go to which applicants said that the site is paved and there is some gravel and that they may put football grass on top of the gravel that is there.

Vice Chair Azevedo said that in looking at the photos, the structure which appears to be masonry with a wood fascia may be used for storage and do the trash cans fit inside. Applicants said that they are not at the site yet pending the outcome of this hearing, that all three cans will fit and that they will have indoor storage.

Vice Chair Azevedo stated that staff would prefer that the trash enclosure be relocated and confirmed with applicants that they had read the additional condition 26.

Chairman Baatrup clarified with applicants that they would only be performing light grooming such as brushing and would not be washing. He also confirmed with applicants that they occasionally transport dogs and that they are covered under their automobile insurance.

CLOSED PUBLIC HEARING

Commissioner Westerman said that he thinks that this is a good use for this location, that it is convenient, and that there are no residential areas close by. He said that if the

applicants were doing a major modification to the building he could see replacing the trash enclosure but since they are not, he feels it is satisfactory the way it is with possibly changing the doors to metal. He said that he is in favor of this project.

Commissioner Sanderson said that she agrees with Commissioner Westerman, that she is a dog owner who commutes west and that she likes this location which is convenient to the highway, the park and ride and the future eBART station. She is in agreement to let applicants leave the trash enclosure as is given that they don't own the property and that most of the motivation behind this requirement is decorative but the current doors seem to fit well and are solid. She said that she is inclined to agree to remove that condition from the project.

Vice Chair Azevedo said that he is in agreement with most but disagrees about the trash enclosure and thinks it needs to be somewhat improved for aesthetics. He said that the doors concern him, with wood dogs could urinate there and that he would prefer a metal door and repairs to the fascia around the top. He said that he doesn't have a problem with the project, that there is a need and that he is ok with leaving the structure there with improvements.

Commissioner Motts stated that this is a much needed project, that he is in agreement with Commissioner Azevedo, and he is in favor given an upgrade to the door on the enclosure.

Chairman Baatrup said that his comments are the same as the other Commissioners and feels this is a good service which is needed.

Vice Chair Azevedo made a motion to approve with modifications as follows:

- 24. To remain requiring lighting.
- 25. Leave as is, negating the demolition, but require heavy gauge metal doors and room for three bins, one of which would be recycling.
- 26. Changed per memo.

RESOLUTION NO. 2012-**

On motion by Vice Chair Azevedo and seconded by Commissioner Motts, the Planning Commission approved UP-12-11, subject to the following modification:

- 25. The trash enclosure doors shall be replaced with heavy gauge metal doors and shall be architecturally compatible with the building subject to staff review and approval. The trash enclosure shall accommodate all three bins, one of which shall be recycling.***

And the addition of:

- 26. All illegal signage must be removed prior to issuance of the certificate of occupancy and all exterior storage be removed or screened from the public right-of-way with a minimum six foot tall fence or wall constructed of an opaque material with review and approval by staff prior to the issuance of the certificate of occupancy.**

AYES: Baatrup, Azevedo, Motts, Sanderson and Westerman
NOES: None
ABSTAIN: None
ABSENT: None

- 4. Z-12-03** – The City of Antioch requests approval of amendments to Section 9-5.901 of the Antioch Municipal Code which regulates Home Occupations. The proposal includes, but is not limited to: 1) amendments necessary to comply with the California Home Made Food Act; and 2) clarification regarding number of licenses, customers, employees, and vehicles allowed. The proposed amendments would be applicable city-wide.

Director of Community Development Wehrmeister provided a summary of the staff report dated January 10, 2013.

Commissioner Sanderson asked staff about Section 1D regarding transferability and said that the second sentence seems to conflict with the desire to permit multiple licenses. CDD Wehrmeister stated this was a good catch and that this was written when intent was one per person. She said that the Commission may want to strike that altogether.

City Attorney Nerland said that this may be a provision that if someone moves to another house, they would need to get another permit. CDD Wehrmeister clarified that if they moved, they would need to get a new permit.

CA Nerland said that a sentence saying HOUP is not transferrable to another individual or to another location would be appropriate.

Commissioner Motts commented on the direction on the number of students which is issue 3 and staff's feeling that wording is too generous and asked if this needs to be restricted.

CDD Wehrmeister said that this stood out to staff as too generous, and although they haven't had any complaints they have researched neighboring communities and those ordinances typically specify one at a time, six per day. She said that it doesn't have to be changed but staff felt it was appropriate to bring this to the attention of the Commission.

CA Nerland said that in another community, the use morphed into something where multiple classes were coming in creating issues with the neighborhood.

Chairman Baatrup said that you could potentially have six people leaving and six people coming with traffic.

Vice Chair Azevedo stated that could say no more than six at a time and no more than six in a day.

Chairman Baatrup asked staff for more explanation on the food act.

CDD Wehrmeister said that it has become trendy now making food, canning, and growing vegetables. She said that in Contra Costa County you could not do that from your home and you would have to work with a commissary or commercial kitchen. She said that this would now allow certain food items to be prepared in the home for sale elsewhere.

Chairman Baatrup asked if this would provide an opportunity to have a food truck and make the food at home to which CDD Wehrmeister said that would not be permissible and that a permit would still be required through Environmental Health who would regulate these businesses.

OPENED PUBLIC HEARING

No public was present wishing to speak.

CLOSED PUBLIC HEARING

Commissioner Sanderson stated for in home lessons that the code would not have to state no more than six children at any one time but to say no more than six children in any one day.

Vice Chair Azevedo asked if they would need to define a day to which CA Nerland said that the Planning Commission can certainly be more restrictive and limit to day time hours or specify students or children.

Commissioner Sanderson stated that is should say students and that if it says children, they could have as many adults as they want given this was not included.

Commissioner Motts stated that it would be a bit restrictive to put a time.

Chairman Baatrup clarified with staff that there is an existing code on noise nuisance for say guitar lessons.

Commissioner Sanderson made a motion with the following changes:

Section 1(A)(14) to say "No customers or clients shall be permitted to visit the home at any time in conjunction with the home occupation, however, in-home lessons shall be

allowed for no more than six students in any 24 hour period.”

Section 1(D) to say “A home occupation use permit is not transferrable to another individual or site. An existing home occupation may be changed by reapplying for a new home occupation use permit under the requirements of this chapter.”

Section 1(B)(8) to say: “Any business that may cause customers or clients to visit the home, with the exception of in-home lessons for six or fewer students.”

RESOLUTION NO. 2012-**

On motion by Commissioner Sanderson and seconded by Vice Chair Azevedo, the Planning Commission approved Z-12-03, subject to the following changes:

Section 1(A)(14) to say “No customers or clients shall be permitted to visit the home at any time in conjunction with the home occupation, however, in-home lessons shall be allowed for no more than six students in any 24 hour period.”

Section 1(D) to say “A home occupation use permit is not transferrable to another individual or site. An existing home occupation may be changed by reapplying for a new home occupation use permit under the requirements of this chapter.”

Section 1(B)(8) to say: “Any business that may cause customers or clients to visit the home, with the exception of in-home lessons for six or fewer students in any 24-hour period.”

AYES:	<i>Baatrup, Azevedo, Motts, Sanderson and Westerman</i>
NOES:	<i>None</i>
ABSTAIN:	<i>None</i>
ABSENT:	<i>None</i>

NEW ITEM

5. Community Development Update

CDD Wehrmeister gave a power point presentation with statistics on the Community Development Department including residential and commercial building permit history,, forward planning and staff; and transportation update with Route 4, e-Bart and the Ferry terminal.

CA Nerland said that the Appellate Court approved the expansion of Walmart and that decision has now been appealed to the Supreme Court which may or may not elect to hear the case. She said that City Council has heard a ban on marijuana dispensaries and next week will be hearing an extension to the moratorium on internet gaming.

CA Nerland said that regarding short range transportation, the ferry terminal planning document now recognizes capital infrastructure costs for the Antioch ferry and that there

will be a brief presentation next week and a larger presentation to Council on February 8th.

ORAL COMMUNICATIONS

CA Nerland said litigation regarding Pittsburg participation in ECCRFFA was dismissed but the dispute continues in the political context.

SP Gentry said that there are no scheduled meetings coming up but that she will be getting things on the agenda soon. She said that they have received five applications in the recruitment for the two vacancies and interviews should be conducted at the end of January.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

Vice Chair Azevedo said that notice was received from Transplan that CCTA wants to meet with Transplan and there will be some discussions/workshop in February.

ADJOURNMENT

Chairman Baatrup adjourned the Planning Commission at 7:48 p.m.

Respectfully Submitted,
Cheryl Hammers

**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF FEBRUARY 20, 2013**

Prepared by: Victor Carniglia, City Consultant 

Date: February 13, 2013

Subject: Public Hearing to Receive Comments on the Proposed Mitigated Negative Declaration Prepared for the Northeast Antioch Reorganization, which addresses the Annexation to the City of Antioch and to the Delta Diablo Sanitation District of Approximately 678 Acres of Land Located Northeast of the Current City Limits of the City of Antioch, in three Separate Annexation Applications, Referred to as Areas 1, 2a and 2b

RECOMMENDATION

Staff recommends that the Planning Commission hold the public hearing and receive comments from the public on the Proposed Mitigated Negative Declaration prepared for the Northeast Antioch Reorganization.

It should be emphasized that the purpose of this agenda item is to receive comments on the Proposed Mitigated Negative Declaration. Representatives from the City's environmental consulting firm "Circle Point" will be present to record all the comments made during the public hearing. While the City's consultants and staff will, as appropriate, provide clarifications to questions raised at the hearing, the purpose of this agenda item is to receive and record comments, not to respond to the comments. Written responses to all comments raised at the Planning Commission hearing, as well as to any written comments received during the 30 day public review period, will be prepared by City staff and consultants after the public comment period closes. The 30 day public review period ends on Monday, March 4, 2013.

A copy of the Proposed Mitigated Negative Declaration is included in the Planning Commission packet. In addition to the enclosed document, there is also a separate document containing background reports that serves as the appendices to the Mitigated Negative Declaration. A copy of this separate appendices is available for review and download on the City's web site, where it is referred to as "Document 2" under the Northeast Antioch Annexation.

BACKGROUND

Early last year the City was moving forward with the Northeast Antioch Annexation, including Rezoning and the Tax Transfer Agreement. At that point in time, the City's annexation application was only for Area 1. Area 1 is the approximately 481 acre industrial area located in close proximity to Wilbur Avenue. Maps showing the location and boundaries of Area 1, along with Areas 2a and 2b are contained in the attached

Mitigated Negative Declaration. As part of this 2012 effort, the City utilized a previously prepared environmental document that had been adopted by the City Council in 2010. During the public hearing process on the Rezoning for Area 1, which occurred during the late winter and spring of 2012, the City received comments questioning the adequacy of the 2010 Mitigated Negative Declaration. Given the comments received, and to ensure that all of the technical requirements of the State environmental requirements were being addressed, City staff and legal counsel determined that it would be appropriate for the City to update the 2010 environmental document. The consulting firm Circle Point was retained by the City in July 2012 to do the necessary update work. This updated environmental document is the Proposed Mitigated Negative Declaration currently before the Planning Commission.

As previously mentioned, the City's annexation application to LAFCO in the spring of 2012 only included the large 481 acre industrial Area 1. In May 2012, the City received a letter from LAFCO (the agency regulating annexations), stating that LAFCO determined it was necessary for the City to submit annexation applications for Areas 2a and 2b, in addition to the application for Area 1 already submitted by the City. Area 2a is located just west of Hwy 160 and north of Wilbur Avenue, and consists of the existing marinas along with storage uses and the Kiewitt facility. Area 2b is almost entirely residential with approximately 120 residential units, the vast majority of which are detached single family homes. In June 2012, the City Council considered this letter from LAFCO. Given the importance of the annexation of Area 1 to the City and the region, the City Council directed City staff to submit the annexation applications for Areas 2a and 2b as directed by LAFCO. As part of the discussion of the LAFCO letter, City Council members stated that they supported allowing the residents and property owners within Areas 2a and 2b to have a direct say on the question of whether Areas 2a and 2b would be annexed to the City.

It is important to note that while the preceding information on the annexation process provides the Planning Commission with the context in which the environmental document has been prepared, the question of how the annexation applications are ultimately processed will be determined by LAFCO, not the City, and this issue of process is not relevant to the findings and conclusions of the environmental document.

ANALYSIS:

Overview

The enclosed environmental document evaluates the impacts of the annexation of the three areas 1, 2a, and 2b. Unlike an annexation proposed on the City's undeveloped fringe, this annexation involves land that was either previously developed, or was developed in the past and is now either vacant or had structures demolished. In contrast with annexations on the City's edge where the underlying County land use designation is typically Agricultural, in this annexation the County's existing land use designations and the City's proposed land use designations are virtually identical for all three areas. In Area 1 the City's proposed designations are actually more restrictive and would permit lower intensity development. An example of this is the Federal Dunes

Wildlife preserve located in Area 1. The County General Plan depicts this area as Heavy Industrial, while the City General Plan calls for Open Space. This situation, in which the type and intensity of development that can occur in the annexation areas is similar whether the areas involved are under the County's jurisdiction or the City's, results in a more straightforward environmental analysis, as compared to the previously mentioned situation where a "green field" annexation occurs at the City's undeveloped edge.

Infrastructure

The City's ability to provide sanitary sewer and treated water will ultimately improve the environmental situation in the three annexations areas, given that the majority of the existing uses in the annexation areas rely on septic fields and wells. This question of infrastructure is particularly important in Area 2b, where the vast majority of the homes in the Viera Avenue neighborhood are on relatively small lots, and rely on aging septic systems and wells. In order to address this situation, the City along with the County, are proposing to jointly fund "backbone" sewer and water infrastructure to serve Area 2b. The cost of this infrastructure, which is currently estimated to be in the range of \$8 million to \$10 million, would be borne by the City and the County. Funding for connection fees and to construct laterals on private property connecting to the sewer and water systems, would need to come from other funding sources. In order to explore funding options for laterals and connection fees, the City is hiring a consulting firm that specializes in securing grant funding from such sources as Federal and State clean water programs. Given the intent of the City and County to fund this infrastructure as a component of the annexation process, the environmental document addresses the environmental impacts of installing this sewer and water infrastructure to Area 2b, along with limited storm drain improvements.

Infrastructure improvements for Areas 1 and 2a will be ultimately implemented through other means, such as future development projects or the possible future creation of financing districts. The environmental impacts of any such future infrastructure improvements in Area 1 and 2a would be addressed through the environmental analysis conducted as part of a future development project, or as part of the formation process of a financing district.

Process:

At the beginning of the public hearing, the consultant will present a summary of the Proposed Mitigated Negative Declaration. This will provide an opportunity for the Commission and the public to ask questions about the process, before making comments specifically on the environmental document. In order to give the Planning Commission a feel for "next steps" and the overall annexation process, the following is a tentative schedule for the annexation process:

- February 20, 2013: Planning Commission public hearing to receive verbal comments on environmental document.
- March 4, 2013: 30 day public comment period closes on environmental document.

- March 5 to March 21, 2013: City staff and consultants prepare written responses to comments received on environmental document (length of time depends on nature and number of comments received).
- March 26 or April 9, 2013: City Council meeting for action on the environmental document.
- April/May 2013: Planning Commission meeting to consider Prezoning for the three annexation areas.
- May/June 2013: City Council will consider Prezoning, the Tax Transfer and Infrastructure Funding Agreements with the County. Board of Supervisors will consider Tax Transfer and Infrastructure Funding Agreements
- July/August 2013: LAFCO consider the three annexation applications, either together or separately.

While the preceding tentative schedule gives an idea of the sequence and timing of the annexation process, unforeseen events could obviously change the timing.

ATTACHMENT

Enclosed Mitigated Negative Declaration

INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION

Prepared by
The City of Antioch

Northeast Antioch Area Reorganization

With assistance from



1814 Franklin Street, Suite 1000
Oakland, CA 94612

February 2013

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Northeast Antioch Area Reorganization Initial Study and Proposed Mitigated Negative Declaration

Project Description

1. **Project Title:** Northeast Antioch Area Reorganization
2. **Lead Agency Name and Address:** City of Antioch, Community Development Department, Planning Division, 3rd and H Streets, P.O. Box 5007, Antioch, CA 94531
3. **Contact Person and Phone Number:** Mindy Gentry, Senior Planner (925) 779-6133
4. **Project Location and Existing Land Uses:**

Three subareas in Contra Costa County are being considered for reorganization (annexation or incorporation) into the City of Antioch (City) and the Delta Diablo Sanitation District (DDSD). The three subareas (referred to in this study as Subareas 1, 2a, and 2b) are located generally south of the Sacramento County line along the San Joaquin River in the vicinity of Wilbur Avenue, west of the City of Oakley, north and east of the boundaries of the City of Antioch. All three subareas are located in unincorporated Contra Costa County and all are also within the City of Antioch's sphere of influence.

Figure 1 shows the project location within the region as well as the three subareas.

Subarea 1 is an approximately 481 acre area predominantly occupied by heavy industrial uses. Subarea 1 also includes portions of the Antioch Dunes National Wildlife Refuge (ADNWR), a resource conservation area generally not open for public access. Subarea 1 is located south of the San Joaquin River, west of State Route 160 (SR 160) and north of the Burlington Northern Santa Fe (BNSF) railroad.

Subarea 2a is a 94 acre area located east of Subarea 1, north of Wilbur Avenue, and West of SR 160 and the Antioch Bridge. Subarea 2a is currently occupied by predominantly marina, commercial, and storage uses, with incidental residential uses (estimated to include 5 dwelling units).

Subarea 2b is about 103 acres in area south of Wilbur Avenue and north of East 18th Street, roughly centered on Viera Avenue. Subarea 2b contains 120 existing residential units, nearly all of which obtain water from individual domestic wells and dispose of wastewater in individual domestic septic systems. The streets in the subarea are in poor condition and lack storm water drainage systems, as they are largely gravel and dirt roads. The subarea also includes limited commercial and industrial areas, a cemetery, and some lands in agricultural use (grapes).

5. *Surrounding Land Uses*

As shown in **Figure 1**, the northern edges of Subareas 1 and 2a are bounded by the San Joaquin River. Lands south of Subarea 1 but west of Subarea 2b are all within the city limits of the City of Antioch. These areas are currently developed with a mix of industrial/commercial and residential uses.

Lands south of Subarea 1 and east of Subarea 2b are also in the Antioch city limits. Uses here include agricultural, institutional, and commercial between the BNSF railroad to the north and East 18th Street to the south.

Lands east of Subarea 2a are within the limits of the City of Oakley. These areas are currently in recreational and aquatic related uses.

6. *Project Sponsor's Name and Address:*

City of Antioch
Community Development Department
PO Box 5007
Antioch, CA 94531-5007

7. *Contra Costa County General Plan Designations:*

Figure 2 shows County General Plan land use designations:

Subarea 1: Heavy Industrial (HI) and Parks and Recreation (PR).

Subarea 2a: Heavy Industrial (HI) and Delta Recreation and Resources (DR).

Subarea 2b: Several designations, including Heavy Industrial (HI), Open Space (OS), Public and Semi-Public (PS), Single-Family Residential High-Density (SH), and Single-Family Residential Medium-Density (SM).

8. *Contra Costa County Zoning Designations:*

Figure 3 shows County zoning designations:

Subarea 1: Heavy Industrial

Subarea 2a: Heavy Industrial

Subarea 2b: Several designations, including: R-10 Single Family Residential, D-1 Two-Family Residential, A-2 General Agriculture, R-40 Single Family Residential, C-M Controlled Manufacturing, LI Light Industrial

9. *City of Antioch General Plan Designations:*

As Subareas 1, 2a, and 2b are within the City of Antioch's sphere of influence, the City has assigned each a land use designation within its General Plan. **Figure 4** shows these designations. As the lands are currently within the jurisdiction of Contra Costa County, the City's assignment of General Plan designations are advisory.

Subarea 1: Eastern Waterfront Employment Area; designations include General Industrial, Rail-Served Industrial, and Open Space.

Subarea 2a: Eastern Waterfront Employment Area: designations include Marina/Support Uses and Commercial.

Subarea 2b: Medium Low Density Residential; Medium Density Residential; Open Space; Business Park.

10. *Description of Project:*

The project entails the reorganization of the three subareas into both the City of Antioch and the Delta Diablo Sanitation District (DDSD). This document uses the term "reorganization," as is the statutory term used to describe a single application for Contra Costa Local Agency Formation Commission (LAFCO) action involving two or more boundary changes. A single boundary change is considered an "annexation". Here each application filed by the City of Antioch for each subarea involves the annexation of that Subarea to both the City of Antioch and DDSD. Consequently, each application is considered to be a request for "reorganization".

Background: The three subareas have been within the City's sphere of influence for over 30 years. The City's 2003 General Plan shows these subareas generally within the "Eastern Waterfront Employment Focus Area." Starting in 2005, the City began a concerted effort to reorganize portions of this Focus Area. A 2005 Strategic Plan examined background issues related to the possible reorganization of Subareas 1, 2a, and 2b into the City and the DDSD (**Appendix A**). In July 2007, the City formally initiated reorganization efforts, leading to preparation of an application to LAFCO and a draft Negative Declaration. While the City adopted the Negative Declaration in March 2008, the reorganization application did not move forward with LAFCO, due largely to the need for a Tax Transfer Agreement between the City and the County. In May 2012, the Executive Director of LAFCO sent the City a letter requesting that the City submit annexation/reorganization applications for Subareas 2a

and 2b, in addition to the annexation application the City had already submitted for Subarea 1. On June 12, 2012, the Antioch City Council directed City staff to submit annexation/reorganization applications for Subareas 2a and 2b as requested by LAFCO. The City subsequently submitted those applications to LAFCO.

The City is now proposing the reorganization of each of the three subareas. The actual reorganization of these subareas is expected to be considered as separate LAFCO applications; this environmental document examines the potential effects of the reorganization of all three subareas, including the provision of municipal services (public safety, recreation, etc.) to all the subareas upon reorganization. The extension of municipal utility infrastructure (public water, storm drainage, and sewer system) specifically to Subarea 2b is also included and discussed further below.¹

Given the current almost complete lack of sewer and potable water service to Subarea 2b, coupled with the age of the existing private septic systems and wells within Subarea 2b, and the fact that few of the existing drinking water wells with Subarea 2b meet County Health's minimum separation requirements from existing septic fields, the City has developed a detailed plan for the extension of water, sewer, and storm drainage utility infrastructure to specifically serve Subarea 2b. The City intends to install such infrastructure following the reorganization of Subarea 2b, with the cost of the needed infrastructure to be jointly funded by the City and the County, pursuant to an Infrastructure Agreement between the two parties.

Accordingly, this document evaluates the environmental effects of constructing and operating the anticipated sewer, water, and storm drainage infrastructure within Subarea 2b as a direct consequence of the reorganization process for Subarea 2b, into both the City and DDS, rezoning as well as the City's entering into an Infrastructure Funding Agreement between the County and the City.

The City has no intention or plans as part of the annexation to fund the construction of infrastructure within Subareas 1 and 2a, other than infrastructure connections through these subareas that would be needed to serve Subarea 2b. While there is a pressing public health need to address the lack of potable water supply and sanitary sewer within Subarea 2b there is not a similar pressing public health issue within Subareas 1 and 2a. The City has not prepared similarly detailed infrastructure extension plans for Subareas 1 and 2a. If and when

¹ As a condition of approval of a reorganization application, LAFCO will require all service providers to document intent to serve the subject properties.

new infrastructure is proposed to be implemented within Subareas 1 and 2a at some future point in time, it would most likely be associated with a proposed future development project or in the context of the formation of land based infrastructure financing by property owners in the subarea.

As a result, there is considerable uncertainty as to 1) the type of infrastructure that would be needed to support unknown future development projects within Subareas 1 and 2a; 2) the timing of when such infrastructure would be needed within those subareas; and 3) the party/parties financial responsible for the extension of such infrastructure (private developer, partnership, etc.). Accordingly, environmental review of any infrastructure proposed for installation at some future date within Subareas 1 and 2a would be premature at this time, and would be undertaken within the context of any such future development application and/or in conjunction with a process to establish an infrastructure funding mechanism.

Detailed Project Components

The proposed reorganization requires a series of procedural actions by the City of Antioch and the Contra Costa LAFCO, some of which can be reasonably foreseen to have direct physical environmental consequences. The Initial Study evaluates the potential environmental effects of the following specific actions related to this process, each of which is described in further detail below.

1. Prezoning of each subarea by the City of Antioch
2. The City's entering into a Tax Transfer Agreement and an Infrastructure Funding Agreement with Contra Costa County (Reorganization/Annexation Approvals by the LAFCO for the City of Antioch and DDSD.

Prezoning

Per LAFCO requirements, lands proposed for annexation or reorganization into a City must first be assigned a "prezoning" by the City into which the lands would be annexed/reorganized.

The City proposes prezoning that would effectively perpetuate existing County zoning within Subareas 2a and 2b, with some modifications to County zoning that would increase the ultimate zoning conformity of existing uses, lots, and structures. For Subarea 1, the City's proposed prezoning would better reflect existing land uses than the current County zoning. **Figure 5** shows the City's proposed prezoning, described in detail below.

Subarea 1: County zoning for this entire subarea is “Heavy Industrial” including the area comprising the Antioch Dunes National Wildlife Refuge (ADNWR). As depicted in **Figure 5**, the City proposes three rezoning districts within Subarea 1:

- **ADNWR:** The City proposes rezoning the ADNWR areas as “Open Space.”
- **Lands backing up to Santa Fe Avenue:** “M-1 Light Industrial” Relative to existing County zoning of “Heavy Industrial,” the City’s proposed rezoning for this subarea would reduce the type and intensity of allowable land uses on this subarea given the proximity to existing residential uses.
- **Remainder of Subarea 1:** “M-2 Heavy Industrial District,” which is consistent with existing County zoning for the subarea.

Subarea 2a: The City proposes rezoning Subarea 2a with the “Waterfront” zoning designation, which is largely equivalent to the existing County zoning. For Subarea 2a, rezoning the City’s Waterfront Designation would be tailored to be equivalent to the County’s existing zoning for the subarea in terms of allowable land use types, development intensities, and development standards.

Subarea 2b: The City recognizes that many residential properties in this subarea are inconsistent with the City’s standard residential zoning requirements (including but not limited to lot size, setbacks, minimum street frontage, etc.). Rezoning the residential portions of the subarea with a “Study (S)” zoning designation will allow the City to subsequently develop a zoning category specifically applicable to Subarea 2b that will address any public health and safety issues while minimizing the number of “non-conforming” uses and structures within Subarea 2b. Until the specific zoning requirements are formulated as part of the “Study Zone” process, the City will utilize the existing County zoning requirements that currently apply to Subarea 2b.

In short, the proposed rezonings either perpetuate existing allowable land uses and intensities or reduce development potential relative to existing regulations.

Tax Transfer(s)

The Tax Transfer/Annexation Agreement(s) will stipulate financial terms between the City and the County. When lands are annexed or reorganized from a county into a city, the receiving city is typically entitled to a share of property taxes related to the subject parcels.

In addition, the receiving city is obligated to provide the subject parcels with city services, thereby relieving the County of providing such services. As of the date of the preparation of this environmental document, a tentative agreement has been reached between the City and County on the terms of distributing the tax revenue from the three reorganization areas.

Infrastructure Funding Agreement for Subarea 2b:

With respect to Subarea 2b, the Infrastructure Funding Agreement between the City and the County provides for the City to construct infrastructure that will address known health and safety concerns within that subarea. As noted previously, the City anticipates that this infrastructure will be jointly funded by the City and the County. Therefore, a detailed plan has been prepared for installing this infrastructure, and has been included as **Appendix B**.

With no existing potable water or sewer infrastructure in place in Subarea 2b, properties rely on groundwater wells for potable water and utilize septic systems to dispose of wastewater. Septic systems typically entail leaching of wastewater into the ground and thus are more commonly utilized in low-density, large lot, rural areas. The density and small lot sizes of Subarea 2b are such that there is substantial concern for cross-contamination between septic systems and groundwater wells, posing public health concerns. Reorganization into the City and DDSD would enable implementation of the City's proposed infrastructure plan for Subarea 2b, which in turn would allow for municipal waste water service to replace individual septic systems; and for municipal treated water to replace individual wells.

As part of the Infrastructure Funding Agreement, the City will accept the obligation to construct and operate municipal water, wastewater, and storm drain systems/services to Subarea 2b. To this end, this environmental document includes information regarding the construction and operation of such infrastructure within Subarea 2b. Overall, the introduction of potable water and wastewater infrastructure to this subarea will have significant beneficial environmental and public health effects. Nevertheless, infrastructure installation will require some construction activity, with potential for short-term construction-related environmental effects. This document analyzes and discloses such effects. Additionally, the road network in Subareas 2b is in poor condition and lacks proper storm water drainage systems; roads here are largely comprised of gravel and dirt surfacing. Some road improvements, primarily involving resurfacing, are proposed for Subarea 2b as part of the infrastructure plan for Subarea 2b in conjunction with the extension of sewer and water lines. The project does not propose the addition of streetlights to roads that will be resurfaced.

For reasons previously noted, there is not a level of precision and certainty about extension of utility infrastructure to serve Subareas 1 and 2a such that meaningful construction-related environmental analysis can be conducted. There are a number of possibilities on how such infrastructure could be designed in the future and there is significant uncertainty as to where such infrastructure might be located, when it might be installed, and who would be responsible for funding and installation (e.g. whether such infrastructure would be installed by a private developer as part of a larger subsequent project or as a result of the implementation of a land based financing program). The possibility also exists that no significant infrastructure improvements would be made to Subareas 1 and 2a.

At present, Subarea 1 includes an existing natural gas power generation facility operated by Pacific Gas & Electric, known as the Gateway Generation Facility. Also within Subarea 1, a second power plant (GenOn Marsh Landing) is under construction as of the fall of 2012. This second facility is expected to be completed in the summer of 2013. The construction and operation of these facilities are subject to the exclusive jurisdiction of the California Energy Commission (CEC). The CEC employs an environmental review process substantially similar to CEQA. All such review work for the GenOn Marsh Landing facility was completed by the CEC in August 2010.² In the past, the PG&E Gateway Facility has received City Services pursuant to an Out of Agency Service Agreement as authorized by LAFCO in 2008. If the proposed reorganization is not completed in time to serve the GenOn Marsh Landing Facility, the City would provide services to that facility pursuant to the previously approved Out of Agency Services Agreement as authorized by LAFCO in 2011. Completion of the proposed reorganization of Subarea 1 would make these Out of Agency Service Agreement no longer necessary for both PG&E and GenOn. If and when other new land uses are proposed for Subareas 1 or 2a such that additional infrastructure extensions are required, a more detailed plan would be developed and may require further environmental review.

Figure 6 shows existing water, sewer, and storm drainage utilities in the project area.

Figure 7 shows detail of the proposed water, sewer, and storm drainage improvements for Subarea 2b.

In order to serve Subarea 2b, the City proposes to construct 8" water lines along several streets, including Trembath Lane, St. Clare Drive, Wymore Way, Stewart Lane, Vine Lane,

² California Energy Commission. 2010. Marsh Landing Generating Station Staff Report.

Bown Lane, Walnut Avenue, and Santa Fe Avenue. These new 8" lines would be connected to and thus receive potable water from existing City water mains that run beneath Viera Avenue, East 18th Street, and Lipton Street.

Existing City sewer mains in the vicinity of Subarea 2b are much more limited. At present, existing sewer mains run along Lipton Street and Wilbur Avenue. The Wilbur Avenue sewer line currently ends near the driveway into the Gateway Generating Station; the infrastructure plan for Subarea 2b involves constructing a new 15" sewer line along Wilbur Avenue from Viera Avenue to the existing terminus at the Gateway driveway.

Within Subarea 2b, existing City storm drain lines in the vicinity run across East 18th Street and Wilbur Avenues, as well as along Trembath Lane. New storm drainage lines are proposed for St. Clare Drive, Viera Avenue, Santa Fe Avenue, Bown Lane, Walnut Avenue, Vine Lane, and Stewart Lane.

The timing for the installation of utility infrastructure for Subarea 2b will be subject to the provisions of the Infrastructure Funding Agreement with the County. The Initial Study assumes that 8 months are needed for construction, as the shortest reasonable timeframe in which all construction could be completed.³

Figure 8 shows the proposed plans and utility cross sections to serve Subarea 2b.

Appendix C contains the cost estimates for Subarea 2b improvements.

The City also prepared a Fiscal Analysis, studying the cost of the proposed infrastructure improvements relative to anticipated tax revenues associated with the subject properties. The summary of this study is included as **Appendix D**. The study concludes that while anticipated tax revenues for Subareas 1, 2a, and 2b would significantly exceed the ongoing cost of providing City services, substantial investment would be required to make the necessary infrastructure improvements and service extensions to Subarea 2b.

For the reasons articulated above, this analysis assumes the physical extension of infrastructure only to Subarea 2b. Nevertheless for informational purposes, this analysis examines water supply and wastewater treatment capacity for all three subareas, based on current information

³ For purposes of review of environmental impacts, assumption of the shortest reasonable timeframe constitutes a "worst-case," conservative scenario insofar as air pollutant concentrations would be at maximum levels. If a longer timeframe were assumed for the same amount of construction, air pollutant concentrations would be more spread out overtime and would thus understate environmental impacts.

Following reorganization, each of the three subareas comprising the project area would receive other municipal services from the City similar to any other area of the City. Such services include police response, road maintenance, parks/recreation, etc. The project's potential environmental impacts related to the provision of these municipal services are addressed in this document.

LAFCO Approval

LAFCO is an independent agency with discretion to approve or disapprove, with or without amendment, wholly, partially, or conditionally, changes of organization or reorganization. LAFCO is required to consider a variety of factors when evaluating a project, including, but not limited to, the proposed project's potential impacts on agricultural land and open space, the provision of municipal services, the available supply of water, adequate and proximate affordable housing, and other factors.

LAFCO's actions and decisions are guided by its own locally adopted policies and statutory requirements and procedures as set forth in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH", California Government Code §56000 et seq.). The CKH charge LAFCO with encouraging the orderly formation of local governments and other public agencies and the logical and efficient extension of municipal services. As a Responsible Agency, under CEQA, LAFCO will rely on the City's environmental document in its consideration of the City's proposed reorganization.

11. Requested Actions:

Table 1 lists the approvals associated with the proposed project

Table 1 Project Approvals

Agency/Provider	Permit/Approval
City of Antioch	Adoption of Mitigated Negative Declaration Approval of Pre-Zoning(s)
Delta Diablo Sanitation District	Provision of "Intent to Serve" Statement(s)
City of Antioch and Contra Costa County	Tax Transfer and Infrastructure Funding Agreement(s)
Contra Costa Local Agency Formation Commission	Approval of Reorganization(s)

Source: Circlepoint, 2012.

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by the project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages. Mitigation measures have been provided for each potential significant impact, reducing all to a less than significant level.

- | | |
|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Biological Resources |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology & Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology & Water Quality | <input type="checkbox"/> Land Use & Planning |
| <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Population & Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation & Circulation |
| <input type="checkbox"/> Utilities & Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

Determination

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. ☐

I find that the proposed project COULD have a significant effect on the environment, but mitigations identified in this Initial Study will reduce these impacts to a less than significant level, and a MITIGATED NEGATIVE DECLARATION will be prepared. ☒

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. ☐

I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project. ☐


Mindy Gentry
Senior Planner

1/10/13
Date

INITIAL STUDY: ENVIRONMENTAL IMPACT CHECKLIST

I. Aesthetics

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to: trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. The City of Antioch General Plan (General Plan) states that important visual resources in the community include views of Mt. Diablo, ridgelines, and the San Joaquin River. There are existing intermittent views of Mt. Diablo and the San Joaquin River from various locations in the project area.

The only project component with any ability to even temporarily affect scenic vistas/views is the extension of infrastructure to serve Subarea 2b. Once installed, all such infrastructure would be located underground or immediately at grade, so when construction is complete, there would be no permanent interference with any existing scenic views. Therefore, the project's impact would be less-than-significant; no mitigation is required.

b) Substantially damage scenic resources, including but not limited to: trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. According to the California Department of Transportation (Caltrans), there are no state or county designated scenic highways in the City or in eastern Contra Costa County as a whole. Moreover, there are no rock outcroppings or historic buildings in the vicinity of the project site. Therefore, the project would result in no impact to any scenic resources within a state scenic highway. No mitigation is required.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less Than Significant Impact. The existing visual character of the project area varies by subarea and is heavily influenced by the industrial land uses within each subarea. The only physical component of the project with the potential to alter existing visual character is the extension of at- or below-grade infrastructure to Subarea 2b, plus road resurfacing on selected streets in Subarea 2b. Once completed, the infrastructure would be out of public view, except for storm drain catch basins and new manholes/other access points to newly installed, below-grade water, sewer, and storm drain pipes. Such catch basins and access points would have a negligible impact upon visual character/quality. The proposed road resurfacing would somewhat modify the visual character on affected streets, but such effects could reasonably not be construed as a substantial degradation of visual quality. Overall, project impacts would be less-than-significant; no mitigation is required.

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

No Impact. The project will include below-grade infrastructure improvements and limited road resurfacing. While many of the City's existing roads have streetlights in place, the project does not propose the addition of streetlights. As a result, the project does not introduce or propose any new lighting features that would cause a glare or change nighttime/daytime views. Impacts of the project would be less-than-significant. No mitigation is required.

II. Agricultural and Forest Resources

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or with a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use?

No Impact. The California Department of Conservation maintains the Farmland Mapping and Monitoring Program (FMMP), which produces maps and other data showing California's agricultural resources. The FMMP maps show Prime Farmland, Unique Farmland, and Farmland of Statewide Importance, based on ratings that take into account soil quality and irrigation status, using soil survey data from the U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS).

Under CEQA, conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is considered a significant impact.

The project site contains approximately 28.6 acres of Farmland of Statewide Importance, as shown in **Figure 9**.⁴ Of the total 28.6 acres of Farmland of Statewide Importance, 21.5 acres are within Subarea 1 and 7.1 acres are within Subarea 2b. As of October 2012, all of these lands are in agricultural use. Subarea 2a is fully developed with other uses and has no lands in agricultural use or designated as farmlands. (The project site also contains approximately 26.2 acres of Farmland of Local Importance, which is not considered a protected category of agricultural lands under CEQA).

Additional consideration of agricultural lands pursuant to LAFCO regulations

LAFCO defines prime agricultural land as *land that has not been developed for a use other than an agricultural use* and that meets any of the following qualifications (*emphasis added*):

- a) Land that qualifies, if irrigated, for rating as class I or class II in the USDA NRCS land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible;⁵
- b) Land that qualifies for rating 80 through 100 on the 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 USDA;
- 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.

It is assumed that all of the Farmland of Statewide Importance (28.6 acres) as well as the Farmland of Local Importance (26.2 acres) meet at least one of the criteria above. Therefore, LAFCO would consider these lands to be Prime Farmland.

⁴ California Department of Conservation. Contra Costa County Important Farmland 2010. Accessed <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/con10.pdf>

⁵ Irrigation is not currently considered feasible insofar as apart from groundwater, there is not a reliable water supply available for irrigation.

Analysis

No aspect of the project would change any existing agricultural use. Section 5-3809 of the Antioch Municipal Code allows for pre-existing agricultural uses to be continued when a new land use designation (such as the proposed rezoning) is imposed.

As no aspect of the project would not include any change to existing land use on the ground, the project would not result in the conversion of any protected Farmland to any non-agricultural uses. All of the lands currently in agricultural use would remain in agricultural production following the reorganization and the provision of infrastructure within Subarea 2b. No farmland impact would occur and no mitigation is required.

b) Conflict with existing zoning for agricultural use, or with a Williamson Act contract?

No Impact. No portion of the project site is under a Williamson Act contract. Existing County zoning for approximately 16.4 acres of Subarea 2b is agricultural (A-2). Implementation of the proposed project would pre-zone Subarea 2b with an “S” Study zone consistent with the existing current County zoning designations. This designation would allow the City to maintain the County’s existing zoning regulations for this subarea, including land use, density, and height. Therefore, the project would maintain existing agricultural zoning. No mitigation is required.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

and

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The project area is not located in an area zoned for forest land, timberland, or timberland production. As such, the proposed project does not require forest land, timberland, or timberland production to be rezoned. Accordingly, the project would not directly or indirectly convert forest land to any other land use because no such forest lands exist in the project area. There is no impact and no mitigation is required.

e) Involve other changes in the existing environment which due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use?

Less Than Significant Impact. The project area includes lands designated as Farmland of Statewide Importance (or, under LAFCO criteria, Prime Farmland). As noted above, the project would not result in any change to any existing land use. Antioch Municipal Code Section 5-3809 allows for the continuation of existing agricultural uses on a site when that

site's zoning designation may be changed. Moreover, through the project's rezoning, the City would perpetuate existing County zoning allowable land uses. Portions of Subarea 2b would thus retain an agricultural zoning designation. In addition, the majority of the land currently in agricultural use consists of grapevines located within easements and rights of way owned by PG&E, which practically cannot be occupied by permanent structures.

Given the existing site conditions, the project's proposed retention of agricultural zoning designations, and the stipulations within the proposed rezoning for any change of use, the project's potential to hasten conversion of agricultural lands would be considered minimal and impacts thus less-than-significant. No mitigation is required.

III. Air Quality

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant Impact: The Bay Area Air Quality Management District's (BAAQMD) Clean Air Plan (CAP) was adopted in September 2010 and is the current CAP under the federal Clean Air Act for the Bay Area.⁶ The Basin is designated as non-attainment for State and Federal standards for ozone, and State standards for PM₁₀ (particulate matter less than ten microns in size) and PM_{2.5} (fine particulate matter). The CAP explains how the air basin will achieve compliance with the California Ambient Air Quality Standards (CAAQS) for ozone (1-hour and 8-hour concentrations).

⁶ Bay Area Air Quality Management District Clean Air Plan. 2010.
<http://www.baaqmd.gov/Divisions/Planning-and-Research/Plans/Clean-Air-Plans.aspx>

A project would conflict with or obstruct implementation of the CAP if it is inconsistent with the regional growth assumptions, in terms of population, employment, or regional growth in Vehicle Miles Traveled (VMT).

The proposed project would not result in any direct or indirect population growth or any increase in emissions. The reorganization and rezoning aspects of the project are procedural actions and would not result in any new development or any change in allowable development that could have an air quality impact. In addition, given that the proposed rezoning would perpetuate or reduce allowable land uses and intensities relative to current County regulations, (except for the proposed “Open Space” rezoning in Subarea 1 that would replace the County’s “Heavy Industrial” zoning,) the infrastructure improvements proposed for Subarea 2b would have negligible potential to increase area population, employment, or regional growth to such an extent that any conflict with the CAP would occur. Furthermore, Subarea 2b is largely “built-out” already with limited development potential. The extension of infrastructure will do little to change the existing conditions. Project impacts to the CAP would therefore be less-than-significant; no mitigation is required.

b) **Violate any air quality standard or contribute substantially to any projected air quality violation?**

and

c) **Result in a cumulatively considerable net increase of any criteria pollutant?**

Potentially Significant Unless Mitigation Incorporated: The only project component with potential to result in any emissions is the physical extension of infrastructure and road resurfacing to serve Subarea 2b. All other project components are procedural and would not result in air quality impacts.

The infrastructure improvements to Subarea 2b will entail the use of heavy equipment (front-end loader and excavator) to dig trenches within existing rights-of-way to lay new distribution/conveyance pipes, and connect same to existing mains near or proximate to the project area. Because infrastructure improvements serving Subarea 2b would require partial closure of affected streets, the work would be gradual so as not to excessively disrupt accessibility to the area. As such, heavy construction activity would be limited on a day-to-day and week-to-week basis such that substantial daily emissions of air pollutants would be highly unlikely to occur.

A quantitative air quality and greenhouse gas emission analysis was conducted to assess the extent of potential construction emission impacts and is included as **Appendix E**. The quantitative air quality and greenhouse gas emission analysis uses the thresholds and methodologies from BAAQMD’s May 2011 CEQA Air Quality Guidelines to determine the potential impacts of the project on the existing environment.

In June 2010, the BAAQMD Board of Directors adopted new CEQA thresholds of significance as part of a larger BAAQMD CEQA Guidelines document. In subsequent litigation, the BAAQMD CEQA Guidelines were determined to be a project under CEQA; BAAQMD was duly ordered to rescind these Guidelines pending completion of environmental review per CEQA. The preparers of the Air Quality and Greenhouse Gas Emission Assessment have reviewed the evidence used to formulate the BAAQMD CEQA Guidelines including BAAQMD's May 2010 staff report recommending the adoption of the thresholds and its attachments, and conclude that substantial evidence supports the use of BAAQMD's 2010 thresholds of significance as thresholds of significance for air quality and greenhouse gas impacts in this Initial Study.⁷

As discussed in the project description, timing of construction to serve Subarea 2b is subject to the terms of the City's Infrastructure Funding Agreement with the County. As a result, the quantitative air quality and greenhouse gas emission analysis considered a shortest reasonable timeframe scenario of 8 months to complete construction. This is considered a "worst-case", conservative scenario as air pollutant concentrations would be at maximum levels. Construction would likely take place over a longer timeframe, thus spreading out the concentration of potential impacts. The analysis assessed the total and daily average emissions for both construction equipment and exhaust emissions from vehicles used to haul and transport materials. The findings are presented in **Table 2**.

Table 2 Daily and Annual Emissions from Construction

Scenario	Emissions – Total Tons Per Component			
	ROG	NO _x	PM ₁₀ (Exhaust)	PM _{2.5} (Exhaust)
Project Construction (lbs./day)	0.8	5.9	0.3	0.3
<i>BAAQMD Threshold (lbs./day)</i>	<i>54</i>	<i>54</i>	<i>-</i>	<i>-</i>
Exceed Threshold?	No	No	No	No
Project Construction (tons/year)	0.1	0.5	<0.1	<0.1
<i>Federal Conformity Threshold</i>	<i>100</i>	<i>100</i>	<i>-</i>	<i>100</i>
Exceed Threshold?	No	No	No	No

Source: BAAQMD, 2010, Illingworth & Rodkin, Inc., 2012

⁷ BAAQMD's CEQA Guidelines and May 2010 staff report are available for review at <http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES.aspx>.

Average daily emissions and total emissions for the entire construction period are below the average daily BAAQMD thresholds and the federal conformity thresholds. The construction emissions associated with project would not violate regional and/or federal air quality standards and there would be no considerable net increase of any criteria pollutants or O₃ precursors.

The proposed road resurfacing within Subarea 2b would act to reduce emissions, insofar as existing unpaved roadways can be a source of particulate matter (dust). However, proposed construction activities do have the potential to temporarily increase dust. The BAAQMD's CEQA Guidelines identify a number of best management practices (BMPs) that were promulgated to reduce the potential for any type of construction project to generate substantial levels of dust. **Mitigation Measure AQ-1** includes these best management practices.

Mitigation Measure AQ 1: The City shall incorporate into project grading plans the following measures as recommended by BAAQMD to reduce the air quality impacts of particulate matter (PM₁₀ and PM_{2.5}) associated with grading and new construction:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered a minimum of two times per day;
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered;
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. No dry power sweeping shall be performed (i.e., prohibited);
- All vehicle speeds on unpaved roads shall be limited to 15 mph;
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as feasible. Building pads shall be laid as soon as feasible after grading unless seeding or soil binders are used;
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes. Clear signage shall be provided for construction workers at all access points;
- All construction equipment and haul trucks shall be maintained and properly tuned in accordance with manufacturer's specifications. All construction equipment and haul trucks shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.⁸

⁸ While some of these measures do not pertain strictly to fugitive dust, they are nonetheless included in the *BAAQMD CEQA Guidelines* (page 8-4) list of BMPs related to construction.

- A publicly visible sign shall be posted with the telephone number of the Construction Manager and BAAQMD to report dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD complaint line telephone number shall also be visible to ensure compliance with applicable regulations.
- All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph on an hourly average. The average wind speed determination shall be on a 15 minute average, taken over 4 consecutive 15-minute periods at the nearest meteorological station or by wind instrument on site.
- Minimizing the idling time of diesel powered construction equipment to two minutes.
- The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NO_x reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after treatment products, add-on devices such as particulate filters, and/or other options as such become available.
- Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NO_x and PM.
- Requiring that all contractors use equipment that meets CARB's most recent certification standard for off-road heavy-duty diesel engines.

Significance after mitigation: Adherence to **Mitigation Measure AQ-1** would reduce the potential for the project to result in substantial dust emissions to a less-than-significant level. As there would be no significant project-level effect, BAAQMD guidance indicates that the project would not have any cumulatively considerable impact.

d) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. The proposed infrastructure improvements to serve Subarea 2b include construction within a residential area to lay the underground pipelines to support connection to municipal sewer, water, and storm drain systems. Residents in and near the area would be considered sensitive receptors. However, the construction would be temporary and would thus not constitute any long-term source of exposure to substantial

quantities of air pollutants. As indicated in **B and C** above, all construction-related air quality impacts would be well below the average daily BAAQMD thresholds and the federal conformity thresholds. Moreover, the nature of the type of construction for this project minimizes the potential for substantial local pollutant concentrations: once new underground pipeline has been placed for a segment, the construction activities would shift. As a result of the short duration of construction in one specific place and the temporary conditions, exposure of substantial pollutant concentrations to sensitive receptors is a less-than-significant impact. No mitigation is required.

e) Create objectionable odors affecting a substantial number of people?

Less Than Significant Impact. No aspect of the project includes long-term creation of any objectionable odors. Construction (the placement of new pipelines to serve Subarea 2b) could result in temporary odors related to construction equipment, but given the limited duration of construction, such impacts are not considered substantial or significant. In addition, the project would facilitate the eventual phasing out of private septic tank use for properties within Subarea 2b. Over the long-term, this would be a beneficial improvement that could reduce odors in the project area resulting from any existing malfunctioning septic systems. Therefore, the proposed project would result in a less-than-significant impact in creating objectionable odors. No mitigation is required.

IV. Biological Resources

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse impact on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to: marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, Regional, or state habitat Conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Information for this section has been drawn in part from a biological resources assessment report prepared by RCL Ecology (biology report). The biology report is included here as **Appendix F**.

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Potentially Significant Unless Mitigation Incorporated. The biology report identifies several special-status species, defined as species listed as endangered, threatened, or candidates for listing by the U.S. Fish and Wildlife Service, the California Department of Fish & Game, and the California Native Plant Society, within or near the three subareas comprising the project area.

The biology report indicated the potential for three special-status plants to occur in the project area. All of these are endemic to the ADNWR, which comprises portions of Subarea 1. According to the biology report, none of these plants were found during field visits to the ADNWR. Additionally, the project proposes no ground disturbance for Subarea 1. Owing to these factors, the project would have no impact on the special-status plant species.

The biology report indicated several special-status wildlife species with potential to occur in the project area. These include:

- Lange's Metalmark Butterfly (*Apodemia mormo-langei*)
- Silvery Legless Lizard (*Anniella pulchra pulchra*)
- Western Burrowing Owl (*Athene cunicularia*)
- Swainson's Hawk (*Buteo swainsoni*)
- Cooper's Hawk (*Accipiter cooperii*)
- Red-Tailed Hawk (*Buteo jamaicensis*)
- White-Tailed Kite (*Elanus leucurus*)

The project's potential to adversely affect these species is discussed below.

Lange's Metalmark Butterfly

The federally listed endangered Lange's metalmark butterfly is dependent on the presence of its host plant, the Antioch Dunes Buckwheat, for reproduction and other endemic plants that furnish nectar. Since such plants were not found during the reconnaissance surveys, the Lange's Metalmark Butterfly was deemed absent from the project area; the project would therefore have no impact on this species.

Silvery Legless Lizard

The species occur primarily in areas with sandy or loose loamy soils such as under sparse vegetation of beaches, chaparral, or pine-oak woodland; or near sycamores, cottonwoods, or oaks that grow on stream terraces and are highly sensitive to disturbances such as sand mining or agricultural disking. According to the biology report, the species are presumed absent from the project area because no occurrence was encountered during the reconnaissance surveys.

Other Protected Species

The biology report concluded that the project could have potential effects upon all other protected species listed above. Although the reorganization aspects of the project would not have any physical environmental component that could affect any biological resources, construction of the proposed infrastructure improvements to serve Subarea 2b could affect these remaining protected species. Most of this construction would take place within right-of-way areas that are either paved or have a packed-earth character – and would thus be inhospitable to any significant biological resources.

Mitigation Measure BIO-1: Western Burrowing Owl: Prior to the start of the breeding season (February 1), a USFWS/CDFG-approved biologist will conduct preconstruction surveys of the project area to determine the presence of burrowing owls. If present, the birds will be evicted from the site using passive relocation techniques. The site will then be continuously monitored until the start of construction in order to ensure that owls do not reoccupy the area. All surveys and passive relocation will be carried out in accordance with CDFG survey guidelines (California Department of Fish and Game 1993). Passive relocation procedures include installing one-way doors in burrow entrances. These doors should be in place for 48 hours prior to excavation. The project area should be monitored daily for 1 week to confirm that the owl has abandoned the burrow. Whenever possible, burrows will be excavated using hand tools and refilled to prevent reoccupation (California Department of Fish and Game 1995). Plastic tubing or a similar structure will be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow.

Mitigation Measure BIO-2: Swainson's Hawk: The Swainson's hawk is a State listed threatened migratory bird known to have nested approximately one (1) mile south of the area. Some of the larger trees along the proposed pipeline routes are of suitable-size for nesting for the species.

During the nesting season (March 1-September 15), a qualified biologist shall conduct a preconstruction survey no more than 14 days prior to ground disturbance, to establish whether Swainson's hawk nests within 0.25-mile of the project area are occupied. If potentially occupied nests exist within 0.25 mile of the project area, then their occupancy will be determined by observation from public roads or by observations of Swainson's hawk activity (e.g., foraging) near the project area. If active Swainson's hawk nests are

identified during these pre-construction surveys, no construction activities shall occur during the nesting season within 0.25-mile of occupied nests or nests under construction, unless CDFG/USFWS agree to a smaller buffer based on environmental conditions such as steep topography or dense vegetation. If the biologist determines that the young have fledged prior to September 15, construction activities can proceed normally.

Mitigation Measure BIO-3: Other protected raptors (Cooper's Hawk, Red-Tailed Hawk, and White-Tailed Kite): If project construction is scheduled to begin during the breeding season (February 1- August 31), preconstruction tree surveys will be conducted within the project area and a 300-foot buffer, by a qualified biologist no more than two weeks prior to equipment or material staging, or surface-disturbing activities. If no active nests are found within the project footprint and a 300-foot buffer, no further mitigation is necessary.

If active nests (i.e. nests in the egg laying, incubating, nestling or fledgling stages) are found within 300 feet of the project footprint, non-disturbance buffers should be established at a distance sufficient to minimize disturbance based on the nest location, topography, cover, the nesting pair's tolerance to disturbance and duration of potential disturbance. No work should occur within the non-disturbance buffers until the young have fledged as determined by a qualified biologist. Buffer size should be determined in cooperation with the California Department of Fish and Game and the U. S. Fish and Wildlife Service. If buffers are established and it is determined that project activities are resulting in nest disturbance, work should cease immediately and the California Department of Fish and Game and the U.S. Fish and Wildlife Service should be contacted for further guidance.

Significance after mitigation: Implementation of **Mitigation Measures BIO-1** through **BIO-3** would reduce the project's potential impacts to protected species to a less-than significant level.

- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**
and
- c) **Have a substantial adverse impact on federally protected wetlands as defined by Section 404 of the Clean Water Act (including but not limited to: marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Less than Significant Impact. Jurisdictional wetlands and waters do not exist within the project area boundaries or where physical improvements would occur. As a result, construction associated with Subarea 2b infrastructure improvements would not impact these resources. Additionally, Subarea 1 contains a portion of the ADNWR that is currently zoned by the County as “Heavy Industrial.” The City proposes to prezone this area as “Open Space”, which is considered a beneficial effect of the project. As the project would avoid impact to waters and wetlands, permits from the U.S. Army Corps of Engineers (USACE) 404 (fill of waters and wetlands); RWQCB 401 (Water Quality Certification), and CDFG 1603 (Streambed Alteration Agreement) would not be required.

However, the project will need to comply with the National Pollution Discharge Elimination System (NPDES) permit requirements of the California State Water Resources Control Board and the requirement for preparation of a Storm Water Pollution Prevention Plan (SWPPP) as required by the RWQCB under the Contra Costa County Stormwater Management Plan (CCCSWMP) Section C-3). **Section IX, Hydrology and Water Quality**, contains a more detailed discussion of the NPDES requirements.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with an established resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

Less Than Significant Impact. The project area is surrounded by industrial and otherwise developed lands to the south and west as well as heavily traveled thoroughfares, which preclude major wildlife movement. The BNSF railroad bisects Subarea 1 and Subarea 2b, State Route 4 is less than 1 mile south of the project site, and State Route 160 borders Subarea 2a to the east. Existing wildlife movement opportunities are therefore heavily constrained under existing conditions.

The San Joaquin River is located immediately to the north of Subarea 1 and 2a; the river provides an important movement corridor for fish. However, the biology report notes that vital pathways for migratory wildlife travel or routes between favored feeding and breeding corridors do not exist in the project area. Moreover, the proposed physical project improvements would not result in any disturbance to this waterway. As a result, the project’s impacts would be less-than-significant; no mitigation is required.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

Potentially Significant Unless Mitigation Incorporated. The project site contains trees along public right-of-way (ROW) that may need to be removed to extend utility infrastructure to Subarea 2b. However, these activities would affect already disturbed areas consisting of road shoulders, pavement, urban residential and commercial properties, vineyards, and ruderal, non-native annual grassland, and habitations without any wetlands.

Once the unincorporated areas of Contra Costa County are annexed to the City of Antioch, these trees would be protected by City ordinances and thus subject to City regulations and permitting, as stated in the City of Antioch tree ordinance at Title 9, Chapter 5, Article 12, City of Antioch, 2008. **Mitigation Measure BIO-2** incorporates additional tree protective measures.

Mitigation Measure BIO 2: Regulated Trees

After staking of the utility alignment if any existing trees are located within that alignment then an International Association of Arboriculture (ISA) Certified Arborist shall conduct a tree survey to determine which, if any of the trees to be removed are subject to the City tree ordinance. If regulated trees are found they will be marked with round numbered aluminum tags and tallied as to their species, diameter at breast height (DBH) and condition.

Significance after mitigation: Mitigation Measure BIO-2 would reduce potential impacts to a less-than significant level.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, Regional, or state habitat Conservation plan?

No Impact. All three subareas are within the boundaries of the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (Plan); the City of Antioch is not a participant in the Plan and is not bound to Plan requirements.⁹

With the exception of Subarea 1 – where the project proposes no physical disturbance and includes portions protected by the ADNWR – the project area is comprised of urbanized, industrial, or agricultural land uses and is thus not considered under the HCP to have substantial biological resource value.

The avoidance and minimization requirements applied to this project will be at least as stringent to those in the Habitat Conservation Plan/Natural Community Conservation Plan. Therefore, the project would not result in conflict with any habitat conservation plan or natural community conservation plan. No mitigation is required.

⁹ East Contra Costa County Habitat Conservation Plan Association. October 2006. The Final East Contra Costa County Habitat Conservation Plan/Natural Conservation Plan.

V. Cultural Resources

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource, pursuant to Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource, site, or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Qualified architectural historians and archaeologists at William Self Associates (WSA) prepared a Cultural Resources Assessment Report (cultural report) to evaluate the project's potential impacts to cultural resources. The cultural report also reflects consultation with Native Americans regarding the potential for the project to affect prehistoric cultural resources. **Appendix G** includes this report.

a) and b) Cause a substantial adverse change in the significance of a historical resource or of an archaeological resource, as defined in Section 15064.5?

Potentially Significant Unless Mitigation Incorporated. The cultural report summarizes research conducted in association with the project. Researchers looked at all areas potentially affected by the extension of infrastructure to Subarea 2b, as these are the only lands where a direct physical change to the environment would occur as part of the project.

There are two known cultural resources within the project area boundaries and two known cultural resources within a 1/4-mile radius of the project area boundaries. Of the two recorded resources within the project area, one is a previously recorded archaeological site

that contains a scatter of artifacts. The site has been impacted by previous construction but has not formally been evaluated for the California Register of Historical Resources (CRHR). The other previously recorded cultural resource in the project area is the Contra Costa Las Positas electrical transmission line. This historic architectural resource was previously found not eligible for the CRHR.

The two cultural resources that are located within ¼-mile radius of the project area are the Atchison, Topeka, and Santa Fe Railroad and the Contra Costa Powerplant Substation. These resources were both previously deemed not eligible for the CRHR.

The cultural report takes soil type, proximity to water resources, and other factors into consideration to determine the potential sensitivity of the project area to contain undiscovered or unrecorded archaeological resources. The cultural report therefore includes “sensitivity maps” indicating which portions of the project area are less or more likely to contain archaeological resources based on these physical factors. Higher sensitivity locations in the project area include the cemetery, the area around aforementioned historical artifact scatter, and individual parcels developed prior to 1945. Other areas of the project area have moderate, moderate to low, or low sensitivity. Refer to Figure 12 within the cultural report (Appendix G).

These maps indicate that some of the new water and sewer line infrastructure proposed along Trembath Lane to serve Subarea 2b is located in areas with moderate to high sensitivity for thus unknown and unrecorded resources. Due to the potential sensitivity of the area, mitigation is included to ensure that any cultural resources encountered during construction are avoided and effects are minimized.

Mitigation Measure CUL-1: Previously Recorded Archaeological Resources: As discussed, there is a known archaeological resource within the project area. The resource has not been formally evaluated for its potential eligibility to the CRHR. At this time it is understood that the project can avoid this resource. A qualified archaeologist will mark off a buffer area to avoid potential impact to this resource from project-related construction activities. The resource shall be located and flagged prior to the beginning of work so that it may be avoided during extension of utility infrastructure in this area.

In the event that ground-disturbing activities must be conducted within this area, prior to any such activities, the City shall conduct a formal site evaluation to assess whether the resource is potentially eligible for listing in the CRHR. If the resource is found eligible and cannot be avoided, project impacts shall be mitigated in accordance with the recommendations of the Principal Investigator and CEQA Guidelines Section 15126.4 (b)(3)(C) which require development and implementation of a data recovery plan that would include recommendations for the treatment of materials comprising the resource.

Mitigation Measure CUL-2: Monitoring of High Sensitivity Areas: Portions of the proposed infrastructure extension would take place in areas deemed to have moderate to high potential for as yet discovered archaeological resources. If present, prehistoric archaeological deposits may extend below the level that was disturbed as part of earlier road building.

Given the sensitivity of this area for potential resources and based on the consultation with affected Native American tribal representatives, all project-related excavation along Trembath Lane between East 18th Street and Mike Yorba Way shall be conducted in the presence of a qualified archaeological monitor. A Bay Area Miwok Native American monitor shall also be present when an archaeological monitor is present.

Whether or not significant archaeological resources are encountered during archaeological monitoring, the archaeological monitor shall submit a written report of the results of the monitoring program to the City of Antioch.

Mitigation Measure CUL-3: Procedure for Addressing Previously Undiscovered Archaeological Resources: If an intact archaeological deposit is encountered during excavation, all soil disturbing activities in the vicinity of the deposit shall cease immediately. The archaeological monitor shall be empowered to temporarily redirect excavation activities and equipment until such time that the resource can be evaluated for its eligibility to the CRHR by a qualified archaeologist and appropriate action taken as determined necessary by the lead agency. If the resource is recommended to be non-significant, avoidance is not necessary. If the resource is recommended as potentially significant or eligible to the CRHR, it will be avoided. If avoidance is not feasible, project impacts will be mitigated in accordance with the recommendations of the Principal Investigator and CEQA Guidelines §15126.4 (b)(3)(C), which require development and implementation of a data recovery plan that would include recommendations for the treatment of the discovered archaeological materials. The data recovery plan would be submitted to the City of Antioch for review and approval. Upon approval and completion of the data recovery program, project construction activity within the area of the find may resume, and the archaeologist will prepare a report documenting the methods and findings. The report will be submitted to the City of Antioch. Once the report is reviewed and approved by the City of Antioch, a copy of the report will be submitted to the NWIC.

Significance after Mitigation: With adherence to **Mitigation Measures CUL-1, CUL-2, and CUL-3**, the project would either fully avoid impacts to eligible cultural resources or would include appropriate protocols for treatment that would minimize effects to such resources, ultimately reducing the project's impact upon archaeological resources below a level of significance.

c) **Directly or indirectly destroy a unique paleontological resource, site, or unique geologic features?**

Potentially Significant Unless Mitigation Incorporated. According to the EIR for the City's General Plan, numerous paleontological resources have been recorded within the City limits, particularly near the San Joaquin River. Although the project site is not located directly within the City limits until officially annexed, its proximity to the City and to the San Joaquin River is relevant for this discussion. The type of construction required would generally entail only surface-level earth layers (rarely exceeding 15 feet in depth) and thus would be highly unlikely to reach deeper geologic layers where paleontological resources are most typically located. Notwithstanding, the potential to encounter unknown paleontological resources on the project site during construction still exists and is considered potentially significant.

Mitigation Measure CUL-4: In the event that paleontological resources are encountered during any phase of project construction, all soil-disturbing activity within 100 feet of the find shall be temporarily halted until a qualified paleontologist can assess the significance of the find and provide proper management recommendations. The City shall incorporate all feasible recommendations into the project.

Significance after Mitigation: Mitigation Measure CUL-4 would reduce the potential for project impacts to paleontological resources to a less-than-significant level.

d) **Disturb any human remains, including those interred outside of formal cemeteries?**

Potentially Significant Unless Mitigation Incorporated. Ground disturbing activities associated with construction to extend infrastructure to Subarea 2b could disturb human remains, including those buried outside of formal cemeteries. The type of construction required would disturb surface-level earth layers (typically up to 15 feet in depth) which are less likely to contain sensitive materials. However, the potential to uncover Native American human remains exists in locations throughout California. In the event that Native American human remains or funerary objects are discovered, the following measure addresses potential effects.

Mitigation Measure CUL-5: California Health and Safety Code Section 7050.5(b) states in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of

Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of death, and the recommendations concerning treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Public Resources Code Section 5097.98.

Significance after Mitigation: Mitigation Measure CUL-5 would reduce potential impacts to previously unrecorded human remains to a less-than-significant level.

VI. Geology and Soils

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslide?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in table 18-1b of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) **Expose people or structures to potential substantial adverse effects including the risk of loss, injury or death involving:**
- i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?**

Less Than Significant Impact. No evidence of active or recent faulting has been observed on the project site; no active faults or Earthquake Fault Zones (Alquist-Priolo Special Studies Zones) are located on the project site or within the City.¹⁰ However, the San Francisco Bay region is considered to be seismically active and subject to the effects of future earthquakes. Four major, historically active faults are located within 30 miles of the project site:

- Hayward Fault (approximately 26 miles west);
- Calaveras fault (approximately 17 miles southwest);
- Concord-Green Valley fault (approximately 13 miles west);
- Marsh Creek-Greenville fault (7 miles southwest).

The San Andreas Fault, which is the largest regional fault, is located approximately 45 miles west of the City. Owing to the project area's distance from a known earthquake fault and from any Alquist-Priolo Earthquake Fault Zone, the project would entail a less-than-significant risk associated with fault rupture. However, the project area is within the seismically active San Francisco Bay Area and is susceptible to several other geologic and seismic hazards, detailed below.

ii) Strong seismic ground shaking?

Less Than Significant Impact. The project site will likely experience ground shaking similar to other areas in the seismically active San Francisco Bay Area region. Earthquakes along several active faults in the region, as discussed above, could result in moderate to strong ground shaking at the project site. The intensity of earthquake ground motions would depend on the characteristics of the generating fault, distance to the fault and rupture zone, earthquake magnitude, earthquake duration, and site-specific geologic conditions.

Because the entire City of Antioch and its current sphere of influence are in relative proximity to historically active faults, there is the potential for development anywhere within the sphere to be subject to strong seismic ground shaking. Accordingly, the City of Antioch General Plan requires geotechnical reports to be prepared for proposed new developments and for pertinent findings and recommendations of the reports to be incorporated into

¹⁰ City of Antioch. (July 2003). *City of Antioch General Plan Update EIR*. pg. 4.5-16

project plans.¹¹ The proposed infrastructure improvements for Subarea 2b would fall within this requirement. These improvements are the only aspect of the project with the potential to result in a physical environmental effect related to geology and soil. Adherence to the conditions of geotechnical reports for the proposed infrastructure improvements will ensure that risks associated with ground shaking are reduced to a less-than-significant level. No further mitigation is required.

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. Liquefaction is a phenomenon in which saturated soils lose their strength and stiffness as a result of seismic-related ground shaking.¹² According to the City's General Plan EIR, the project site is mostly located within an area that is considered a "Moderate" area of susceptibility to liquefaction, with a limited portion of Subarea 1 and Subarea 2a designated as a "High" area susceptible to liquefaction near the San Joaquin River.¹³ Because the project site is located in an area with moderate to high susceptibility to liquefaction, there is the potential for development to be prone to its effects. The infrastructure improvements proposed to serve Subarea 2b comprise the only aspect of the project with any potential to be affected by liquefaction because it entails a physical change to the environment. Other project components are procedural and would have no impact.

The General Plan requires proposed projects within a potential liquefaction hazard area to incorporate appropriate measures to minimize the effects.¹⁴ The City requires that such measures be submitted to the Building Division for review prior to the approval of the building permit. Adherence to these General Plan requirements will ensure that risks associated with liquefaction are reduced to a less-than-significant level. No further mitigation is required.

iv) Landslides?

Less Than Significant Impact. The EIR for the City's General Plan classifies the stability of soil by the slope percentage of the land and whether it is underlain by landslide deposits. The majority of the project site consists of flat or gently sloping land within areas that are considered "Very Stable," with a 0 to 5 percent slope, "Generally Stable," with a 5 to 15

¹¹ City of Antioch. General Plan Policy 11.3.2a

¹² Saturated soils are soils in which the space between individual soil particles is completely filled with water.

¹³ City of Antioch. (July 2003). *City of Antioch General Plan Update EIR*. (Figure 4.5.4)

¹⁴ City of Antioch. General Plan Policy 11.3.2l

percent slope, and “Generally to Marginally Stable,” with areas of greater than 15 percent slope. None of these areas are underlain by landslide deposits or bedrock units susceptible to landsliding.¹⁵

The infrastructure proposed for Subarea 2b would be located in an area not prone to landslide risk. Other elements of the project are procedural actions which would not entail any substantial landslide risk. Because the proposed infrastructure improvements would be underground and also located in a flat to gently sloping area, susceptibility to landslide is considered less-than-significant and no mitigation is required.

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

Less Than Significant Impact. The proposed extension of infrastructure to serve Subarea 2b requires grading and trenching that could result in erosion or loss of top soil. Other components of the project are procedural actions that would not entail any risk of soil erosion.

The General Plan requires new development to provide erosion and sedimentation control measures to lessen impacts.¹⁶ As further discussed in **Section IX, Hydrology and Water Quality**, compliance with erosion control measures, as required by the National Pollutant Discharge Elimination System program and included by the City as standard conditions of project approvals, would address potential impacts related to soil erosion. Adherence to these measures would reduce soil erosion/loss of topsoil risks to a less-than-significant level. No further mitigation is required.

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?

and

d) Be located on expansive soil, as defined in table 18-1b of the Uniform Building Code (1994), creating substantial risks to life or property?

Less Than Significant Impact. The project would extend underground utility infrastructure to Subarea 2b. The quality of the soil in this region is considered poor for construction purposes, which can make installation and construction more costly to implement. However, the soil is adequate to support the installed infrastructure associated

¹⁵ City of Antioch. (July 2003). *City of Antioch General Plan Update EIR*. (Figure 4.5.5)

¹⁶ City of Antioch. General Plan Policy 8.7.2e

with the project design. In terms of subsidence and strength, the soil would be able to uphold the proposed improvements in Subarea 2b.¹⁷ Other components of the project are procedural actions that would not entail any risk associated with unstable or expansive soils. As a result, the impact would be less than significant and no mitigation is required.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Less Than Significant Impact. No aspect of the project would entail any new use of septic tanks or alternative waste water disposal systems. A primary project objective involves connecting the residential properties within Subarea 2b (most of which utilize septic tanks without adequate separation from potable water wells) to the municipal wastewater system. Overall, the project would result in dramatically less use of septic tanks than under existing conditions. As a matter of public health, this would result in a clearly beneficial impact. No mitigation is required.

¹⁷ Personal Communication with Project Engineer Andrea Bellanca; Principal, Carlson, Barbee & Gibson; November 19, 2012.

VII. Greenhouse Gas Emissions

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Less than Significant Impact. The extension of infrastructure to Subarea 2b would entail construction activities involving heavy equipment that would generate greenhouse gases. A quantitative air quality and greenhouse gas emission analysis was conducted to assess the extent of potential construction emission impacts and is included as **Appendix E**. The analysis provides an estimate of carbon dioxide emissions (CO₂), the primary greenhouse gas emitted from construction equipment and vehicles used to haul and transport materials. The results are listed in **Table 3** below.

BAAQMD Guidance (1999 and 2012) does not include any screening criteria or thresholds of significance for construction-related greenhouse gas emissions. The annual metric tons of CO₂ emissions from the project were assessed and found to be well below the BAAQMD's threshold for *operational*-period emissions. Owing to this, the impact would be less-than-significant and no mitigation is required.

Table 3 Annual GHG Emissions from Construction

Scenario	Emissions – Total Tons Per Component
	CO ₂
Project Construction (metric tons/year)	60
BAAQMD Threshold (metric tons/year)	1,100**
Exceed Threshold?	No

Source: BAAQMD, 2010, Illingworth & Rodkin, Inc., 2012

Notes: **Threshold applies to operational emissions; all project emissions are related to *construction-period* activities.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No Impact. The 2011 City of Antioch Municipal Climate Action Plan (MCAP) indicates carbon reduction targets for the next 40 years with baseline (business as usual) emission level from 2005 of 7,775 MTCO₂e.¹⁸ The City will work to reduce emissions, in line with AB 32 (California Global Warming Solutions Act) GHG reduction mandate, by 80 percent below 2005 levels by 2050.

As indicated in **Table 3**, the annual metric tons of CO₂ emissions as a result of the project are well below the applicable threshold. As a result, the project would not conflict with initiatives set forth in the MCAP, nor would it interfere with any plan or regulation intended to reduce GHG emissions. Therefore, no impacts would occur and no mitigation is required.

¹⁸ City of Antioch. (2011) An Initiative to Reduce Municipal Greenhouse Gas Emissions. Accessed August 23, 2012 from <http://antiochclimateaction.org/Antioch%20MCAP-FINAL%20DRAFT.pdf>

VIII. Hazards and Hazardous Materials

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Information in this section was drawn from two main source documents. First, a Phase I Environmental Site Assessment (ESA) (**Appendix H**) was conducted for Subarea 2b. Second, the California Energy Commission's (CEC's) Staff Assessment (SA; similar to an EIR) of the proposed Marsh Landing Generation Station (located within Subarea 1).

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

Less Than Significant Impact. Extension of infrastructure to serve Subarea 2b will require the temporary use of potentially hazardous materials, such as fuels and solvents required to operate earth-moving equipment and conduct grading activities. The project would not involve the routine use, transport, or disposal of hazardous materials as part of its operations because once construction is complete, such fuels and solvents would no longer be needed. Furthermore, the use of these hazardous materials is controlled by federal and state regulations.

The septic systems that currently exist within Subarea 2b require periodic pumping and transport of accumulated hazardous wastewater to avoid potential build-up or address overflow conditions. The utility infrastructure installed as part of the project would eliminate existing septic systems and therefore provide a beneficial effect in reducing the routine transport of hazardous wastewater.

Construction also requires excavation of soils that could contain hazardous materials. This matter is addressed under item b) and **Mitigation Measure HAZ-1** below. Given the nature of the project and with adherence to **Mitigation Measure HAZ-1**, the project would not create a significant impact or hazard to the public or the environment associated with hazardous materials.

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?

Potentially Significant Unless Mitigation Incorporated. The project will entail the excavation of soils known or suspected to contain hazardous materials. Unless appropriate precautions are in place, excavation of such areas could pose a risk to construction workers and other people in the vicinity.

Appendix H identified evidence of four potentially hazardous materials sites in and within ¼ mile of Subarea 2b that could potentially affect groundwater and soil.

- The Holy Cross Cemetery on the site was listed with a historic underground storage tank (UST) of gasoline, but with no release was ever reported. The facility contains a hazardous materials management plan.
- The New Holy Cross Cemetery, located offsite and south of the Holy Cross Cemetery at 2200 East 18th Street, is upgradient of the project site and could have resulted in groundwater contamination due to increased concentrations of organic substances, inorganic substances, and embalming fluid chemicals associated with the presence of human remains.
- The Oak View Memorial Park (south of the project site at 2500 East 18th Street) is also located upgradient of the project site and could have resulted in groundwater contamination due to increased concentrations of organic substances, inorganic substances, and embalming fluid chemicals associated with presence of human remains.
- The presence of power lines crossing the site and power line towers is prevalent on the site. While the project site is not listed on the PCB Activity Database System list or PCB Transformer Registration Database, historical power lines installed near the cemetery and potential presence of transformers containing Polychlorinated Biphenyls (PCBs) are considered.

In addition to **Appendix H**, the Staff Assessment for the Marsh Landing Generation Station included investigation of soils along Wilbur Avenue, insofar as the Marsh Landing project required installation of new utility lines along the Wilbur Avenue project frontage. The Staff Assessment looked at a total 27 acre project site, including portions of Subarea 1, 2a, and 2b. Information in the Staff Assessment was based on two Phase I ESAs. These reports

identified three areas to the east of the fuel oil tanks in Subarea 1, north of Wilbur Avenue, that contain petroleum hydrocarbons or arsenic in the soil. Additionally, the existing PG&E switchyard, located north of Wilbur Avenue in Subarea 1, may have soil contaminated with dielectric fluids containing polychlorinated biphenyls (PCBs) from the switchyard equipment. The Wilbur Avenue ROW itself was not found to contain any substantial areas of contamination. However, the Staff Assessment included mitigation for all activity related to the Marsh Landing Project. The mitigation requires consultation with qualified professionals to ensure the appropriate disposition of any contaminated soils that are disturbed as part of the project.

Given the overall potential for contaminated soils or groundwater to occur in association with the extension of infrastructure to Subarea 2b, mitigation is required to ensure safe handling and disposal of any contaminated soils encountered during construction.

Mitigation Measure HAZ-1: Prior to the issuance of a grading permit and before any substantial ground disturbances, a Phase II ESA shall be conducted by a licensed professional to determine the potential presence of metals, and organic compounds in soil and groundwater underlying the project site. If contaminants are identified in subsurface soils and/or groundwater, the Phase II ESA shall screen the identified contaminant concentrations relative to applicable environmental screening levels developed by the Regional Water Quality Control Board and the Department of Toxic Substances Control for residential use and construction worker health and safety. If contaminant concentrations are above the applicable screening levels, the Phase II report shall make recommendations for remedial actions for the protection of public health and the environment. If the Phase II ESA recommends remedial action (which may include but not be limited to soil and/or groundwater removal or treatment, site-specific soil and groundwater management plan, site-specific health and safety plan, and a risk management plan), the project sponsor shall consult with the appropriate local, state, or federal environmental regulatory agencies to ensure sufficient minimization of risk to human health and the environment, both during and after construction, posed by soil contamination and/or groundwater contamination. The project sponsor shall obtain and submit written approval documentation for any remedial action, if required by a local, state, or federal environmental regulatory agency prior to project occupancy.

Significance after Mitigation: Adherence to **Mitigation Measure HAZ-1** would reduce the potential impact to a less-than-significant level as it sets forth appropriate protocols to ensure safe handling and disposal of any contaminated materials encountered.

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

Less Than Significant Impact. Cornerstone Christian School and Shining Star Christian Academy are located within one-quarter mile of Subarea 2b. The only aspect of the project with the potential to emit emissions/handle hazardous materials is the extension of utility infrastructure to serve Subarea 2b. As noted above, soils in the area to be excavated for infrastructure extension may include contaminants. **Mitigation Measure HAZ-1** includes measures designed to ensure the safe handling and disposal of such materials such that they would not pose any hazard to people in the vicinity.

Construction equipment used in the installation process would entail usage of fuels, solvents, and other common but potentially hazardous substances. Numerous federal and state regulations govern the use and safe handling of such substances, such that their temporary usage as part of infrastructure extension would not pose any significant risk to people in the project vicinity. The impact would be less-than-significant. No further mitigation is required.

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?

Less Than Significant Impact. A Phase I ESA for Subarea 2b identified one property noted on the so-called “Cortese” list of hazardous materials sites.¹⁹ Lauritzen Yacht Harbor/Lloyd’s Holiday Harbor, located on Vine Lane just east of Viera Avenue, was reported to have had a release of gasoline to soil from an underground storage tank UST. The release was reported to have affected soils. Remediation is complete and the case was closed in December 1997 with no further follow up required. As the proposed area of disturbance (Subarea 2b and immediately adjacent areas) does not include any other properties located on the Cortese list, the project’s impact would be less-than-significant. No mitigation is required.

e) and f) Proximity to Airport/Private Airstrip?

No Impact. The closest public use airports to the project site are Byron Airport and Buchanan Field. Byron Airport is located about 14.5 miles to the southeast; Buchanan Field is about 15 miles to the west. The closest private airstrip to the project site is the Funny

¹⁹ The Phase I ESA indicated one property “Cortese” list of hazardous material sites. The CEC’s determination for the Marsh Landing Generation Station did not indicate the presence of any “Cortese” list property.

Farm Airport, located 8 miles to the east, beyond the City of Brentwood. The distance from airports and private airstrips ensures that the project would not be adversely affected by airport operations. No mitigation is required.

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

Less Than Significant Impact. The project site is currently under the jurisdiction of the Contra Costa County Fire Prevention District (CCCFPD), which serves extensive areas within both unincorporated and incorporated Contra Costa County. The project would require temporary construction to install utility lines to Subarea 2b. The proposed changes would not alter the existing emergency access or evacuation plans to the site because no permanent changes will be made to the regional street network and the project only requires temporary use of the streets. In fact, some existing dirt and gravel streets in Subarea 2b would be resurfaced with asphalt as part of the project, which would foreseeably improve conditions for emergency service providers and evacuation planning. The CCCFPD would continue to utilize emergency access with the current street network therefore would result in a less-than-significant impact. No mitigation is required.

h) Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No Impact. The project site is surrounded by industrial uses, residential development, agricultural uses, and open space areas, and is not located in the vicinity of areas that could be characterized as wildland or the urban/wildland interface. No impact would occur and no mitigation is required.

IX. Hydrology and Water Quality

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage patterns of the site or area including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) and f) Impacts to water quality?

Less Than Significant Impact. Facilities located in the project area, particularly within Subarea 2b, either utilize septic tanks or do not have a registered septic utility. Many of these existing septic tanks are believed to be old and thus vulnerable to failure. The Contra Costa Environmental Health Division reviewed the conditions, specifically on properties within Subarea 2b, and noted that 50 to 75 percent of the septic systems were on the verge of failing, and that 100 percent of the septic systems did not meet County requirements for minimum lot size and the minimum distance between the septic field and potable water wells.²⁰ The project would replace the existing septic tank systems in Subarea 2b with underground utility lines that connect to the municipal sanitary sewer system.

The new water distribution system/facilities would be designed, constructed, operated, and maintained to conform to all pertinent state and federal requirements for water treatment and discharge, thus no impacts to water treatment and discharge would be anticipated. The City of Antioch is within the Delta Diablo Sanitation District (DDSD) service boundaries. DDSD would provide wastewater treatment to the project area upon reorganization. The National Pollutant Discharge Elimination System (NPDES) permit for the DDSD Wastewater Treatment Plant currently allows for an average dry-weather flow of 16.5 mgd.

²⁰ Contra Costa County Local Agency Formation Commission. December 2007. *Water and Wastewater Services Municipal Services Review for East Contra Costa County*.

In 2011, the DDSD treated an average of 13.2 mgd.²¹ The current NPDES permit allows for an increase in permitted capacity of the treatment plant, subject to certain conditions. The City and DDSD have been planning for population increases of approximately 1 percent annually through 2025 in their respective service areas; the addition of service to Subarea 2b would fall within the anticipated population increase. Therefore, DDSD would continue to be able to meet pertinent water quality standards.

Moreover, as connections to services are implemented, it is reasonable to assume that the impact on water quality would be beneficial because the existing septic systems would be replaced with facility connections to wastewater systems. Consequently, the project would reduce the potential for contamination of groundwater and would therefore result in a beneficial impact. The impact is therefore considered less-than-significant and no mitigation is required.

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?**

Less Than Significant Impact. The project entails the extension of existing municipal water mains to provide potable water to people living/working in Subarea 2b. At present, Subarea 2b contains over one hundred residential units and several commercial industrial properties that obtain potable water from individual wells. The project would provide municipal water to service these users and thus result in a reduction in the amount of groundwater drawn by these wells. It is therefore reasonable to conclude that project impacts relative to groundwater depletion would be beneficial.

- c), d), and e) Impacts to drainage patterns?**

Less Than Significant Impact. The project area currently lacks any formal system to control stormwater. Stormwater falling on streets within Subarea 2b either pools or runs off in an unregulated manner, as the road network is largely comprised of gravel and dirt materials. This poses substantial potential for several related undesirable environmental effects, including but not limited to increased pollutant loads in area waterways and vector control issues.

The project includes the extension of stormwater drainage facilities within Subarea 2b. The City will perform limited road resurfacing to public streets in conjunction with the extension of the sewer and water lines. This is the only component of the project with any potential to result in any effect to area drainage patterns; all other project components are procedural actions and will not affect surface drainage. The extension and operation of stormwater collection system will beneficially affect drainage patterns in Subarea 2b.

²¹ City of Antioch: Roddy Ranch Project Recirculated Draft EIR; August 2012.

The General Plan EIR noted that potential impacts to water quality from erosion related to future build-out would be reduced to a less-than-significant level through the adherence to General Plan policies that require erosion and sedimentation control and BMPs.

Improvement projects disturbing 1 acre or more of land during construction are required by the RWQCB to file a NOI to be covered under the State NPDES General Construction Permit for discharges of stormwater associated with construction activity. A qualifying project sponsor must propose control measures that are consistent with the State General Construction Permit. A SWMP must be developed and implemented for each site covered by the General Permit. A SWMP must include BMPs designed to reduce potential impacts to surface water quality through the construction and life of the project. In meeting the requirement of the NPDES program, the following SWMP standards must be met:

- A NOI shall be prepared and submitted to the State Water Resources Control Board prior to rough grading that conforms with the State General Permit for stormwater discharge during construction under the NPDES. The NOI shall be attached to the SWMP and kept onsite during development.
- During project construction, all exposed soil and other fill shall be permanently stabilized at the earliest date practicable. All standards and BMPs outlined in the project SWMP shall be followed and, additionally, BMPs shall be enhanced as necessary to maintain the project in compliance with the Construction General Permit.
- The SWMP shall include interceptors/barriers at natural channels and storm drain inlets to prevent temporary construction-related erosion from entering into permanent drainage systems. These inlet protection BMPs shall be in place and maintained all year until construction completion.
- A Sampling and Analysis Plan shall be included in the SWMP. The Sampling and Analysis Plan shall be instituted for pollutants that are not visually detectable in stormwater discharges, if contaminants are stored or used on the construction site and not properly contained, or if a spill occurs.
- The requirements of the Construction General Permit are to be implemented on a year-round basis, not just during the winter season. BMPs should be implemented at an appropriate level and in a manner that provides appropriate levels of pollutant control, including those pollutants generated during building construction.
- Construction site monitoring shall be performed prior to and after storm events and at least once each 24-hour period during extended storm events. Implementation of the mitigations recommended specifically for the project will ensure that the effects of construction on water quality are mitigated through review and placement of SWMP requirements on new development. Impacts to water quality would thereby be reduced to less-than-significant levels.

The City applies these State requirements to both public and private projects to ensure that potential construction period erosion and resultant water quality impacts are avoided or reduced. Potential construction-related drainage erosion impacts are therefore considered to be less than significant. No mitigation is required.

g), h), and i) Flooding or other hazards?

Less Than Significant Impact. According to maps prepared by the Federal Emergency Management Agency (FEMA), the portions of Subareas 1 and 2a immediately adjacent to the San Joaquin River are within a 100-year flood hazard zone.²² All other portions of the project area are outside any 100-year flood hazard zone. The Contra Loma Dam is the closest dam to the project site. The City-wide inundation map for the failure of Contra Loma Dam and Dike No. 2 indicates that the project area is not located in the areas that would be impacted by this dam failure.²³

The project is comprised of a combination of procedural actions as well as the extension and operation of infrastructure improvements within Subarea 2b. The project does not include or propose any new buildings or structures within an identified area of heightened flood risk.

Given the proximity of the project area to the San Joaquin River, the City has also considered the potential for the project to be affected by sea level rise. The Bay Conservation and Development Commission (BCDC) has published reports considering several sea-level rise scenarios. The City of Antioch is outside the BCDC's jurisdictional area, but the agency's mapping indicates some degree of sea level rise would be anticipated in low lying areas along the San Joaquin River waterfront in the adjacent cities of Pittsburg and Oakley. However, the project itself would not entail the placement of any new housing or structures and thus would not constitute any increase of potential exposure to sea level rise. Moreover, impacts of sea level rise have not been embodied within the CEQA Guidelines and are perhaps most appropriately considered effects of the environment upon the project – rather than a project's effect on the environment.

In all, the project would result in a less-than-significant impact related to increased flood risk. No mitigation is required.

²² Federal Emergency Management Agency. (June 16, 2009). *Federal Insurance Rate Map No.06013C0143F, No.06013C0144F, Contra Costa County.*

²³ City of Antioch. (November 2003). *City of Antioch General Plan.* (Figure 4.7.3).

j) **Inundation by seiche, tsunami, or mudflow?**

Less Than Significant Impact. Given the nature and location of the project site, there is little to no risk of any of these hazards. The project site is located over 40 miles from the Pacific Ocean. Tsunamis typically affect coastlines and areas up to ¼ mile inland. Due to the project's distance from the coast, potential impacts related to a tsunami are minimal. As the project site is several miles from steep slopes, the possibility of inundation by landslides or volcanic mudflows is remote. Although the project area is proximate to the San Joaquin River, the project's physical improvements are comprised of underground utility infrastructure; the project would not increase any exposure people or structures to any substantial risk of seiche. In all, project impacts would be less-than-significant. No mitigation is required.

X. Land Use and Planning

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Physically divide an established community?

No Impact. The project site is mainly bordered by land under the City of Antioch's jurisdiction. Implementation of the proposed project would remove the political distinctions currently existing between the project area and the surrounding City of Antioch. The project would resurface several existing dirt and gravel streets in Subarea 2b with asphalt, making them more physically consistent with the nearby City streets. The project includes no physical changes that would divide any established community. No mitigation is required.

b) Conflict with relevant land use plan, policy, or regulation?

Less than Significant Impact. Subareas 1, 2a, and 2b are located in unincorporated Contra Costa County, and are also located within the City's SOI; therefore, both the County and City have adopted similar land use designations for these lands.

Prezoning

Per LAFCO requirements as discussed in the Detailed Project Components, lands proposed for annexation into a City must first be assigned a "prezoning" by the City into which the lands would be annexed/reorganized.

The City proposes rezoning that would effectively perpetuate existing County zoning within Subareas 2a and 2b, with some modifications to County zoning that would increase the ultimate zoning conformity of existing lots and structures. For Subarea 1, the City's proposed rezoning would better reflect existing land uses. As discussed, **Figure 5** shows the City's proposed pre-zoning, which is described in detail in the Project Description.

General Plan: In 2003, the City Council adopted General Plan land use designations for the project area as part of the General Plan update. The proposed pre-zoning would be consistent with the current General Plan land use designations for the project site.

LAFCO: LAFCO policies discourage the creation or perpetuation of unincorporated "islands" surrounded by incorporated cities. The reorganization of Subareas 1, 2a, and 2b and the infrastructure extension to Subarea 2b would unify the area into the City's jurisdiction, and would thus eradicate three contiguous unincorporated areas in eastern Contra Costa County.

Furthermore, LAFCO policies and the City's General Plan include a requirement that areas to be annexed (or reorganized) must first be pre-zoned by the receiving City. As noted above, the City intends to pre-zone all areas to be consistent with existing City General Plan designations for the subareas.

The only change to the current land use associated with the project would be a formal adoption of the City's proposed rezoning and a 2-year freeze on rezoning of that property after completion of the reorganization, pursuant to Government Code §56375. Thus, the project would not conflict with any existing land use plans or policies. No mitigation is required.

c) Conflict with any applicable habitat conservation plan?

No Impact. All three subareas are within the boundaries of the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (Plan); the City of Antioch was not a participant in the Plan and is not bound to Plan requirements.

With the exception of Subarea 1 – where the project proposes no physical disturbance and includes portions protected by the ADNWR – the project area is comprised of either urbanized, industrial, or agricultural land uses and is thus not considered under the HCP to have substantial biological resource value.

However, the avoidance and minimization requirements applied to this project will be at least as stringent to those in the outline in the Plan. Therefore, the project would not result in conflict with any habitat conservation plan or natural community conservation plan. No mitigation is required.

XI. Mineral Resources

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) and b) Result in the loss of availability of a known mineral resource and/or the availability of a locally important mineral resource recovery site?

No Impact. According to the Contra Costa County General Plan, no portion of the project site is classified or designated within a mineral resource zone. Furthermore, the City's General Plan EIR states that none of the urbanized areas identified in the General Plan (which includes sphere of influence areas) contain mineral resources that would be of value to the region and residents of the state. In sum, the proposed project would have no impact to mineral resources. No mitigation is required.

XII. Noise

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of the other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a), b), c), and d) Impacts related to temporary and permanent noise levels, ground borne noise levels and ground borne vibration levels?

Potentially Significant Unless Mitigation Incorporated: Physical changes would occur where utility infrastructure would be extended to properties in Subarea 2b. Such extensions have the potential to increase noise levels during active construction periods. Once construction is complete, associated noise impacts would cease. As a result, implementation of the project would not create new permanent sources of noise. All other project components are procedural actions that would not result in noise impacts.

Noise impacts from construction will depend on the noise generated by various pieces of construction equipment, the timing and duration of noise generating activities, and the distance between construction noise sources and noise sensitive receptors. Where noise from construction activities exceeds 60 dBA Leq and exceeds the ambient noise environment by at least 5 dBA at noise-sensitive uses in the project vicinity for a period of more than one construction season, the impact would be considered significant.

Grading and installation activities generate considerable amounts of noise, especially when heavy equipment is used. **Table 4** depicts the range of noise levels generated by specific pieces of construction equipment at a distance of 50 feet.

Table 4 Construction Equipment 50-foot Noise Emission Limits

Equipment Category	Lmax Level (dBA) ^{1,2}	Impact/Continuous
Arc Welder	73	Continuous
Auger Drill Rig	85	Continuous
Backhoe	80	Continuous
Bar Bender	80	Continuous
Boring Jack Power Unit	80	Continuous
Chain Saw	85	Continuous
Compressor ³	70	Continuous
Compressor (other)	80	Continuous
Concrete Mixer	85	Continuous
Concrete Pump	82	Continuous
Concrete Saw	90	Continuous
Concrete Vibrator	80	Continuous
Crane	85	Continuous
Dozer	85	Continuous
Excavator	85	Continuous

Equipment Category	Lmax Level (dBA) ^{1,2}	Impact/Continuous
Front End Loader	80	Continuous
Generator	82	Continuous
Generator (25 KVA or less)	70	Continuous
Gradall	85	Continuous
Grader	85	Continuous
Grinder Saw	85	Continuous
Horizontal Boring Hydro Jack	80	Continuous
Hydra Break Ram	90	Impact
Impact Pile Driver	105	Impact
Insitu Soil Sampling Rig	84	Continuous
Jackhammer	85	Impact
Mounted Impact Hammer (hoe ram)	90	Impact
Paver	85	Continuous
Pneumatic Tools	85	Continuous
Pumps	77	Continuous
Rock Drill	85	Continuous
Scraper	85	Continuous
Slurry Trenching Machine	82	Continuous
Soil Mix Drill Rig	80	Continuous
Street Sweeper	80	Continuous
Tractor	84	Continuous
Truck (dump, delivery)	84	Continuous
Vacuum Excavator Truck (vac-truck)	85	Continuous
Vibratory Compactor	80	Continuous
Vibratory Pile Driver	95	Continuous
Other equipment w/ engines larger than 5 HP	85	Continuous

Source: Illingworth & Rodkin, 2009

Notes: ¹ Measured at 50 feet from the construction equipment, with a "slow" (1 sec.) time constant.

² Noise limits apply to total noise emitted from equipment and associated components operating at full power while engaged in its intended operation.

³ Portable air compressor rated at 75 cfm or greater and that operated at greater than 50 psi.

Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (early morning, evening, weekend, or nighttime hours), the construction occurs in areas immediately adjoining noise sensitive land uses, or when construction periods are of extended duration. Limiting the hours when construction can occur to daytime hours is often a simple method to reduce the potential for noise impacts. The City currently has programs that prohibit construction from occurring during noise sensitive times of the day. In areas immediately adjacent to construction, utilizing "quiet" construction equipment can also reduce the potential for noise impacts. Noise barrier construction will not be included in the project design as project-related construction is temporary and would not need noise barriers to reduce long-lasting noise impacts. Furthermore, the use of noise barriers is not practical or feasible because the project will occur within the public right-of-way.

Mitigation Measure NOISE-1: Prior to the issuance of grading or building permits, as well as on-going through project construction, the City shall ensure that construction teams adhere to the following construction noise control measures:

- Restrict noise-generating activities at the construction site or in areas adjacent to the construction site between the hours of 7:00 AM to 7:00 PM daily (except Saturday, Sunday and holidays when work is prohibited prior to 9:00 AM and after 7:00 PM).
- Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines is strictly prohibited.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- Control noise from construction workers' radios to a point that they are not audible at existing residences.

Significance after Mitigation: **Mitigation Measure NOISE-1** includes all feasible measures to reduce potential impacts related to construction period noise. Given these measures and the relatively short duration of the construction period, all short-term impacts would be considered less-than-significant. No further mitigation is required.

e) and f) Located within an airport land use plan/vicinity of a private airstrip?

No Impact. The project area is not located within an airport land use plan, within two miles of an airport, or within the vicinity of any private airstrip. The closest public use airports to the project site are Byron Airport and Buchanan Field. Byron Airport is located about 14.5 miles to the southeast and Buchanan Field is about 15 miles to the west. The nearest private airstrip, Funny Farm Airport, is located 8 miles to the southeast. Due to the project's distance from and the flight path orientation of these airports, there is no impact with regard to the noise impacts from aircraft noise sources. No mitigation is required.

XIII. Population and Housing

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Induce substantial 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Induce substantial population growth?

Less Than Significant Impact. Although the project would directly extend infrastructure to Subarea 2b and would allow for the future possible extension of infrastructure to Subareas 1 and 2a, the project would not directly or indirectly induce substantial population growth for the reasons discussed below.

Subarea 2b is largely built out, containing over one hundred residential units. The project would provide adequate infrastructure to connect existing residential units to municipal systems and services. The project would not result in substantive changes in allowable land use types and intensities. The proposed rezoning would essentially retain both existing and allowable land uses and would be set up to conform to the existing development densities/intensities.

For Subarea 1, even if infrastructure were to be extended here in the future, the area does not include any land that would host any substantial complement of residential development. The project would retain the current industrial zoning for most of Subarea 1, consistent with existing power plant and other industrial uses. The project would further implement Open Space zoning for other portions of Subarea 1; such zoning precludes residential development.

Subarea 2a is largely built out with marina, industrial, and storage uses as well as 5 residential units. Project rezoning would retain these allowable land uses.

Any new residential development in Subareas 1 and 2a is highly unlikely as such uses would conflict with the City's General Plan designations and rezonings for the subareas. In the unlikely event of a proposal for residential development in either of these areas, further environmental review would be required to identify any significant effects, including effects related to population increase.

Overall, the project would have no foreseeable potential to induce substantial population growth. The impact would be less-than-significant. No mitigation is required.

b) and c) Displace housing or people?

No Impact. The only aspect of the project with any immediate physical environmental effect is the proposed extension of utility infrastructure to serve Subarea 2b. The proposed new infrastructure would largely occur within existing rights-of-way. Extension of this infrastructure would require no taking of property and no displacement of housing. Therefore, the project could not displace any people or housing. No mitigation is required.

XIV. Public Services

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) 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:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) **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:**

i) Fire protection impacts?

No Impact. The Contra Costa County Fire Protection District (CCCYPD) currently provides fire and emergency services to residents of the City as well as other incorporated and unincorporated areas of the County. The CCCYPD already provides services to the project site. The proposed project would not result in any changes to fire and emergency service provision. Therefore, no impact to fire services would occur. No mitigation is required.²⁴

ii) Police protection impacts?

Less Than Significant Impact. The project site is located in the City's SOI and is surrounded on 2 sides by the City of Antioch and/or near other areas currently served by the Antioch Police Department (APD). The project would allow Subareas 1, 2a, and 2b to receive police protection from the APD. The Antioch General Plan establishes a response time goal of 7 to 8 minutes for "Priority 1" (emergency) calls. As of 2012, the APD reports that the average response time is 11 minutes due to lack of staffing.

The current police per capita ratio is 0.84 to 1,000 residents. Adoption of the project would add an estimated 320 residents from Subareas 2a and 2b to the City, (and would also add Subarea 1, which contains no residents). This addition generates a need for approximately 0.5 new officers. According to the Antioch Police Department, the minor increase in the City's population, related to the annexation of the three subareas, would not significantly impact or worsen the ratio of police staff to population or adversely affect response times.²⁵ The City's police facilities are adequate to accommodate the current total of staff and the incremental increase in staffing that may be implemented as a result of the project. Therefore, the project would not require physical expansion of police facilities. In addition, the projected revenue accruing to the City from the reorganization of Subareas 1, 2a, and 2b, as projected in **Appendix D**, would significantly exceed the incremental cost to the City of increasing its Public Safety staffing.

An adverse impact under CEQA would occur only if a project were to result in the need for new or physically altered facilities related to public services, and only if the expansion of these facilities caused a significant environmental effect. Non-compliance with a service level ratio is not by itself an adverse impact under CEQA. Since the project would not require new or physically altered facilities to accommodate the additional 320 residents in the APD service area, the impact is less-than-significant and no mitigation is required.

²⁴ The Contra Costa County Fire Protection District indicated the potential need to close 8-10 stations due to budget constraints if funding was not increased. The November 2012 election included Ballot Measure Q or the "Contra Costa Fire Protection District Parcel Tax." This measure did not pass. In January 2013, CCCYPD closed three of its stations owing to funding difficulties. The stations slated for closure are Station 4 in South Walnut Creek, Station 16 in Lafayette, and Station 12 in the Mountain View area of Martinez. None of these provide primary or secondary service to the City of Antioch.

²⁵ Allan Cantando, Chief of Police, Antioch Police Department. Personal Communication, November 28, 2012.

iii) School impacts?

No Impact. School-age children that currently live in Subareas 2a and 2b already attend schools within the Antioch Unified School District. Once these subareas are annexed to the City of Antioch, school enrollment levels will not increase. There are no residential uses located within Subarea 1. The project does not include land use changes in any of the subareas that would allow for increased residential development.

In the event future residential development occurs, it will be subject to applicable CEQA environmental review requirements. Depending on the size of such projects, identified school impacts may require mitigation through the payment of impact fees (such as SB 50 impact fees) and/or other available financing mechanisms, such as the institution of a Mello-Roos financing district. Overall, because the project would not foreseeably increase school age population there would be no impact on schools.

iv) and v) Park and other public facility impacts?

Less Than Significant Impact. The project would incorporate all three subareas into the City, increasing the City's population by about 320 people. There are no existing public park/recreation facilities within any of the three subareas. Theoretically, the project would increase demand on City parks and other public facilities. However, Subareas 2a and 2b are unincorporated "islands" largely surrounded by the City of Antioch; nothing currently prohibits existing subarea residents from using nearby City of Antioch park facilities. As a result, residents of these subareas very likely already use City of Antioch park and recreational facilities. Therefore, the annexation of the subareas would not foreseeably or substantially alter the propensity of subarea residents to use City of Antioch park and recreation facilities.

Even if all residents of the subareas were to be considered "new" users of City's park and recreational facilities, the total increase in users is modest. Thus it would be highly unlikely that the incremental increase in population could foreseeably result in any measurable increase in park usage and certainly not one at a level that would accelerate degradation of such facilities. Implementation of the project would therefore not create significant additional demand on existing parks and other public facilities near the project site such that construction or expansion of new facilities would be required. The project impact is less-than-significant; no mitigation is required.

XV. Recreation

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Increase use of existing facilities?

Less Than Significant Impact. The project would incorporate all three subareas into the City, increasing the City's population by about 320 people. There are no existing public park/recreation facilities within any of the three subareas.²⁶ Theoretically, the project would increase demand on City parks and other public facilities. However, Subareas 2a and 2b are unincorporated "islands" largely surrounded by the City of Antioch; nothing currently prohibits existing subarea residents from using nearby City of Antioch park facilities. As a result, residents of these subareas very likely already use City of Antioch park and recreational facilities. Therefore, the annexation of the subareas would not foreseeably or substantially alter the propensity of subarea residents to use City of Antioch park and recreation facilities.

Moreover, the project would only increase population by 320 people; it would be highly unlikely that the incremental increase in population could foreseeably result in any measurable increase in park usage and certainly not one at a level that would accelerate

²⁶ The Antioch Dunes National Wildlife Refuge, a portion of which is within Subarea 1, is a biological resource conservation area and is not accessible for casual park or recreational usage.

degradation of such facilities. Implementation of the project would therefore not create significant additional demand on existing parks and other public facilities near the project site such that construction or expansion of new facilities would be required. The project impact is less-than-significant; no mitigation is required.

b) Include/require construction of new facilities?

Less Than Significant Impact. As noted above, the project would increase City population by only 320 residents. The additional residents would not create significant additional demand on existing parks and other public facilities near the project site that would require construction or expansion of City park and recreational facilities. Since the project does not include any new recreational facilities and the project's incremental increase in population is not at a level that any new facility would be needed, the impact would be less-than-significant. No mitigation is required.

XVI. Transportation and Traffic

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) **Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**

and

- b) **Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

Less Than Significant Impact. The City utilizes level of service standards to evaluate the performance of the circulation system. Although the project would extend infrastructure to Subarea 2b, the project would retain existing land use densities and intensities and thus would not induce population or employment growth in the area over what is currently allowed under the County General Plan and Zoning Designations. Furthermore, the project does not include proposed development that would change or increase population in the area. Accordingly, the project would have no foreseeable potential to result in any substantial increase in traffic on area roadways or circulation system.

The extension of utility infrastructure to Subarea 2b would require construction within existing roadways. Roadways would continue to be operable during the construction period as a result of required construction staging. In addition, some existing unpaved roadways in Subarea 2b would be resurfaced with asphalt. However, neither the construction nor the resurfacing would foreseeably worsen traffic levels on affected streets to such an extent that level of service would change.

Overall, the nature of the project is such that it could not adversely affect level of service standards and would not substantially conflict with the applicable measure of effectiveness. Project related traffic effects would be less-than-significant. No mitigation is required.

- c) **Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

No Impact. The project area is not located within an airport land use plan. The closest public use airports to the project site are Byron Airport and Buchanan Field. Byron Airport is located about 14.5 miles to the southeast; Buchanan Field is about 15 miles to the west. Owing to this distance, implementation of the project would have no impact on air traffic patterns. No mitigation is required.

d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact. The only project aspect with the potential to result in physical environmental effects is the extension/installation of infrastructure to serve Subarea 2b, largely within right-of-way areas.

While infrastructure extension would by necessity involve construction within existing roadways and would also include resurfacing of some unpaved roadways, neither of these aspects would constitute any substantial increase in hazards. Moreover, the project would not substantially change any allowable land use type or intensities. All proposed infrastructure improvements would be located at or immediately below grade and would thus not create any transportation hazard. Proposed road resurfacing and storm drainage improvements would reduce the potential for ponding or flooding of area streets, thus reducing transportation related hazards from existing conditions. Overall, project impacts would be less-than-significant. No mitigation is required.

e) Result in inadequate emergency access?

Less Than Significant Impact. The project would require temporary construction within public ROW of Subarea 2b and sections of Subareas 1 and 2a, but would not change the existing emergency access to the site as no permanent changes to the regional street system would occur. In fact, some existing dirt and gravel streets in Subarea 2b would be resurfaced with asphalt as part of the project, which may actually improve conditions for emergency service providers. Other components of the project are procedural and would not require physical changes or impacts to be analyzed. As noted above, congestion levels would remain the same because no trips would be added as a result of the project. The CCCFPD would continue to utilize emergency access with the current street network therefore would result in a less-than-significant impact. No mitigation is required.

f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Less Than Significant Impact. City of Antioch General Plan policies 7.4.2 (a through f) promote the creation of alternative transportation facilities within the City to maintain safety, mobility, and accessibility for pedestrians and bicyclists. Specifically, policies 7.4.2a, 7.4.2d, and 7.4.2f require roadway designs to integrate adequate bicycle and pedestrian facilities.

Three Tri-Delta transit bus routes (383, 391, and 393) currently traverse East 18th Street, immediately south of Subarea 2b. The project would not include any features that would permanently alter any of these stops or bus service along East 18th Street or elsewhere.

Upon annexation, all public streets in all three subareas would become City streets and thus subject to pertinent City policies. The project includes resurfacing of some selected streets within Subarea 2b, which would have a beneficial impact in terms of improving the quality of streets for use by bicyclists. The project does not include the provision of sidewalks, bike lanes, or other similar roadway improvements. Over time and as funding is available, the City may consider bringing some of the annexed streets up to City standards, but the Plan for Services currently has no provision to do so. While this presents a departure from the City's standards, the quality of street conditions will improve from existing conditions and become safer for recreational purposes from project resurfacing efforts.

In all, the project would not result in any substantial policy conflict regarding alternative transportation such that an adverse physical environmental effect would occur. Project impacts would be less than significant; no mitigation is required.

XVII. Utilities and Service Systems

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a), b), and e) Wastewater impacts?

Less Than Significant Impact. The project would allow for the replacement of individual septic systems on primarily residential properties by extending municipal wastewater collection infrastructure (and thus wastewater collection and treatment service) to Subarea 2b. At present, Subarea 2b is largely built out, containing about 120 single-family houses and other incidental uses, none of which are served by any municipal wastewater collection and treatment system. The properties in Subarea 2b dispose of wastewater via individual septic systems, most of which are located in proximity to individual potable water wells. This situation thus presents the need to add utility services as a matter of protecting public health.

At present, the entire City of Antioch (but not all of the City's sphere of influence area) is within the service boundaries of the Delta Diablo Sanitation District (DDSD). The reorganization would result in the three subareas becoming part of the City as well as the DDSD service area. DDSD would provide wastewater treatment to Subarea 2b following the reorganization and the extension of infrastructure to the Subarea.

The DDSD Water Pollution Control Facility (WPCF), located near the border of Antioch and Pittsburg, is a wastewater treatment plant with a rated average dry weather flow (ADWF) capacity of 16.5 mgd. The plant processes wastewater collected from locations including the City of Antioch.²⁷ DDSD conveys wastewater from the City to its Bridgehead and Antioch pump stations, located in southeast Antioch and at Fulton Shipyard Road, respectively. The City owns and maintains the sewer collection system within the City that connects to DDSD's trunk sewer lines.

Because the project would not increase land use intensity over existing or allowable levels, the project would not have the potential to increase the total amount of wastewater generated in the subareas. However, by extending wastewater infrastructure to Subarea 2b, the total amount of wastewater *entering the collection and treatment system* would increase relative to existing conditions. At present, all such wastewater is directed into individual septic systems.

The permitted wastewater inflow capacity for the DDSD WPCF is an Average Dry Weather Flow of 16.5 million gallons per day. In 2012, the actual amount of wastewater treated at the WPCF was 12.7 million gallons per day, almost 4 million gallons below the WPCF's maximum capacity.²⁸

As shown in **Table 5**, the project would add 28,600 gallons per day (0.0286 million gallons per day) of wastewater to the WPCF.

²⁷ City of Antioch; Final Urban Water Management Plan (2010).

²⁸ Personal Communication with Amanda Roa; Environmental Compliance Engineer, Delta Diablo Sanitation District; January 22, 2013.

Table 5 Estimated Project Wastewater Generation

Land Use Category	Unit Flow Factor in Gallons Per Day (gpd)	Project Units	Total Project Wastewater Generation
Single Family Residential	220 gpd/Residential Unit	130 Single Family Units ¹	28,600 gpd
<i>Total</i>			<i>0.0286 million gpd</i>

Source: Conveyance System Master Plan Technical Memorandum C-5, DDSD, 2004.

¹ Subarea 2b includes 120 single family residential units. A section of Subarea 2b has a designated land use of "heavy industrial." Based on field reconnaissance and a review of County Assessor records, the areas designated for industrial use appear to have some combination of residential and commercial uses, including outdoor staging/storage of materials and vehicles. To provide a more conservative basis for this analysis, the Table above assumes the combined residential/commercial uses in the area designated "heavy industrial" has a functional equivalent of 10 residential uses. Thus the existing 120 units plus the estimated 10 additional units comprise the total of 130 units noted above.

DDSD regularly reviews its system to determine maintenance and expansion needs. DDSD projections change every few years based on proposed and approved projects. The proposed reorganization would add the Subareas to the DDSD service area.

Due to the fact that estimated wastewater flows resulting from the project, when added to existing flow levels, would be well within the available capacity of the DDSD WPCF, no new wastewater treatment facilities would be required and there would be no foreseeable exceedance of any wastewater treatment requirement. Therefore, project impacts would be less-than-significant. No mitigation is required.

c) Stormwater facility impacts?

Less Than Significant Impact. The project includes extension of stormwater collection infrastructure to Subarea 2b primarily to address "problem areas" that are subject to flooding under mild to moderate rainfall. Subareas 1, 2a, and 2b currently lack any formal system to control stormwater runoff and the addition of stormwater drainage infrastructure to Subarea 2b would begin to address and manage this need. Elsewhere in the City of Antioch, existing stormwater lines discharge to channels maintained by the City and the Flood Control District who hold a NPDES permit to release stormwater from the channels into the San Joaquin River. Notably, the Flood Control District exercises jurisdiction over the entire County, including incorporated cities and unincorporated areas.

The project's proposed extension of stormwater collection facilities to Subarea 2b would incrementally increase the amount of stormwater entering City and Flood Control District facilities and discharging into the San Joaquin River. Given the relatively small size of

Subarea 2b, the incremental addition is not considered significant. Moreover, the project would result in beneficial environmental effects. Expansion of stormwater collection facilities to Subarea 2b would reduce undesirable environmental effects associated with uncontrolled stormwater, such as an increase in pollutant load in the area waterways and vector control issues. To that end, the proposed construction of stormwater collection and discharge facilities in Subarea 2b would allow for proper and planned drainage of stormwater and thus benefit current drainage patterns. The impact is less-than-significant. No mitigation is required.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Less than Significant Impact. The project would extend potable water lines to Subarea 2b to allow for the provision of treated water to users in Subarea 2b. At present, properties in Subarea 2b generally obtain water from individual on-site wells.

Although the project would increase the demand on the municipal water supply, the increased demands on water supply have been previously accounted for in the City's 2010 Urban Water Management Plan (UWMP). This plan is updated every 5 years, examining water demand through the year 2030.²⁹

The UWMP shows Subareas 1, 2a, and 2b are located within pressure Zone II, which serves primarily residential and commercial users within the City. UWMP assumes some new industrial uses in Zones I & II. Residential uses were assumed to exist in most other areas of the UWMP. Since Subareas 1, 2a, and 2b are located within the City's Sphere of Influence, the UWMP included these areas in the growth assumptions for its projections of new water demand through 2030.

Although most properties in Subareas 1, 2a, and 2b have wells or other sources of non-municipal water, the UWMP projected municipal water usage in these areas to be consistent with zoning. The UWMP shows Subareas 1 and 2a with an industrial zoning classification in figure 2-2; Subarea 2b is shown to have residential zoning.

Per the UWMP, the City has sufficient water supplies available to serve the project from existing entitlements and resources through at least the year 2030. Therefore, the project's impacts relative to water supply would be less-than-significant. No mitigation is required.

²⁹City of Antioch; Final Urban Water Management Plan (2010).

f) and g) Landfill and solid waste impacts?

No Impact. Currently, solid waste from the project area is collected and taken to the Keller Canyon Landfill in Pittsburg, CA. The Keller Canyon Landfill is permitted to accept 3,500 tons of waste per day and a lifespan at 68 additional years is estimated before it reaches capacity.³⁰ This projection accounts for growth in Contra Costa County based in part on General Plans prepared by cities and the county in addition to other proprietary sources.

While the project would incorporate the three subareas into the City limits, the fact that the project would not change existing or allowable land uses means that there would be no net increase in waste generation or the amount of waste being sent to area landfills. Therefore, the project would have no impact relative to solid waste/landfill capacity. No mitigation is required.

³⁰ City of Antioch: Roddy Ranch Project Recirculated Draft EIR; August 2012.

XVIII. Mandatory Findings of Significance

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less than Significant Impact	No Impact
Does the project:				
a) Have the potential to degrade 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, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) **Have the potential to degrade 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, 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?**

Less than Significant Impact. The only physical improvements associated with the project entail the extension of municipal infrastructure to serve Subarea 2b and the paving of existing unpaved roads. These improvements would occur almost entirely within right-of-way areas traversing a currently urbanized area. As shown in previous sections of this document, mitigation measures have been incorporated that would reduce all of the project's biological and cultural resources effects to a less-than-significant level. Therefore, the project would not have any significant potential to degrade the quality of the environment; affect habitat, fish, and wildlife species; or cultural resources.

- b) Have impacts that are individually limited, but cumulatively considerable?**
("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less than Significant Impact. As documented throughout this analysis, the proposed project would not result in any significant physical impacts. The City included all three subareas as part of the City's sphere of influence in its last General Plan Update (2003). The associated certified General Plan EIR further assumed the likely future annexation of the three subareas.

The proposed reorganization was included in the overall assumptions in the City's SOI and the impacts of buildout of the City was disclosed and analyzed as part of the General Plan and General Plan EIR. Therefore the project would not result in any cumulatively considerable impacts that were not already identified in the General Plan EIR.

- c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

Less than Significant Impact. A key intent of the project is to provide infrastructure improvements to Subarea 2b to help resolve identified public health concerns associated with existing patterns of potable water wells in close proximity to numerous individual septic systems. Overall, the extension of potable water and wastewater collection service to Subarea 2b would have a positive effect on human health. The actual construction involved in extending infrastructure to Subarea 2b would have some minor short term effects, such as air quality and noise effects that could affect human beings. However, as noted earlier within this document, none of these effects would be significant or substantially adverse.

The following studies and reports were prepared specifically for the project and are included as appendices to this initial study.

Appendix A: Northeast Antioch Annexation Feasibility Study: Strategic Plan for Phased Annexation. January 2005. Richard, T. Loewke, AICP.

Appendix B: Plan for Providing Services. 2012. City of Antioch.

Appendix C: Cost Estimate for Infrastructure Improvements, Subarea 2b. November 2011. Carlson, Barbee & Gibson, Inc.

Appendix D: The Fiscal Impacts of the Northeast Antioch Annexation. January 2009. Gruen Gruen & Associates.

Appendix E: Air Quality and Greenhouse Gas Emissions Assessment. November 2012. Illingworth & Rodkin, Inc.

Appendix F: Biological Resources Assessment. August 2012. RCL Ecology.

Appendix G: Cultural Resources Assessment Report. July 2012. William Self Associates, Inc.

Appendix H: Phase I Environmental Site Assessment. July 2012. Baseline Environmental Consulting

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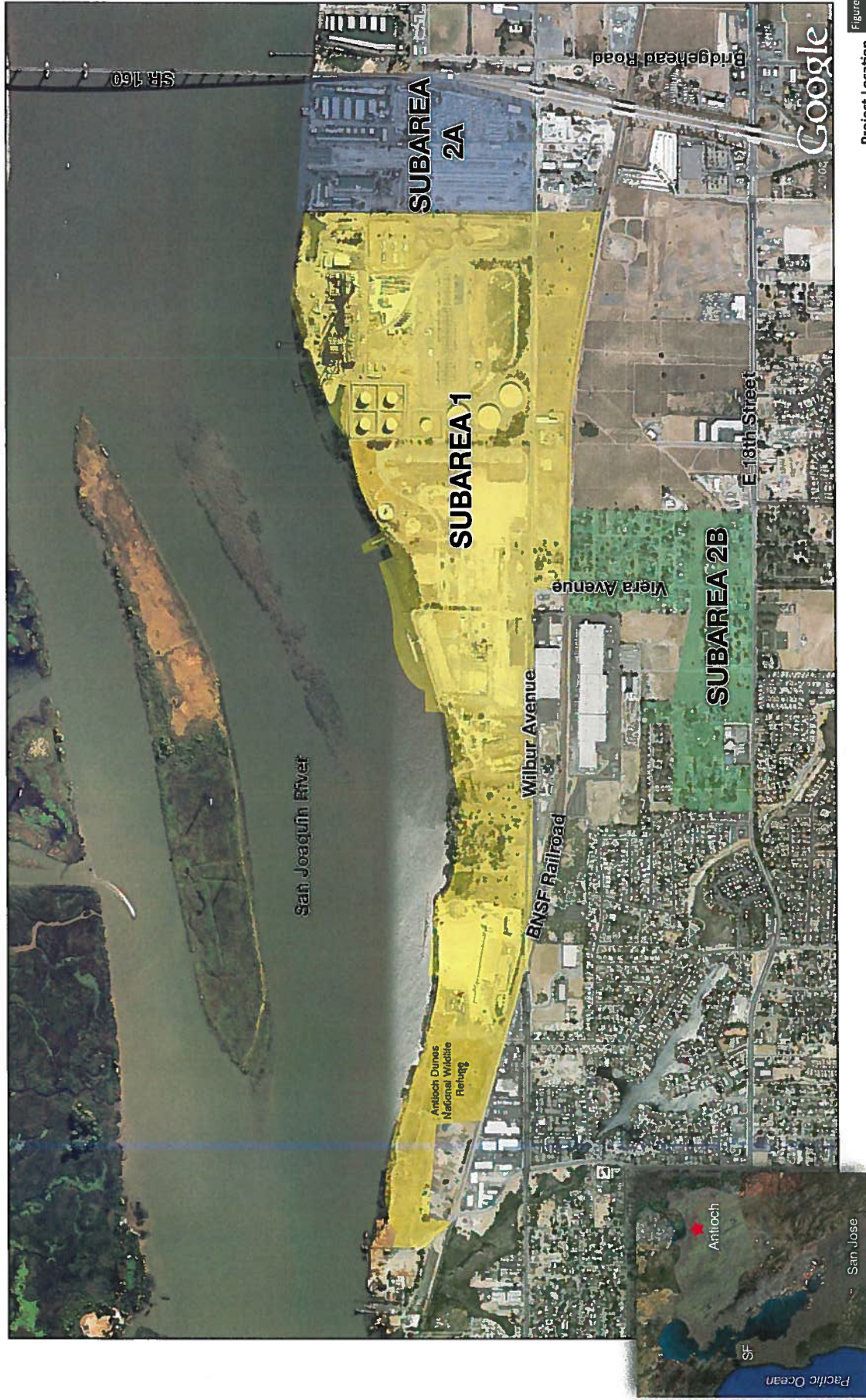
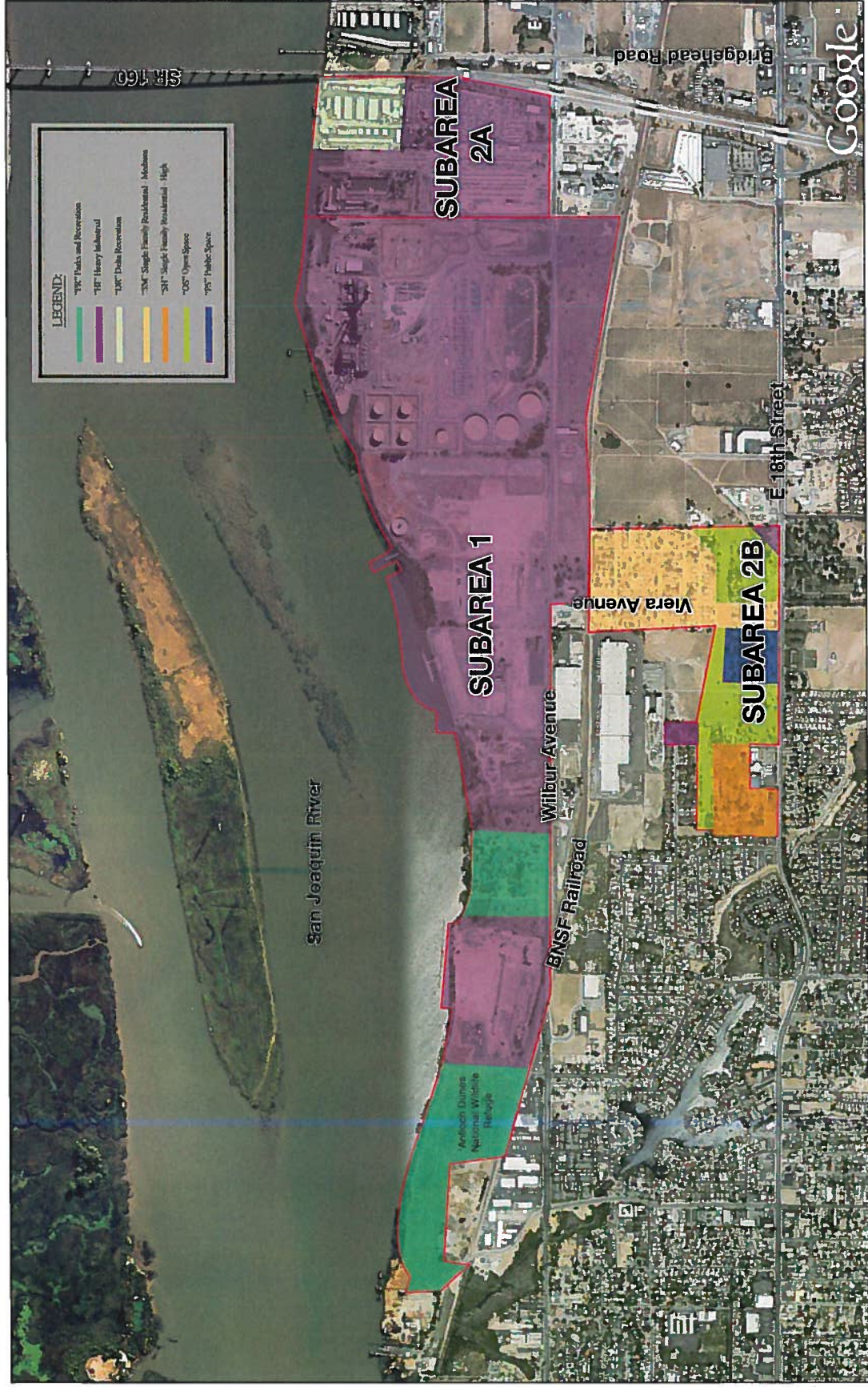
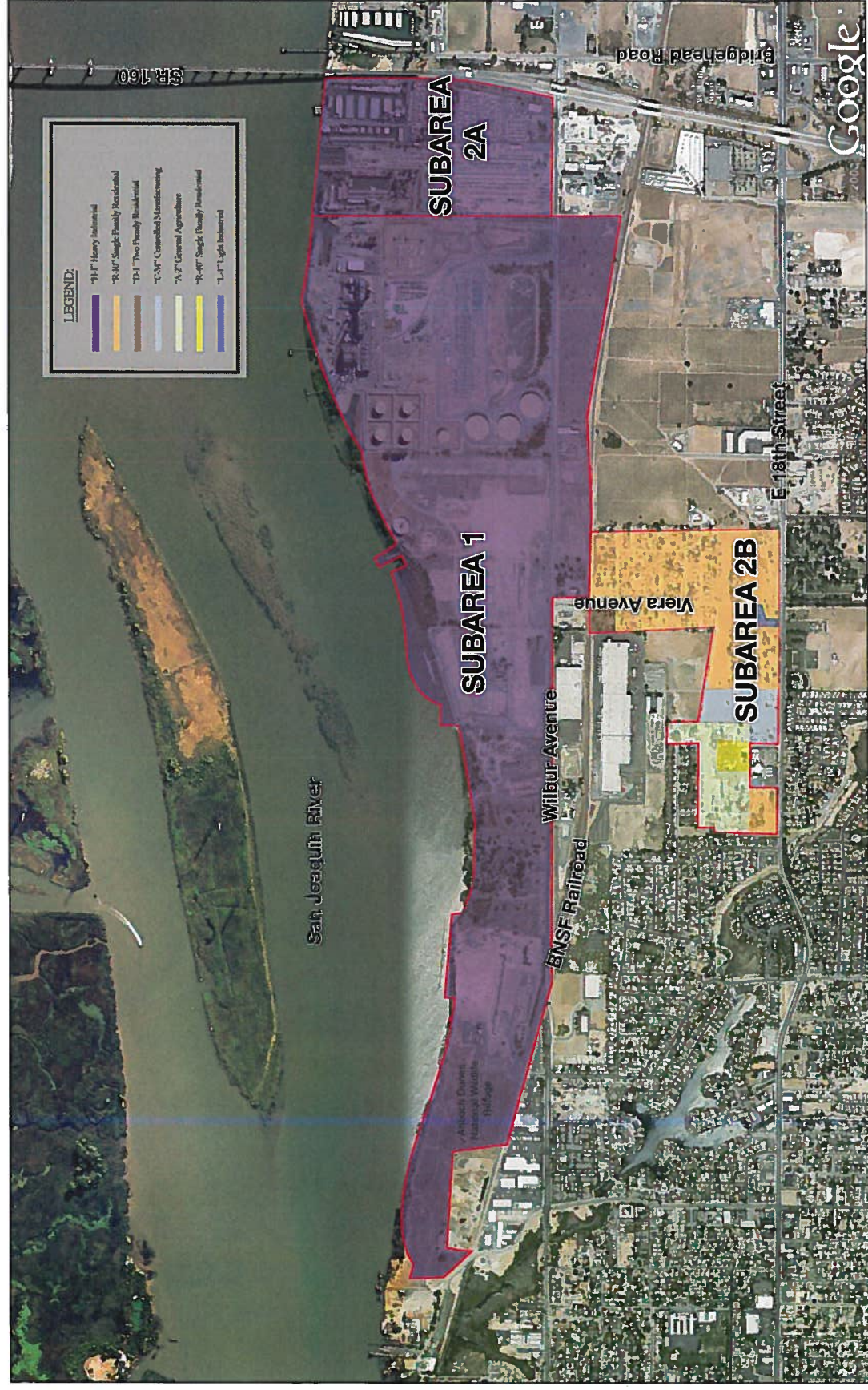


Figure
Project Location



Contra Costa County General Plan Designations



Contra Costa County Zoning Designations



Figure
City of Antioch General Plan Designations

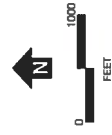
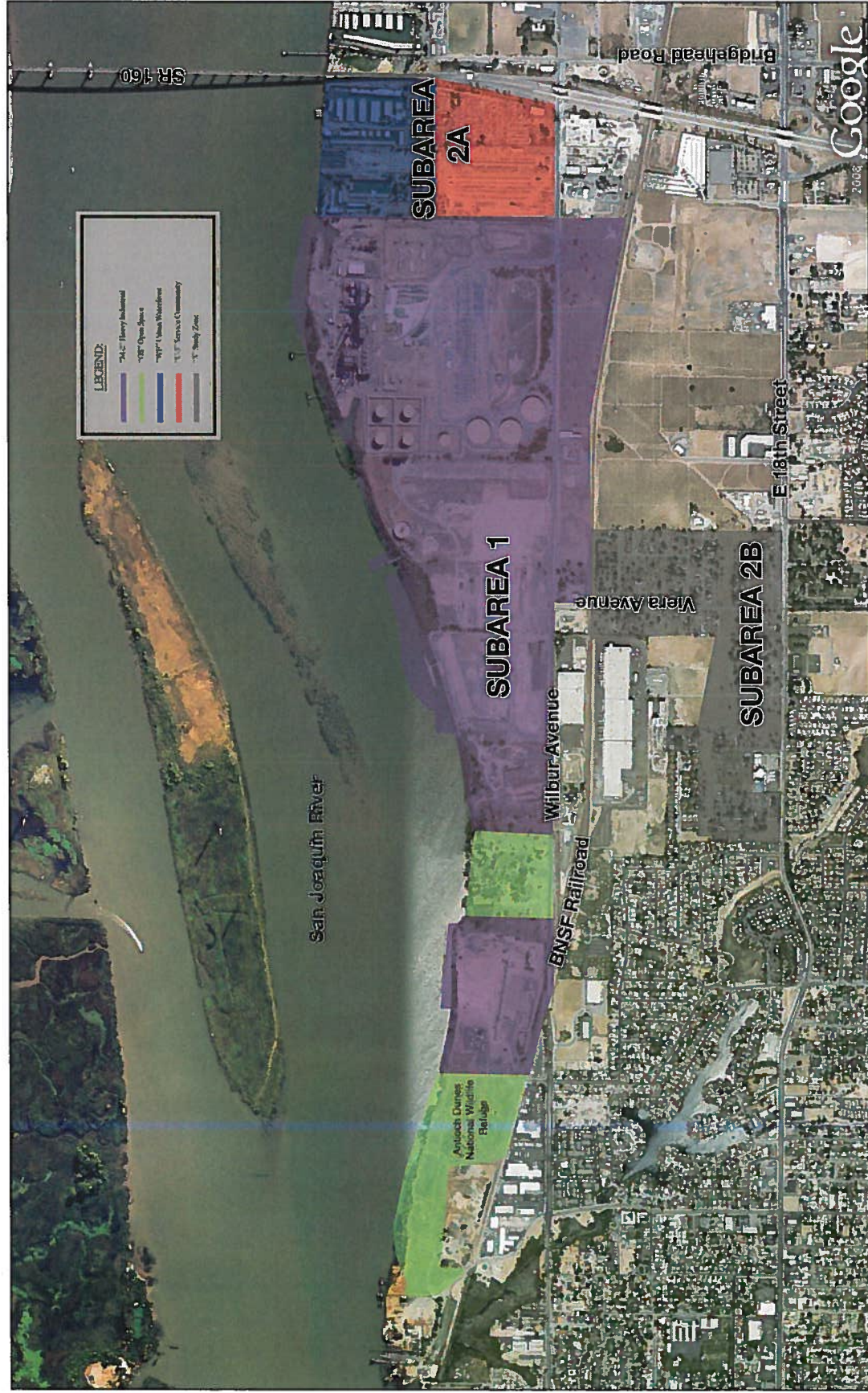
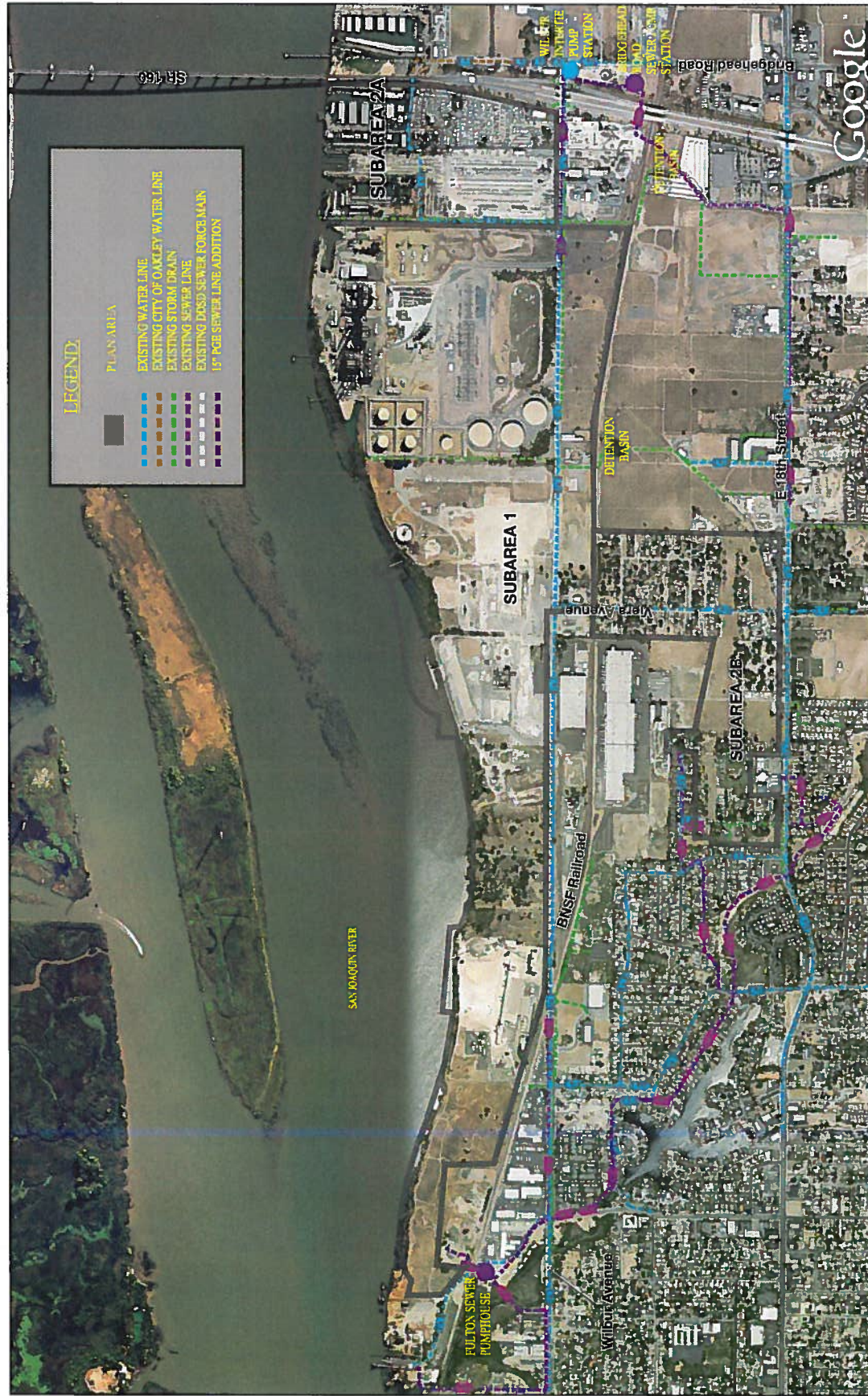
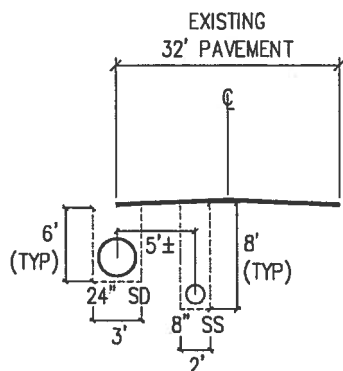


Figure
Proposed City of Antioch Rezoning

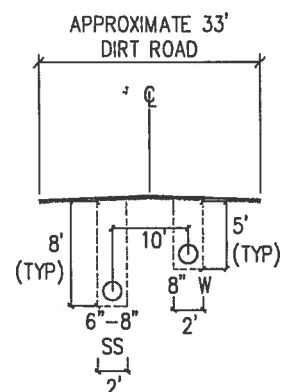


Existing Utilities



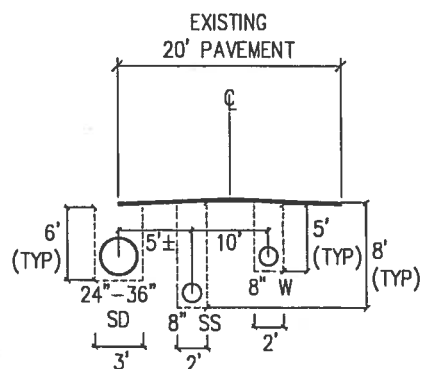
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VIERA AVE.



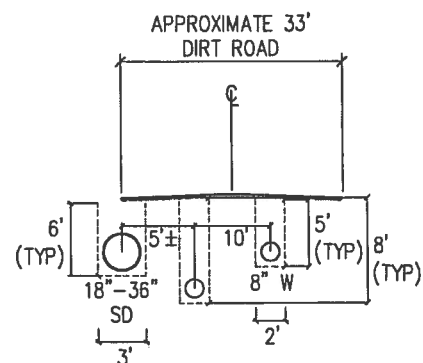
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TREMBATH LANE
WYMORE WAY



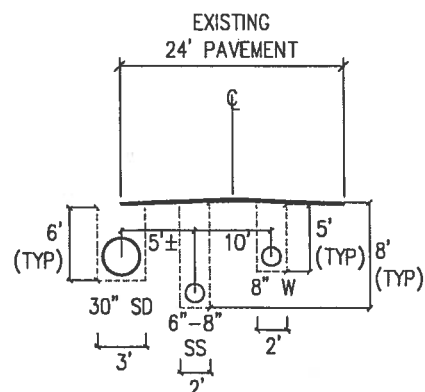
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SANTA FE AVE.
WALNUT AVE.



CROSS SECTION 5

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STEWART LANE
VINE LANE



CROSS SECTION 3

BOWN LANE

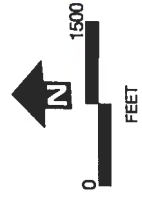
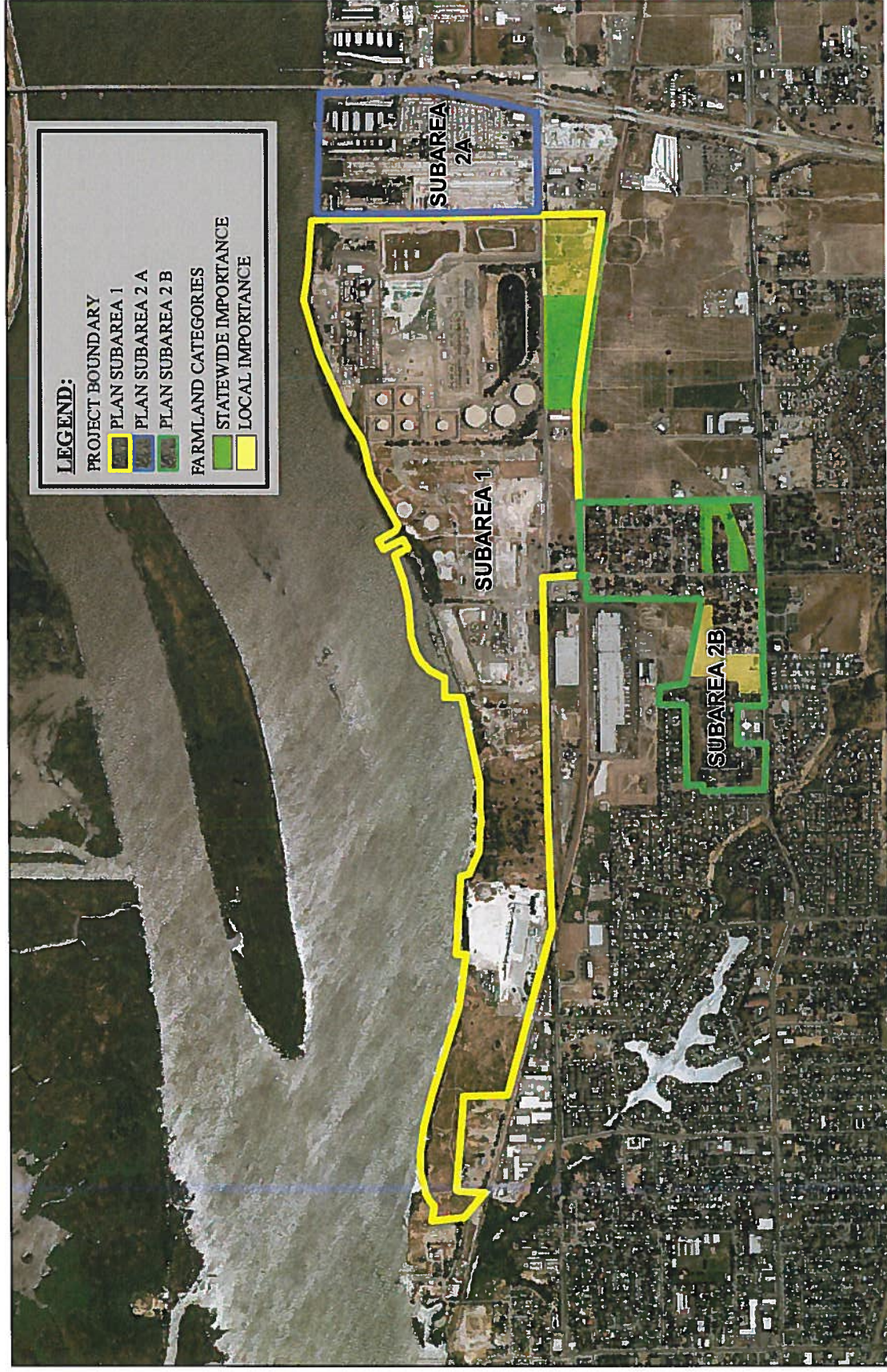


Figure 9
Farmlands in Project Area