

**ANNOTATED  
AGENDA**  
**CITY OF ANTIOCH PLANNING COMMISSION**  
**ANTIOCH COUNCIL CHAMBERS**  
**200 "H" STREET**

**WEDNESDAY, AUGUST 1, 2018**

**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 **WEDNESDAY, AUGUST 8, 2018**.

If you wish to speak, either during “public comments” or during an agenda item, fill out a Speaker Request Form and place in the Speaker Card Tray. This will enable us to call upon you to speak. Each speaker is limited to not more than 3 minutes. During public hearings, each side is entitled to one “main presenter” who may have not more than 10 minutes. These time limits may be modified depending on the number of speakers, number of items on the agenda or circumstances. No one may speak more than once on an agenda item or during “public comments”. Groups who are here regarding an item may identify themselves by raising their hands at the appropriate time to show support for one of their speakers.

**ROLL CALL**                   **6:32 P.M.**

Commissioners	Parsons, Chair
	Turnage, Vice Chair ( <b>absent</b> )
	Zacharatos
	Motts
	Martin
	Schneiderman ( <b>absent</b> )

**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:**

**June 6, 2018**

**APPROVED**

\* \* \* END OF CONSENT CALENDAR \*

**STAFF REPORT**

**NEW PUBLIC HEARING**

- 2. Z-18-06 – Accessory Dwelling Unit Ordinance Amendment** – The City of Antioch is proposing text amendments to Section 9-5.3805 - Accessory Dwelling Units of the Zoning Ordinance to comply with new state laws relating to Accessory Dwelling Units, including, but not limited to, clarifying that accessory dwelling units may be built on properties zoned to allow a single-family or multifamily use, allowing accessory dwelling units to be built in conjunction with a proposed single-family dwelling, and reducing some parking requirements. The proposed ordinance would be applicable city-wide. This project is exempt from the California Environmental Quality Act.

**RESOLUTION NO. 2018-20**

**NEW ITEM**

**STAFF REPORT**

- 3. Brackish Water Desalination** - Staff recommends that the Planning Commission receive public comments on the Draft Environmental Impact Report (EIR) for the Antioch Brackish Water Desalination Project. The meeting is not to debate or discuss the merits of the project, but to receive verbal comments that will be responded to in the Final EIR. An action from the Planning Commission is not needed at this time, but just the receiving of public comments.

**COMMENTS RECEIVED**

**ORAL COMMUNICATIONS**

**STAFF REPORT**

**WRITTEN COMMUNICATIONS**

**COMMITTEE REPORTS**

**ADJOURNMENT (7:24 pm)**

**Notice of Availability of Reports**

This agenda is a summary of the discussion items and 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 2<sup>nd</sup> floor of City Hall, 200 "H" Street, Antioch, California, 94509, between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday for inspection and copying (for a fee) or on our website at:

<http://www.ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/docs/Project-Pipeline.pdf>  
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.

**Notice of Opportunity to Address the Planning Commission**

The public has the opportunity to address the Planning Commission on each agenda item. You may be requested to complete a yellow Speaker Request form. Comments regarding matters not on this Agenda may be addressed during the "Public Comment" section on the agenda.

**Accessibility**

The meetings are accessible to those with disabilities. Auxiliary aids will be made available for persons with hearing or vision disabilities upon request in advance at (925) 779-7009 or TDD (925) 779-7081.

**CITY OF ANTIOCH  
PLANNING COMMISSION**

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

**June 6, 2018  
City Council Chambers**

Chair Parsons called the meeting to order at 6:30 P.M. on Wednesday, June 6, 2018 in the City Council Chambers. She 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 date of the decision. The final appeal date of decisions made at this meeting is 5:00 P.M. on Wednesday, June 13, 2018.

**ROLL CALL**

Present:	Commissioners Schneiderman, Motts, Martin, Zacharatos, Conley, Vice Chair Turnage and Chair Parsons
Staff:	Director of Community Development, Forrest Ebbs Assistant City Engineer, Lynne Filson Interim City Attorney, Samuel L. Emerson Minutes Clerk, Kitty Eiden

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

None.

**CONSENT CALENDAR**

1. Approval of Minutes:	<b>May 2, 2018</b>
	<b>May 16, 2018</b>

*On motion by Commissioner Zacharatos, seconded by Commissioner Conley, the Planning Commission approved the minutes of May 2, 2018, as presented. The motion carried the following vote:*

<b>AYES:</b>	<b>Schneiderman, Motts, Martin, Conley and Zacharatos</b>
<b>NOES:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>Turnage and Parsons</b>
<b>ABSENT:</b>	<b>None</b>

*On motion by Chair Parsons, seconded by Commissioner Zacharatos, the Planning Commission unanimously approved the minutes of May 16, 2018, as presented. The motion carried the following vote:*

**AYES:** *Parsons, Motts, Martin, Turnage, Conley Schneiderman and Zacharatos*  
**NOES:** *None*  
**ABSTAIN:** *None*  
**ABSENT:** *None*

**NEW PUBLIC HEARING**

2. **PD-16-01– Black Diamond Ranch** – Discovery Builders Inc. requests approval of a 9-unit residential subdivision within the existing Black Diamond Ranch (APN 089-160-010). Requested actions include adoption of an Initial Study/Mitigated Negative Declaration, an amendment to the previously approved Black Diamond Ranch Hillside Planned Development District, approval of a subdivision that includes 9-unit plus a 19.11-acre open space lot, and approval of the Final Development Plan/Design Review for proposed homes. The project site has a General Plan Land Use Designation of Medium Low Density Residential. The project site is located in the existing Black Diamond Ranch subdivision adjacent to the western boundary with the City of Pittsburg. The new homes would be accessed from Country Side Way and at the terminus of Torgensen Court (APN 089-160-010).

Project Planner Paul Junker presented the staff report dated June 1, 2018 recommending the Planning Commission take the following actions: 1) Adopt the resolution recommending approval of the Black Diamond Ranch Unit 4 Initial Study and Mitigated Negative Declaration, 2) Adopt the resolution recommending approval of an amendment to the Black Diamond Ranch Hillside Planned Development District and, 3) Adopt the resolution recommending approval of a Black Diamond Ranch Unit 4 Vesting Tentative Map/Final Development Plan (PD-16-01) subject to conditions of approval.

In response to Commissioner Martin, Project Planner Junker clarified that lot one was plan one/single story. Director of Community Development Ebbs explained that the EIR completed for the original Black Diamond Ranch did not consider these nine homes because at that time this area was going to be open space. He added that the project presented this evening did not generate the level of traffic required to do a traffic study and they would be responsible to pay a regional transportation impact fee to pay their fair share for current, past, and future highway 4 improvements.

Commissioner Conley stated a letter was received from a resident on Torgensen Court asking if the developer could provide off-street parking. He questioned if the court was large enough to have a parking island and if there was access to the open space in the event of a fire.

Project Planner Junker responded that the project was not designed to have the integrated space necessary to accommodate parking in the center of the court. He explained that access to the open space was from an easement on Countryside Way.

Commissioner Motts, referencing the same letter, requested clarification regarding the reference to the placement of one of the houses.

Project Planner Junker stated it appeared as though the statement was acknowledging the placement currently proposed would respect the author's privacy.

Dana Owyong, Discovery Builders, stated he was present this evening with their team to answer any questions. He reported that they had worked closely with staff and they were happy and agreed with all the conditions of approval. He noted they were prepared to build the homes, which were well-designed. He clarified that they had a three car garage for the single story home, which had aprons for parking.

Commissioner Martin complimented the applicant for having three different designs and three different plans for the project.

Mr. Owyong clarified that there would be no repeat elevations among the nine homes.

In response to Commissioner Conley, Mr. Owyong stated that they reduced the project from ten to nine homes to reduce grading and the need for retaining walls. He noted grading would match the existing contour of the hillside.

In response to Commissioner Motts, Mr. Owyong clarified if approaching the site heading north, the existing homes would be seen prior to these homes.

In response to Chair Parsons, Mr. Owyong stated they would not have an option in their design set for converting the one car garage to a bedroom.

Chair Parsons closed the public hearing.

In response to Commissioner Conley, Project Planner Junker responded that if the Planning Commission approved the resolutions this evening, it would not allow homes on the hill and would preclude having homes on the hill because there would be no access point.

In response to Commissioner Motts, Director of Community Development Ebbs requested the Planning Commission take action on the CEQA item first and then consider the remaining items collectively.

***RESOLUTION NO. 2018-17***

***On motion by Vice Chair Turnage, seconded by Commissioner Zacharatos, the Planning Commission adopted the resolution recommending approval of the Black Diamond Ranch Unit 4 Initial Study and Mitigated Negative Declaration. The motion carried the following vote:***

**AYES:** *Zacharatos, Motts, Martin, Turnage, Conley Schneiderman and Parsons*  
**NOES:** *None*  
**ABSTAIN:** *None*  
**ABSENT:** *None*

***RESOLUTION NOS. 2018-18 and 2018-19***

*On motion by Vice Chair Turnage, seconded by Commissioner Motts, the Planning Commission 1) Adopted the resolution recommending approval of an amendment to the Black Diamond Ranch Hillside Planned Development District; and, 2) Adopted the resolution recommending approval of a Black Diamond Ranch Unit 4 Vesting Tentative Map/Final Development Plan (PD-16-01) subject to conditions of approval.. The motion carried the following vote:*

**AYES:** *Zacharatos, Motts, Turnage, Conley Schneiderman and Parsons*  
**NOES:** *Martin*  
**ABSTAIN:** *None*  
**ABSENT:** *None*

**ORAL COMMUNICATIONS**

In response to Commissioner Motts, Director of Community Development Ebbs stated he had started to compile a Planning Commission Handbook. He noted Planning Manager Morris would be bringing the project back to the Planning Commission at a future meeting.

Commissioner Motts asked if the Planning Commission could be provided with binders for their agenda packets.

Director of Community Development Ebbs stated he had been unable to locate any binders. He reported the City was going through a branding process and noted there may be a new City logo and that may be the time to get new binders. He invited Commissioners to participating in the new branding process.

Commissioner Martin stated he had been concerned regarding the City's on-street parking requirements in residential areas noting that more families were living in each house. Additionally, he noted that street sweepers were unable to sweep curb areas due to vehicles that parked along those areas. He questioned if on-street parking requirements should be amended to require cars be removed from the streets on street sweeping days.

Director of Community Development Ebbs stated these issues should be considered with the zoning ordinance amendment. He noted Antioch required two parking spaces

per house onsite plus one on street. He further noted this issue could be considered with new projects during the preliminary development review phase. He stated in theory every house with a two car garage could park four vehicles on their lot.

Commissioner Martin stated he had two places in his court that had five families living in the home and six vehicles.

Vice Chair Turnage suggested Commissioner Martin contact Code Enforcement Manager Michael to report the issue.

**WRITTEN COMMUNICATIONS**

None.

**COMMITTEE REPORTS**

Commissioner Motts reported that no TRANSPLAN meetings had been scheduled.

**ADJOURNMENT**

***Chair Parsons adjourned the Planning Commission at 7:04 P.M. to the next regularly scheduled meeting to be held on July 18, 2018.***

Respectfully Submitted,  
Kitty Eiden

**STAFF REPORT TO THE PLANNING COMMISSION  
FOR CONSIDERATION AT THE MEETING OF AUGUST 1, 2018**

**Prepared by:**      Zoe Merideth, Associate Planner *ZM*

**Reviewed by:**      Alexis Morris, Planning Manager *AM*

**Date:**                  July 27, 2018

**Subject:**                Amending Zoning Regulations for Accessory Dwelling Units  
(Z-18-06)

**RECOMMENDATION**

It is recommended that the Planning Commission approve the attached resolution recommending that the City Council adopt the ordinance (Exhibit 1 to the resolution) making text amendments to Section 9-5.3805 - *Accessory Dwelling Units* of the Zoning Ordinance to comply with new state laws relating to Accessory Dwelling Units.

**BACKGROUND**

In 2016, Governor Brown signed into law changes to the Planning and Zoning law in order to make it easier for property owners to build accessory dwelling units. On November 16, 2016, the Planning Commission recommended approval of the required revisions to Antioch's ordinance to comply with the new law. The City Council adopted the ordinance on January 10, 2017. On October 8, 2017, Governor Brown signed SB 229 (Wiecowski) and AB 494 (Bloom) into law to again amend the Planning and Zoning law in order to make clarifying changes to the Accessory Dwelling Unit law. The 2017 revisions to State law clarify aspects of the 2016 legislation and create new requirements for local agencies that must be incorporated into local ordinances. The major changes to requirements for accessory dwelling units (ADU) include:

- Clarifying that an ADU may be built on a property zoned to allow a single-family or multifamily use.
- Allowing an ADU to be built on a property in conjunction with a proposed single-family dwelling.
- Restricting additional off street parking for an ADU to a maximum of one space per unit or bedroom, whichever is less.
- Allowing off-street parking spaces that must be replaced when a garage, carport, or covered parking structure is demolished or converted into an ADU to be provided in any configuration on the lot, such as on the existing driveway or in a tandem configuration.
- Defining "Tandem Parking" to mean a situation where two or more automobiles are parked lined up behind one another.

- Making minor organizational changes to the ordinance to allow for greater readability and ease of use.

## **ANALYSIS**

The City of Antioch already allows ADUs in zoning districts that allow single-family and multiple-family uses upon approval of an Administrative Use Permit (AUP), which is a ministerial approval that does not require a public hearing or discretionary review. The most substantial change to the City's current ADU ordinance as a result of the new state laws is the requirement to allow off-street parking that is lost when a garage or carport is demolished or converted as part of the construction of an ADU to be provided in any configuration on the lot. Therefore, if a required two-car garage is converted to an ADU, the existing driveway would count as the two replacement parking spaces and a new garage would not have to be constructed on the property.

The revised ordinance included as Exhibit 1 to the attached resolution formally codifies the changes required by the new state law. Revisions are shown as underlined text and deletions from the current ordinance are struck out. The City's current Accessory Dwelling Units ordinance, adopted on January 10, 2017, is included as Attachment "A" for reference.

## **ENVIRONMENTAL**

Pursuant to Public Resources Code section 21080.17, the adoption of a local ordinance to regulate the construction of ADUs is exempt from the California Environmental Quality Act (CEQA). The ministerial approval of ADU applications would also not be considered a "project" for CEQA purposes, and environmental review would not be required prior to approving individual applications.

## **ATTACHMENTS**

- A. Resolution
- B. Current Accessory Dwelling Unit Ordinance §Section 9-5.3805

# **ATTACHMENT “A”**

**RESOLUTION NO.-\*\***

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH  
RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE  
AMENDING ZONING REGULATIONS FOR  
ACCESSORY DWELLING UNITS**

**WHEREAS**, the Planning Commission of the City of Antioch did receive an application from the City of Antioch requesting text amendments to Section 9-5.3805-*Accessory Dwelling Units* of the Zoning Ordinance to comply with new state laws relating to Accessory Dwelling Units (Z-18-06); and,

**WHEREAS**, Pursuant to Public Resources Code Section 21080.17, the adoption of an ordinance to implement the provisions of Government Code Section 65852.1 and Section 65852.2 is exempt from the California Environmental Quality Act (CEQA); and,

**WHEREAS**, the Planning Commission duly gave notice of public hearing as required by law; and,

**WHEREAS**, on August 1, 2018, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

**NOW, THEREFORE BE IT RESOLVED** that the Planning Commission, after reviewing the staff report and considering testimony offered, does hereby recommend that the City Council **ADOPT** the attached ordinance (Exhibit 1) amending regulations for Accessory Dwelling Units (Z-18-06).

\* \* \* \* \*

**I HEREBY CERTIFY** the foregoing resolution was duly adopted by the Planning Commission of the City of Antioch, County of Contra Costa, State of California, at a regular meeting of said Planning Commission held on the 1<sup>st</sup> day of August, 2018, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Forrest Ebbs  
Secretary to the Planning Commission

## **EXHIBIT 1**

### **ORDINANCE NO.-\*\***

#### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AMENDING ZONING REGULATIONS FOR ACCESSORY DWELLING UNITS**

**SECTION 1. Findings.** The Antioch City Council hereby finds, determines and declares as follows:

**A.** The City of Antioch holds the right to make and enforce all laws and regulations not in conflict with general laws, and the City holds all rights and powers established by state law.

**B.** On January 10, 2017, the City Council adopted Ordinance No. 2121-C-S regulating second residential units within the City of Antioch.

**C.** On October 8, 2017, Governor Brown signed SB 229 (Wiecowski) and AB 494 (Bloom) into law, amending Government Code section 65852.2 and mandating that all local agencies adopt an Accessory Dwelling Unit ordinance consistent with the new provisions.

**D.** The Planning Commission conducted a duly noticed public hearing on August 1, 2018 at which time a resolution was approved to initiate and recommend to the City Council that this ordinance be adopted. The City Council held a duly noticed public hearing on \_\_\_\_\_ at which time all interested persons were allowed to address the Council regarding adoption of this ordinance.

**E.** The City Council finds that the public necessity requires the proposed zoning ordinance amendments to impose requirements for Accessory Dwelling Units within the City of Antioch that are consistent with State law; said amendments are not detrimental to properties within Antioch, and that the proposed zoning ordinance amendment is in conformance with the Antioch General Plan.

**SECTION 2.** Section 9-5.3805 is hereby amended as follows:

#### **9-5.3805 ACCESSORY DWELLING UNITS.**

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ACCESSORY DWELLING UNIT.** An attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An **ACCESSORY DWELLING UNIT** also includes the following: An

efficiency unit, as defined in Health and Safety Code § 17958.1; a manufactured home, as defined in Health and Safety Code § 18007.

**ADMINISTRATIVE USE PERMIT.** A land use permit defined in § 9-5.2701(E) of this code, and issued by the Zoning Administrator or his or her designee without notice or public hearing.

**JUNIOR ACCESSORY DWELLING UNIT.** An accessory dwelling unit that is no more than 500 square feet in size and is contained entirely within an existing single-family structure. A **JUNIOR ACCESSORY DWELLING UNIT** may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

**LIVING AREA.** The interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

**MAIN UNIT.** The existing single-family or multiple-family dwelling unit currently on the lot.

**TANDEM PARKING.** Parking configuration where two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(B) *General requirements.* An accessory dwelling unit may be allowed by administrative use permit in areas zoned to allow single-family and or multiple-family zoning districts use. No building permit shall be issued for an accessory dwelling unit until an administrative use permit has been approved by the Zoning Administrator. A building permit shall be issued within 120 days of receipt of an application if all of the following development standards are met:

- (1) The lot is zoned for to allow single-family or multi-family residential use and is improved with a includes a proposed or existing single-family dwelling unit;
- (2) There shall be no more than one accessory dwelling unit per legal parcel;
- (3) The lot on which the accessory dwelling unit is to be placed shall not be subdivided and neither unit can be sold independently of the other. The city shall require recordation of a deed restriction setting forth this subdivision limitation;
- (4) The lot on which an accessory dwelling unit is to be placed must be able to provide adequate sewer and water services for both the existing primary dwelling unit and the accessory dwelling unit as determined by the City Engineer.  
Approval by the Contra Costa County Health Department shall be required if a private sewage disposal system or well system is being used;
- (5) The accessory dwelling unit is architecturally compatible with the main unit, and the development of the accessory dwelling unit will maintain the appearance of a single-family residence (if located in a single-family neighborhood or zoning district);
- (6) The total combined maximum lot coverage ratio for the existing main dwelling unit and the accessory dwelling unit and all accessory buildings located on the lot shall not exceed 60%;
- (7) The accessory dwelling unit may either be attached to the proposed or existing main unit, located within the living area of the proposed or existing main unit, or be detached from the proposed or existing main unit;

- (8) The floor area of an attached accessory dwelling unit may not exceed 50% of the floor area of the proposed or existing main unit living area, with a maximum increase in floor area of 1,200 square feet;
- (9) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet;
- ~~(10) The floor area of a junior accessory dwelling unit may not exceed 500 square feet;~~
- ~~(11)~~ Height, setback, uniform building codes, architectural review, site plan review, and other similar land use requirements of this code pertaining to main units shall apply to accessory dwelling units.
- ~~(11)~~ A setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage. No setback shall be required for an existing garage that is converted to an accessory dwelling unit or to a portion of the accessory dwelling unit;
- ~~(12)~~ The rear yard setback for accessory dwelling units may be reduced to ten feet. Either the accessory dwelling unit or the main unit may be permitted to face the rear of the other structure, and the accessory dwelling unit shall maintain ten feet separation from the main unit, but may be permitted closer than ten feet from the main unit where it can be shown that the site design will be improved;
- ~~(12)~~ No passageway shall be required in conjunction with construction of an accessory dwelling unit;
- ~~(20)~~ Accessory dwelling units are not required to provide fire sprinklers if they are not required for the primary residence;
- ~~(24)~~ The main unit shall comply with applicable Building Code requirements for detached dwellings;
- ~~(22)~~ The accessory dwelling unit shall have a permanent foundation.
- ~~(13)~~ Junior Accessory Dwelling Units
- (a) Junior accessory dwelling units are limited to one per residential lot zoned for within a zone for single-family residences use with a single-family residence already built on the lot;
- (b) Junior accessory dwelling units must be constructed within the existing walls of the structure and must include an existing bedroom;
- (c) Junior accessory dwelling units must include a separate entrance from the main entrance to the structure, with an interior entry to the main living area;
- (d) Junior accessory dwelling units may include separate sanitation facilities, or may share sanitation facilities with the existing structure;
- (e) No additional off-street parking spaces are required to be provided;
- (f) The floor area of a junior accessory dwelling unit may not exceed 500 square feet;
- (g) Junior accessory dwelling units must include an efficiency kitchen, which shall include:
- (a) 1. A sink with a maximum waste line diameter of one and one-half inches;
- (b) 2. A cooking facility with appliances that do not require electrical service greater than 120 volts, or natural gas or propane;

(e) 3. A food preparation counter and storage cabinets that are of reasonable size in relation to junior accessory dwelling unit;

(18) Parking.

- (a) One additional standard off street parking space shall be provided per unit or per bedroom, whichever is less. The additional space may be in tandem, or on an existing a driveway;
- (b) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, and the number of off-street parking spaces are required to be replaced per the requirements of § 9-5.1703.1, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces, or by the use of mechanical automobile parking lifts;
- (c) The requirement for off-street parking may be waived for an accessory dwelling unit in any of the following instances:
  1. Lots developed prior to January, 1964, that have a minimum parcel size of less than 6,000 square feet, provided that compliance with the parking requirements of this section could not be accomplished;
- (d) Parking standards shall not be imposed in the following instances:
  1. The accessory dwelling unit is either a junior accessory dwelling as defined in this section or located in an existing accessory structure or is an attached accessory dwelling unit;
  2. The accessory dwelling unit is located within one-half mile of public transit;
  3. There is a car share vehicle located within one block of the accessory dwelling unit;
  4. The accessory dwelling unit is located within an architecturally and historically significant historic district;
  5. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit;

(19) ~~The rear yard setback for accessory dwelling units may be reduced to ten feet. Either the accessory dwelling unit or the main unit may be permitted to face the rear of the other structure, and the accessory dwelling unit may be permitted closer than ten feet from the main unit where it can be shown that the site design will be improved;~~

(20) ~~Accessory dwelling units are not required to provide fire sprinklers if they are not required for the primary residence;~~

(21) ~~The main unit shall comply with applicable Building Code requirements for detached dwellings;~~

(22) ~~The accessory dwelling unit shall have a permanent foundation.~~

(C) *Residential allocation exemption.* The issuance of administrative use permits for accessory dwelling units shall be exempt from the provisions of Article 40 of this code, and such permits are exempt from any other growth control limits. This provision is a requirement of state law (Chapter 1062 of the 2002 Statutes). If such requirement is rescinded, this exemption may be eliminated by the City Council.

(D) *Occupancy.* The owner of the parcel upon which the accessory dwelling unit or junior accessory dwelling unit is located must occupy either the main unit or the accessory dwelling unit or junior accessory dwelling unit, as applicable. Accessory dwelling units may be used for rentals of terms longer than 30 days. Owner occupancy of a junior accessory dwelling unit shall not be required if the owner is another governmental agency, land trust, or housing organization.

(E) *Deed restrictions.* Before obtaining a building permit for an accessory dwelling unit, the applicant shall do the following:

- (1) Enter into an agreement of restrictions with the city that refers to the deed under which the property was acquired by the applicant and provides the following:
  - (a) The second unit shall not be sold separately;
  - (b) The second unit is restricted to the maximum size allowed under division (C) above;
  - (c) The restrictions are binding upon any successor in ownership of the property and lack of compliance may result in legal action by the county against the property owner.
- (2) Record the agreement with the County Recorder.
- (3) Prepare a disclosure statement that shall be included in any future offer or sale documents. The statement shall read as follows: "You are purchasing a property with a permit for a second residential unit. This permit carries with it certain restrictions that must be met by the owner of the property. You are prohibited from selling the second unit separately. The second unit is restricted to the maximum size allowed under City of Antioch Zoning Ordinance Code Section § 9-5.3805(C). The permit is available from the current owner or from the City of Antioch Community Development Department."

(F) This section is adopted consistent with, and as required by, state law.

#### **SECTION 4. CEQA.**

Pursuant to Public Resources Code section 21080.17, the adoption of an ordinance to implement the provisions of Government Code Section 65852.1 and Section 65852.2 is exempt from the California Environmental Quality Act (CEQA).

#### **SECTION 5. Publication; Effective Date.**

This Ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption by the City Council at a second reading and shall be posted and published in accordance with the California Government Code.

#### **SECTION 6. Severability.**

Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this

Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing ordinance was introduced at a regular meeting of the City Council of the City of Antioch held on the \_\_\_\_ day of \_\_\_\_ and passed and introduced at a regular meeting thereof, held on the \_\_\_\_ day of \_\_\_\_ \_\_\_\_\_, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

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**Sean Wright, Mayor of the City of Antioch**

**ATTEST:**

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**Arne Simonsen, City Clerk of the City of Antioch**

# **ATTACHMENT "B"**

**9-5.3805 ACCESSORY DWELLING UNITS.**

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ACCESSORY DWELLING UNIT.** An attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. An **ACCESSORY DWELLING UNIT** also includes the following: An efficiency unit, as defined in Health and Safety Code § 17958.1; a manufactured home, as defined in Health and Safety Code § 18007.

**ADMINISTRATIVE USE PERMIT.** A land use permit defined in § [9-5.2701](#)(E) of this code, and issued by the Zoning Administrator or his or her designee without notice or public hearing.

**JUNIOR ACCESSORY DWELLING UNIT.** An accessory dwelling unit that is no more than 500 square feet in size and is contained entirely within an existing single-family structure. A **JUNIOR ACCESSORY DWELLING UNIT** may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

**LIVING AREA.** The interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

**MAIN UNIT.** The existing single-family or multiple-family dwelling unit currently on the lot.

(B) *General requirements.* An accessory dwelling unit may be allowed by administrative use permit in single-family and multiple-family zoning districts. No building permit shall be issued for an accessory dwelling unit until an administrative use permit has been approved by the Zoning Administrator. A building permit shall be issued within 120 days of receipt of an application if all of the following development standards are met:

- (1) The lot is zoned for single-family or multi-family residential use and is improved with a single-family dwelling unit;
- (2) There shall be no more than one accessory dwelling unit per legal parcel;
- (3) The lot on which the accessory dwelling unit is to be placed shall not be subdivided and neither unit can be sold independently of the other. The city shall require recordation of a deed restriction setting forth this subdivision limitation;
- (4) The lot on which an accessory dwelling unit is to be placed must be able to provide adequate sewer and water services for both the existing primary dwelling unit and the accessory dwelling unit as determined by the City Engineer. Approval by the Contra Costa County Health Department shall be required if a private sewage disposal system or well system is being used;
- (5) The accessory dwelling unit is architecturally compatible with the main unit, and the development of the accessory dwelling unit will maintain the appearance of a single-family residence (if located in a single-family neighborhood or zoning district);
- (6) The total combined maximum lot coverage ratio for the existing dwelling unit and the accessory dwelling unit and all accessory buildings located on the lot shall not exceed 60%;
- (7) The accessory dwelling unit may either be attached to the main unit, located within the living area of the main unit, or be detached from the main unit;
- (8) The floor area of an attached accessory dwelling unit may not exceed 50% of the floor area of the main unit, with a maximum increase in floor area of 1,200 square feet;
- (9) The total floor area for a detached accessory dwelling unit shall not exceed 1,200 square feet;
- (10) The floor area of a junior accessory dwelling unit may not exceed 500 square feet;

(11) Height, setback, uniform building codes, architectural review, site plan review, and other similar land use requirements of this code pertaining to main units shall apply to accessory dwelling units. A setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage. No setback shall be required for an existing garage that is converted to an accessory dwelling unit;

(12) No passageway shall be required in conjunction with construction of an accessory dwelling unit;

(13) Junior accessory dwelling units are limited to one per residential lot zoned for single-family residences with a single-family residence already built on the lot;

(14) Junior accessory dwelling units must be constructed within the existing walls of the structure and must include an existing bedroom;

(15) Junior accessory dwelling units must include a separate entrance from the main entrance to the structure, with an interior entry to the main living area;

(16) Junior accessory dwelling units may include separate sanitation facilities, or may share sanitation facilities with the existing structure;

(17) Junior accessory dwelling units must include an efficiency kitchen, which shall include:

(a) A sink with a maximum waste line diameter of one and one-half inches;

(b) A cooking facility with appliances that do not require electrical service greater than 120 volts, or natural gas or propane;

(c) A food preparation counter and storage cabinets that are of reasonable size in relation to junior accessory dwelling unit;

(18) Parking.

(a) One additional standard off street parking space shall be provided per unit or per bedroom. The additional space may be in tandem, or on an existing driveway;

(b) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, and the off-street parking spaces are required to be replaced per the requirements of § [9-5.1703.1](#), the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including, but not limited to, as covered spaces, uncovered spaces, or tandem spaces;

(c) The requirement for off-street parking may be waived for an accessory dwelling unit in any of the following instances:

1. Lots developed prior to January, 1964, that have a minimum parcel size of less than 6,000 square feet, provided that compliance with the parking requirements of this section could not be accomplished;

(d) Parking standards shall not be imposed in the following instances:

1. The accessory dwelling unit is a junior accessory dwelling as defined in this section or located in an existing accessory structure;

2. The accessory dwelling unit is located within one-half mile of public transit;

3. There is a car share vehicle located within one block of the accessory dwelling unit;

4. The accessory dwelling unit is located within an architecturally and historically significant historic district;

5. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit;

(19) The rear yard setback for accessory dwelling units may be reduced to ten feet. Either the accessory dwelling unit or the main unit may be permitted to face the rear of the other

structure, and the accessory dwelling unit may be permitted closer than ten feet from the main unit where it can be shown that the site design will be improved;

(20) Accessory dwelling units are not required to provide fire sprinklers if they are not required for the primary residence;

(21) The main unit shall comply with applicable Building Code requirements for detached dwellings;

(22) The accessory dwelling unit shall have a permanent foundation.

(C) *Residential allocation exemption.* The issuance of administrative use permits for accessory dwelling units shall be exempt from the provisions of Article 40 of this code, and such permits are exempt from any other growth control limits. This provision is a requirement of state law (Chapter 1062 of the 2002 Statutes). If such requirement is rescinded, this exemption may be eliminated by the City Council.

(D) *Occupancy.* The owner of the parcel upon which the accessory dwelling unit or junior accessory dwelling unit is located must occupy either the main unit or the accessory dwelling unit or junior accessory dwelling unit, as applicable. Accessory dwelling units may be used for rentals of terms longer than 30 days. Owner occupancy of a junior accessory dwelling unit shall not be required if the owner is another governmental agency, land trust, or housing organization.

(E) *Deed restrictions.* Before obtaining a building permit for an accessory dwelling unit, the applicant shall do the following:

(1) Enter into an agreement of restrictions with the city that refers to the deed under which the property was acquired by the applicant and provides the following:

(a) The second unit shall not be sold separately;

(b) The second unit is restricted to the maximum size allowed under division (C) above;

(c) The restrictions are binding upon any successor in ownership of the property and lack of compliance may result in legal action by the county against the property owner.

(2) Record the agreement with the County Recorder.

(3) Prepare a disclosure statement that shall be included in any future offer or sale documents. The statement shall read as follows: "You are purchasing a property with a permit for a second residential unit. This permit carries with it certain restrictions that must be met by the owner of the property. You are prohibited from selling the second unit separately. The second unit is restricted to the maximum size allowed under City of Antioch Zoning Ordinance Code Section § [9-5.3805](#)(C). The permit is available from the current owner or from the City of Antioch Community Development Department."

(F) This section is adopted consistent with, and as required by, state law.

**STAFF REPORT TO THE PLANNING COMMISSION  
FOR CONSIDERATION AT THE MEETING OF AUGUST 1, 2018**

**Prepared by:** Susan Yogi, Environmental Science Associates (Consultant)

**Approved by:** Alexis Morris, Planning Manager

**Date:** July 27, 2018

**Subject:** **Meeting to Receive Comments on the Draft Environmental Impact Report for the Antioch Brackish Water Desalination Project (P.W. 694)**

**RECOMMENDATION**

Staff recommends that the Planning Commission receive public comments on the Draft Environmental Impact Report (EIR) for the Antioch Brackish Water Desalination Project. The meeting is not to debate or discuss the merits of the project, but to receive verbal comments that will be responded to in the Final EIR. An action from the Planning Commission is not needed at this time, but just the receiving of public comments.

**BACKGROUND**

The City has pre-1914 appropriative water rights to divert water from the San Joaquin River along with the tributary flow from the Sacramento River. The City has a delivered water quality goal of 75 milligrams per liter (mg/l) chlorides. The City's existing river intake pump station near the terminus of Fulton Shipyard Road near McElheny Road has a capacity of 16 million gallons per day (mgd). The ability to utilize river water to meet the City's present and future water supply needs, however, is limited by the river's water quality and the inability of the existing Water Treatment Plant (WTP) to remove salinity and other water quality constituents. Compounding this limitation is the City's constant speed pump operation. The pump withdraws its full 16 mgd capacity when in operation rather than allowing lower (variable) flow rates which could be managed and blended with water purchased from Contra Costa Water District (CCWD) to meet the City's delivered water quality goals. In recent years, the City has needed to rely more on CCWD water to meet its water demands due to San Joaquin River water quality. During drought years, river diversions are extremely limited due to poor water quality caused by saline bay waters moving further upstream into the Delta. Brackish water desalination as a component of the City's water supply portfolio has been evaluated in State-approved water planning documents including the City's 2015 Urban Water Management Plan and East Contra Costa County Integrated Regional Water Management Plan 2015 Update.

The project facilities would be located in the cities of Antioch and Pittsburg. The proposed desalination facility would be located within the fence line of the City of Antioch WTP at 401 Putnam Street, and the pipeline routes would generally follow road rights-of-way.

The river intake pump station is located at the City marina near McElheny Road and Fulton Shipyard Road.

A Notice of Preparation (NOP) for this EIR was circulated from August 15, 2017 to September 14, 2017, notifying agencies and the public that the City was preparing an EIR and requesting comments on the scope of the EIR. A public scoping meeting was held on September 5, 2017.

## **PROJECT DESCRIPTION**

The proposed project consists of the construction of a desalination facility at the City's WTP with the capacity to produce up to 6 mgd of finished water; demolition of the existing San Joaquin River intake pump station; construction of a new intake pump station; approximately 3,000 feet of pipeline from the existing raw water pipeline underneath Lone Tree Way to the City's WTP to allow a direct connection to maximize use of existing infrastructure; and approximately 4 miles of pipeline from the desalination facility to the Delta Diablo wastewater treatment plant (WWTP) to discharge brine with the WWTP effluent through the existing Delta Diablo outfall to New York Slough. The main objectives of the proposed project are to improve water supply reliability and water quality for its customers; develop a reliable and drought-resistant water source to reduce dependency on purchased water supplies; maximize and preserve the use and value of the City's pre-1914 water rights; and provide cost effective operational flexibility for the City.

## **DISCUSSION**

The City of Antioch has prepared a Draft EIR for the Brackish Water Desalination Project pursuant to California Environmental Quality Act (CEQA) Guidelines in order to analyze the potential environmental effects associated with the proposed project.

The Draft EIR describes the potential direct, indirect, and cumulative environmental impacts of the proposed project. The EIR includes the following technical environmental chapters:

- Aesthetics;
- Air Quality;
- Aquatic Biological Resources;
- Terrestrial Biological Resources;
- Geology, Soils, and Paleontological Resources;
- Greenhouse Gas Emissions;
- Energy Conservation;
- Hazards and Hazardous Materials;
- Delta Hydrology and Water Quality;
- Local Hydrology and Water Quality;
- Land Use and Planning;
- Noise and Vibration;
- Population and Housing;

- Public Services and Utilities;
- Recreation;
- Transportation and Circulation; and
- Tribal Cultural Resources.

According to Section 15126.2(b) of the CEQA Guidelines, an EIR must include a description of impacts identified as significant and unavoidable should the proposed project be implemented. Such impacts would be considered unavoidable when the determination is made that either mitigation is not feasible or only partial mitigation is feasible such that the impact is not reduced to a level that is less than significant. The Draft EIR identified potentially significant impacts with regard to Air Quality; Aquatic Biological Resources; Terrestrial Biological Resources; Cultural Resources; Geology, Soils, and Paleontological Resources; Greenhouse Gas Emissions; Hazards and Hazardous Materials, Local Hydrology and Water Quality; Delta Hydrology and Water Quality; Noise and Vibration; Public Services and Utilities; Recreation; Transportation and Circulation; and Tribal Cultural Resources. All impacts would be reduced to less-than-significant levels through the implementation of mitigation measures. No significant and unavoidable impacts were identified.

### Public Review

CEQA requires that the Draft EIR be distributed for a 45-day public review period, which began on June 29, 2018 and will end on August 13, 2018. Comments may be submitted to the City by 5:00 pm on Monday, August 13, 2018. The City of Antioch is holding the August 1, 2018 public meeting on the Draft EIR in order to allow the public to provide verbal comments on the document. The meeting is not to debate or discuss the merits of the project, but to receive verbal comments that will be responded to in the Final EIR. An action from the Planning Commission is not needed at this time, but just the receiving of public comments.

The complete Draft EIR and appendices can be found on the City's website at:  
<http://www.ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/Environmental-docs.htm>

### **ATTACHMENT**

A: The Antioch Brackish Water Desalination Project Draft EIR Executive Summary and Introduction Chapters.

# **ATTACHMENT “A”**

# **EXECUTIVE SUMMARY**

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## **ES.1 Introduction**

As provided by Section 15123 of the California Environmental Quality Act (CEQA) Guidelines (*CEQA Guidelines*), this Executive Summary provides a brief summary of the proposed Antioch Brackish Water Desalination Project and its consequences. This chapter is intended to summarize in a stand-alone section the proposed project described in Chapter 2 (Project Description), the impacts and mitigation measures discussed in Chapter 3 (Environmental Setting, Impacts, and Mitigation Measures), and the alternatives analysis presented in Chapter 5 (Alternatives to the Proposed Project).

This Environmental Impact Report (Draft EIR) has been prepared to evaluate the anticipated environmental effects of the project in conformance with the provisions of CEQA and the *CEQA Guidelines*. The lead agency, the City of Antioch (City), is the public agency that has the principal responsibility for approving and implementing the project.

The purpose of this Environmental Impact Report (EIR) is to provide adequate information for the public, stakeholders (including responsible, trustee, and regulating agencies), and the City to evaluate the potential environmental impacts of the project.

## **ES.2 Project Overview**

The City proposes to construct, operate, and maintain the Antioch Brackish Water Desalination Project (proposed project). The City proposes to replace the existing San Joaquin River intake pump station, construct a desalination facility with associated equipment and appurtenances; and construction of pipelines for the conveyance of source water and brine concentrate. The desalination plant would have the capacity to produce up to 6 million gallons per day (mgd) of desalinated product water to offset use of purchased water.

The project facilities would be located in the cities of Antioch and Pittsburg, California. The proposed desalination facility would be located within the fenceline of the City of Antioch Water Treatment Plant (WTP) at 401 Putnam Street, and the pipeline routes would generally follow road rights-of-way. The river intake pump station is located at the City marina near McElheny Road and Fulton Shipyard Road. The project setting is predominantly developed and urban, characterized by mostly residential, commercial, and industrial development. The proposed project facilities would be built over approximately 14 months. A detailed description of the proposed project is provided in Chapter 2, *Project Description*.

## ES.3 Project Objectives

The main objectives of the project are to:

- Improve water supply reliability and water quality for customers.
- Develop a reliable, and drought-resistant water source to reduce dependency on purchased water supplies by maximizing the use of the City's pre-1914 water rights.
- Maximize the use of existing infrastructure to maintain economic feasibility.
- Provide cost effective operational flexibility to allow the City to respond to changes in source water quality, emergencies, changes in climate and Delta conditions.
- Preserve the value of the City's pre-1914 water rights.

## ES.4 Project Components

The project consists of the following components:

- New intake pump station and fish screen to replace existing river intake facilities
- New raw water pipeline connection to the City's existing raw water pipeline to allow water to be conveyed directly from the River to the WTP
- A desalination plant with a finished water capacity of 6 mgd and related facilities, including reverse osmosis (RO); post-treatment systems; chemical feed and storage facilities; brine conveyance facilities; and other associated non-process facilities. The existing WTP (Plant A) would provide pre-treatment of the raw water prior to RO treatment
- Brine disposal pipeline and connection to Delta Diablo's Wastewater Treatment Plant (WWTP) outfall

## ES.5 Alternatives to the Proposed Project

Chapter 5, *Alternatives to the Proposed Project*, analyzes a range of reasonable alternatives to the proposed project, including the No Project Alternative, Alternative A: Intake Pump Station Siting Option 1, and Alternative B: Reduced Footprint Alternative.

The analysis of the alternatives is summarized and compared in Chapter 5, which provides a summary of impact levels within all environmental topic areas. Overall, the analysis shows that Alternative A would reduce the severity of some impacts but increase the severity of other impacts. Alternative B would reduce many of the project's significant impacts, but it would not meet all of the objectives of the proposed project. The No Project Alternative would eliminate all impacts compared to the proposed project, but would also not have the ability to meet the objectives of the proposed project.

Based on the evaluation described in Chapter 5, Alternative B would be the environmentally superior alternative to the proposed project because it would have less severe environmental

impacts while not increasing the severity of any impacts. However, Alternative B does not meet all of the basic objectives of the project.

## ES.6 Comments on the Notice of Preparation

In accordance with Section 15082 of the CEQA *Guidelines*, the City, as lead agency, prepared a Notice of Preparation (NOP) for this EIR. On August 15, 2017, the City sent a Notice of Preparation (NOP) to the State Clearinghouse [SCH No. 2017082044], County Clerk, responsible and trustee government agencies, organizations, and individuals potentially interested in the project. The NOP requested that agencies with regulatory authority over any aspect of the project describe that authority and identify relevant environmental issues that should be addressed in the EIR. Interested members of the public were also invited to comment. A scoping meeting was held on September 5, 2017. The 30-day scoping period for the project remained open through September 14, 2017.

The City received 11 comment letters from local and state agencies during the comment period, as well as questions and comments from attendees during the public scoping meeting on September 5, 2017. The NOP, comment letters, and transcript from the public meeting are included in **Appendix A** of this EIR. As discussed in the NOP and per the provisions of CEQA, the City did not prepare a CEQA Initial Study prior to preparation of the EIR, because the City determined that it was clear at the time of the issuance of the NOP that an EIR was required (CEQA *Guidelines* Section 15060[d]).

## ES.7 Areas of Controversy and Issues to be Resolved

Based on the City's review of available information and comments received from the general public and other public agencies in response to the NOP and at the public scoping meeting, the following issues may be either controversial or require further resolution:

- Brine discharge impacts, including impacts to the aquatic and terrestrial environment.
- Direct, indirect, and cumulative effects of the project on the ecosystem related to the additional withdrawals of water from the system.
- Potential impingement and entrainment of aquatic organisms related to intake and discharge processes.
- Effects to the ecosystem and regional water supply reliability due to potential reductions in water purchased from the Contra Costa Water District due to the project.
- Potential impacts on the Delta Diablo District's National Pollutant Discharge Elimination System (NPDES) permit related to brine discharge volumes and total dissolved solids (TDS) concentration.
- Potential project construction impacts to cultural resources and tribal cultural resources.

- Potential project construction impacts to existing infrastructure, including stormwater collection and transportation infrastructure in the cities of Antioch and Pittsburg.
- Potential project construction impacts to former Old Valley Pipeline (OVP) and Tidewater Associated Oil Company (TAOC) pipelines in the project area.
- Potential noise and odor impacts.

These issues have been considered in this EIR, where applicable.

## **ES.8 Mitigation Monitoring and Reporting**

CEQA requires public agencies to adopt monitoring and reporting programs to ensure compliance with mitigation measures adopted or made conditions of project approval in order to mitigate or avoid the significant environmental effects identified in environmental impact reports. A Mitigation Monitoring and Reporting Program (MMRP) incorporating the mitigation measures set forth in this EIR will be prepared and approved by the City concurrently with adoption of the findings of this EIR and prior to approval of the proposed project.

## **ES.9 Summary of Environmental Impacts and Mitigation Measures**

**Table ES-1** summarizes the impacts, mitigation measures, and unavoidable significant impacts identified and analyzed for the proposed project. Refer to the appropriate EIR section for detailed information.

**TABLE ES-1**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
<b>Aesthetics</b>		
<b>Impact 3.1-1:</b> The proposed project would not have a substantial adverse effect on a scenic vista or scenic resource.	None required	Less than Significant
<b>Impact 3.1-2:</b> The proposed project would change the existing visual character of the river intake pump station site and WTP, but would not substantially degrade the existing visual character or quality of the site and its surroundings.	<p><b>Improvement Measure 3.1-2:</b> Maintain Clean and Orderly Construction Sites. Contractor specifications shall include a requirement that the construction contractor(s) keep staging and construction areas as clean and inconspicuous as practicable by storing construction materials and equipment at the proposed construction staging areas or in areas that are generally away from public view when not in use, and by removing construction debris promptly at regular intervals. If necessary, additional appropriate screening (e.g., temporary opaque fencing) shall be used at construction sites to buffer views of construction equipment and material, where the use of such screening materials would not further degrade the visual character or further obstruct views of scenic resources or vistas in the area. Screening is not required for pipeline construction areas.</p>	Less than Significant
<b>Impact 3.1-3:</b> The proposed project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area, or which would substantially impact other people or properties.	None required	Less than Significant
<b>Impact 3.1-C-1:</b> Implementation of the proposed project, in combination with other cumulative development, would not have a substantial adverse effect on a scenic vista or scenic resource.	None required	Less than Significant
<b>Impact 3.1-C-2:</b> Implementation of the proposed project, in combination with other cumulative development, would not substantially degrade the existing visual character or quality of the site and its surroundings.	None required	Less than Significant
<b>Impact 3.1-C-3:</b> Implementation of the proposed project, in combination with other cumulative development, would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area, or which would substantially impact other people or properties.	None required	Less than Significant
<b>Air Quality</b>		
<b>Impact 3.2-1:</b> Construction of the project would result in criteria pollutant emissions that could exceed air quality standards or contribute substantially to an existing or projected air quality violation.	<p><b>Mitigation Measure 3.2-1: BAAQMD Basic Construction Measures.</b> To limit air pollutant emissions associated with construction, the City of Antioch and/or its construction contractor(s) shall implement and include in all contract specifications for the project the following BAAQMD-recommended Basic Construction Measures:</p>	Less than Significant

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
<b>Impact 3.2-2:</b> Operations of the project would not result in criteria pollutant emissions that could contribute to an existing or projected air quality violation.	<ul style="list-style-type: none"> <li>• All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</li> <li>• All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</li> <li>• 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. The use of dry power sweeping is prohibited.</li> <li>• All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).</li> <li>• All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</li> <li>• Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</li> <li>• All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</li> <li>• Post a publicly visible sign with the telephone number and persons to contact at the City of Antioch regarding dust complaints. These persons shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.</li> </ul>	Less than Significant
<b>Impact 3.2-3:</b> Construction of the project would result in emissions that could conflict with the 2017 Clean Air Plan.	<p><b>Mitigation Measure 3.2-1: BAAQMD Basic Construction Measures.</b></p>	Less than Significant
<b>Impact 3.2-4:</b> Construction of the project could expose sensitive receptors to toxic air contaminants, including diesel particulate matter emissions.	<p><b>Mitigation Measure 3.2-4: Construction Emissions Minimization.</b> The City of Antioch (and/or its construction contractor(s)) shall ensure that all diesel-powered equipment to be operated during construction activities at the river pump station and desalination facility sites meet USEPA-certified Tier 4 standards, the highest USEPA-certified tiered emission standards. An Exhaust Emissions Equipment inventory shall be prepared prior to the commencement of construction and maintained throughout construction that identifies each off-road unit's certified tier specification status to be operated at the river pump station and desalination facility sites.</p>	Less than Significant
<b>Impact 3.2-5:</b> Operation of the project would not expose sensitive receptors to toxic air contaminants, including diesel particulate matter emissions.	<p><b>Mitigation Measure 3.2-5: Operation of the project would not expose sensitive receptors to toxic air contaminants, including diesel particulate matter emissions.</b></p>	Less than Significant
<b>Impact 3.2-6:</b> Construction of the project would not create odors.	<p><b>Mitigation Measure 3.2-6: Construction of the project would not create odors.</b></p>	Less than Significant

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
<b>Impact 3.2-C-1:</b> Construction of the proposed project, in combination with other cumulative development, could result in criteria pollutant emissions that would exceed air quality standards or contribute substantially to an existing or projected air quality violation.	<b>Mitigation Measure 3.2-1: BAAQMD Basic Construction Measures.</b>	Less than Significant
<b>Impact 3.2-C-2:</b> Operation of the proposed project, in combination with other cumulative development, would not result in criteria pollutant emissions that would exceed air quality standards or contribute substantially to an existing or projected air quality violation.	None required	Less than Significant
<b>Impact 3.2-C-3:</b> Construction of the proposed project, in combination with other cumulative development, could expose sensitive receptors to toxic air contaminants, including diesel particulate matter emissions.	<b>Mitigation Measure 3.2-4: Construction Emissions Minimization</b>	Less than Significant
<b>Impact 3.2-C-4:</b> Operation of the proposed project, in combination with other cumulative development, would not expose sensitive receptors to toxic air contaminants, including diesel particulate matter emissions.	None required	Less than Significant
<b>Impact 3.2-C-5:</b> Construction of the proposed project, in combination with other cumulative development, would not expose people to odors.	None required	Less than Significant
<b>Aquatic Biology</b>		
<b>Impact 3.3-1:</b> Construction of the proposed intake facility could result in short-term degradation of aquatic habitat from accidental spills or seepage of hazardous materials during construction.	None required	Less than Significant
<b>Impact 3.3-2:</b> Construction of the proposed project has the potential to result in a loss or degradation of aquatic habitat in the Delta from increased sedimentation and turbidity.	None required	Less than Significant
<b>Impact 3.3-3:</b> Construction of the proposed intake facility could result in direct disturbance and mortality of fish from installation of cofferdams and dewatering.	<b>Mitigation Measure 3.3-3a: Conduct Worker Awareness Training.</b>  A worker awareness training program shall be conducted for construction crews before the start of construction activities. The program shall include a brief overview of sensitive fisheries and aquatic	Less than Significant

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
	<p>resources (including riparian habitats) on the project site, measures to minimize impacts on those resources, and conditions of relevant regulatory permits.</p> <p><b>Mitigation Measure 3.3-3b: Implement In-water Work Windows.</b>  Any in-water construction activities (e.g., construction of the sheeppile cofferdam) shall be conducted during months when special-status fish species/sensitive life stages are least likely to be present or less susceptible to disturbance (e.g., August 1 to October 31; anadromous salmonids and smelts). If any in-water work is to be conducted, a qualified biologist or resource specialist shall be present during such work to monitor construction activities and ensure compliance with terms and conditions of permits issued by regulatory agencies (see Mitigation Measure 3.3-3d below).</p> <p><b>Mitigation Measure 3.3-3c: Develop and Implement Fish Rescue Plan.</b></p> <p>To reduce the potential for fish stranding or minimize the potential for harm during cofferdam dewatering activities, the City or its contractor shall develop and implement a fish rescue plan. Prior to the closure of the cofferdam in the Delta, seining by a qualified fisheries biologist shall be conducted within the cofferdam using a small-mesh seine to direct and move fish out of the cofferdam area. Upon completion of seining, the entrance to the cofferdam shall be blocked with a net to prevent fish from entering the cofferdam isolation area before the cofferdam is completed. Once the cofferdam is completed and the area within the cofferdam is closed and isolated, additional seining shall be conducted within the cofferdam to remove any remaining fish, if present. Once all noticeable fish have been removed from the isolated area, portable pumps with intakes equipped with 1.75 mm mesh screen shall be used to dewater to a depth of 1.5-2 feet. A qualified biologist shall implement further fish rescue operations using electrofishing and dip nets. All fish that are captured shall be placed in clean 5-gallon buckets and/or coolers filled with Delta water, transported downstream of the construction area, and released back into suitable habitat in the Delta with minimal handling. After all fish have been removed using multiple seine passes, electrofishing, and dip nets (as necessary), portable pumps with screens (see above) shall be used for final dewatering. NMFS, USFWS, and CDFW shall be notified at least 48 hours prior to the fish rescue.</p> <p><b>Mitigation Measure 3.3-3d: Consult with Resources Agencies and Implement Additional Measures.</b>  The City shall also consult with NMFS, USFWS, and CDFW (as part of obtaining permit approvals (e.g., FESA Section 7, CESAs [Fish and Game Code Sections 2080.1, 2081]) to determine necessary impact minimization actions, which may include surveying the intake site to determine fish presence prior to installation. The City shall implement any additional measures developed through the FESA Section 7 and Fish and Game Code Sections 2080.1, 2081 permit processes, to ensure that impacts are avoided and/or minimized.</p>	Less than Significant
	<p><b>Impact 3.3-4: Construction of the proposed intake facility could result in a short-term degradation of aquatic habitat caused by an increase in hydrostatic pressure, underwater noise, and vibrations.</b></p> <ul style="list-style-type: none"> <li>• The City shall develop a plan for pile-driving activities to minimize impacts on fish and will allow sufficient time in the schedule for coordination with regulatory agencies. Measures will be implemented</li> </ul>	

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
	<p>to minimize underwater sound pressure to levels below thresholds for peak pressure and accumulated sound exposure levels. Threshold levels established by NMFS are:</p> <ul style="list-style-type: none"> <li>○ peak pressure = 206 dB<sub>peak</sub></li> <li>○ accumulated sound exposure levels = 183 dB<sub>SEL</sub></li> </ul> <ul style="list-style-type: none"> <li>• Underwater sound monitoring shall be performed during pile-driving activities. A qualified acoustician, biologist, and/or natural resource specialist shall be present during such work to monitor construction activities and compliance with terms and conditions of permits.</li> <li>• Pile driving shall occur during the established/approved work window (August 1 through October 31, or other as approved by NMFS, USFWS, and CDFW).</li> <li>• Sheet piling shall be driven by vibratory or nonimpact methods (i.e., hydraulic) that result in sound pressures below threshold levels to the extent feasible.</li> <li>• Pile driving activities may occur during periods of reduced currents as needed to meet the threshold limits. Pile-driving activities shall be monitored and if any stranding, injury, or mortality to fish is observed, CDFW, NMFS, and/or USFWS shall be immediately notified and in-water pile driving shall cease.</li> <li>• Pile driving shall be conducted only during daylight hours and initially will be used at low energy levels and reduced impact frequency. Applied energy and frequency shall be gradually increased until the force and frequency necessary to advance the pile is achieved.</li> <li>• If it is determined that impact hammers are required and/or underwater sound monitoring demonstrates that thresholds are being exceeded, the contractor shall implement sound dampening or attenuation devices to reduce levels to the extent feasible; these may include the following: <ul style="list-style-type: none"> <li>○ water bladder cofferdam;</li> <li>○ confined or unconfined air bubble curtain.</li> </ul> </li> </ul>	<p><b>Mitigation Measure 3.3-5: Purchase Mitigation Credits.</b></p> <p>The City shall purchase mitigation credits from a public or private mitigation bank approved by USFWS, NMFS, and/or CDFW. The final number of credits to be purchased shall be determined in consultation with USFWS, NMFS, and CDFW. Mitigation credit purchase shall be conducted either before or as soon as possible after construction of the intake commences.</p>
<b>Impact 3.3-5:</b> Construction of the proposed intake facility would result in a loss of shallow water habitat.	None required	Less than Significant
<b>Impact 3.3-7:</b> Operation of the proposed intake facility could impinge and/or entrain fish, including fish eggs and larvae.	None required	Less than Significant
<b>Impact 3.3-8:</b> Operation of the proposed project, including discharge of brine waste, could result in direct mortality of fish species or degradation and/or loss of aquatic habitat.		Less than Significant

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
<b>Impact 3.3-C-1 through C-4:</b> Construction of the proposed intake facility in combination with other cumulative projects, could result in short-term degradation of aquatic habitat from (C-1) accidental spills or seepage of hazardous materials, (C-2) increased sedimentation and turbidity, (C-3) direct disturbance and mortality of fish from installation of cofferdams and dewatering, and (C-4) short-term degradation of aquatic habitat caused by an increase in hydrostatic pressure, underwater noise, and vibrations.	None required	Less than Significant
<b>Impact 3.3-C-5:</b> Construction of the proposed intake facility in combination with other cumulative projects would result in a loss of shallow water habitat.	None required	Less than Significant
<b>Impact 3.3-C-6:</b> Operation of the proposed intake facility in combination with other cumulative projects could result in increased predation of fish.	None required	Less than Significant
<b>Impact 3.3-C-7:</b> Operation of the proposed intake facility in combination with other cumulative projects could impinge and/or entrain fish, including fish eggs and larvae.	None required	Less than Significant
<b>Impact 3.3-C-8:</b> Operation of the proposed project facility in combination with other cumulative projects, including discharge of brine waste, could result in direct mortality of fish species or degradation and/or loss of aquatic habitat.	None required	Less than Significant
<b>Terrestrial Biological Resources</b>		
<b>Impact 3.4-1:</b> The proposed project could result in significant impacts, either directly or through habitat modifications, on species identified as sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service.		
<b>Mitigation Measure 3.4-1a: Pre-construction Nesting Bird Surveys</b>		

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
	<p>a) Avian surveys shall be performed during breeding bird season (February 1 to August 31) no more than 14 days prior to ground disturbing or in-water construction activities in order to locate any active passerine nests within 250 feet of the project footprint and any active raptor nests within 500 feet of the project footprint. Building demolition, trenching, pipeline installation, and new construction activities performed between September 1 and January 31 avoid the general nesting period for birds and therefore would not require pre-construction surveys.</p> <p>b) If active nests are found on either the proposed construction site, no-work buffer zones shall be established around the nests (100 to 150 feet for passerine birds and 150 to 250 feet for raptors, depending upon species sensitivity to disturbance) in coordination with CDFW. No staging, ground-disturbing, or construction activities shall occur within a buffer zone until young have fledged or the nest is otherwise abandoned as determined by the qualified biologist. If work during the nesting season stops for 14 days or more and then resumes, then nesting bird surveys shall be repeated, to ensure that no new birds have begun nesting in the area.</p> <p><b>Mitigation Measure 3.4-1b: Pre-construction Bat Survey</b></p> <p>To minimize impacts on special-status bats, a preconstruction survey shall be performed from accessible lands, and no-disturbance buffers shall be created around active bat roosting sites, if found. Prior to ground disturbing construction activities (i.e., ground clearing, trenching, and grading) within 200 feet of trees that could support special-status bats, a qualified bat biologist shall survey for special-status bats. If no evidence of bats (i.e., direct observation, guano, staining, or strong odors) is observed, no further mitigation shall be required.</p> <p>If evidence of bats is observed, the following measures shall be implemented to avoid potential impacts on breeding populations:</p> <p>a) A no-disturbance buffer of 200-feet shall be created around active bat roosts during the breeding season (April 15 through August 15). Bat roosts initiated during construction are presumed to be unaffected by the indirect effects of noise and construction disturbances. However, the direct take of individuals will be prohibited.</p> <p>b) In the case that removal of trees showing evidence of bat activity is needed, tree removal shall occur during the period least likely to affect bats, as determined by a qualified bat biologist (generally between February 15 and October 15 for winter hibernacula, and between August 15 and April 15 for maternity roosts). Bat exclusion activities (e.g., installation of netting to block roost entrances) shall also be conducted during these periods.</p> <p>The qualified biologist shall be present during any tree trimming and disturbance, if trees containing or suspected of containing bat roosts are present. Trees with roosts shall be disturbed only when no rain is occurring or is forecast to occur for 3 days and when daytime temperatures are at least 50 degrees Fahrenheit (°F). Branches and limbs not containing cavities or fissures in which bats could roost shall be cut only using chainsaws. Branches or limbs containing roost sites shall be trimmed the following day, under the supervision of the qualified biologist, also using chainsaws.</p>	

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
<b>Impact 3-4-2:</b> Development facilitated by the proposed project would not have a substantial adverse effect on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.	None required	No impact
<b>Impact 3-4-3:</b> The proposed project could have a substantial adverse effect on state or federally-protected wetlands, ‘other waters’, and navigable waters through direct removal, filling, hydrological interruption, or other means. (Less than Significant with Mitigation)	<p><b>Mitigation Measure 3-4-3: Recontour Aquatic Habitat and Remove Debris Following In-Water Construction</b></p> <p>To mitigate impacts on waters of the U.S. in the San Joaquin River, it is estimated that the City will remove debris (e.g., concrete, the existing pipeline, and piers) and structures from the work area in an amount that is equal to or greater than the area of new facilities that will be introduced into the water. Because no wetlands (i.e., vegetated aquatic habitat) is present in the project footprint, the City need only restore the bottom contours of the San Joaquin River bed to emulate existing aquatic conditions at the site and no further shoreline restoration is needed. Specific water quality requirements during construction are identified in Section 3.10, <i>Local Hydrology and Water Quality</i>.</p>	Less than significant
<b>Impact 3-4-4:</b> Development facilitated by the proposed project would not interfere with the movement of native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	None required	No impact
<b>Impact 3-4-5:</b> Development facilitated by the proposed project would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	<p><b>Mitigation Measure 3-4-1(a) and 3-4-1(b): Pre-construction Surveys</b></p>	Less than significant
<b>Impact 3-4-6:</b> Development facilitated by the proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.	None required	No impact
<b>Impact 3-4-C-1:</b> Implementation of the proposed project, in combination with past, present, and reasonably foreseeable future development could result in a cumulatively significant impact related to terrestrial biological resources.	<p><b>Mitigation Measure 3-4-1(a) and 3-4-1(b): Pre-construction Surveys</b></p>	Less than significant

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
<b>Cultural Resources</b>		
<b>Impact 3.5-1:</b> The proposed project would not cause a substantial adverse change in the significance of an archaeological resource.	None required	No impact
<b>Impact 3.5-2:</b> The project could cause a substantial adverse change in the significance of an archaeological resource.	<p><b>Mitigation Measure 3.5-2: Inadvertent Discovery of Archaeological Resources.</b></p> <p>If prehistoric or historic-era archaeological resources are encountered by construction personnel during project implementation, all construction activities within 100 feet shall halt until a qualified archaeologist, defined as one meeting the Secretary of the Interior's Professional Qualification Standards for archaeology, can assess the significance of the find. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (midden) containing heat-affected rocks, artifacts, or shellfish remains; stone milling equipment (e.g., mortars, pestles, hand stones, or milling slabs); and battered stone tools, such as hammer stones and pitted stones. Historic-era materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse.</p> <p>If a find is evaluated and determined to be significant, a mitigation plan shall be developed that recommends preservation in place as a preference or, if preservation in place is not feasible, data recovery through excavation. The mitigation plan will be developed in consultation with the affiliated Native American tribe(s), as appropriate. If preservation in place is feasible, this may be accomplished through one of the following means: (1) modifying the construction plan to avoid the resource; (2) incorporating the resource within open space; (3) capping and covering the resource before building appropriate facilities on the resource site; or (4) deeding the resource site into a permanent conservation easement. If preservation in place is not feasible, a qualified archaeologist shall prepare and implement a detailed treatment plan to recover scientifically consequential information from the resource prior to any excavation at the site. Treatment for most resources would consist of (but would not necessarily be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan shall include provisions for analysis of data in a regional context; reporting of results within a timely manner; curation of artifacts and data at an approved facility; and dissemination of reports to local and state repositories, libraries, and interested professionals.</p> <p>Should the project include federal funding or oversight or otherwise qualify as a federal undertaking, the archaeological study shall be prepared in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended.</p>	Less than significant
<b>Impact 3.5-3:</b> The proposed project could disturb human remains, including those interred outside of dedicated cemeteries.	<p><b>Mitigation Measure 3.5-3: Inadvertent Discovery of Human Remains.</b></p> <p>In the event human remains are uncovered during construction activities for the project, the City shall immediately halt work, contact the Contra Costa County Coroner to evaluate the remains, and follow the procedures and protocols pursuant to Section 15064.5(e)(1) of the CEQA Guidelines. State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 48 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person thought to be the Most Likely</p>	Less than significant

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
	Descendant of the deceased Native American. The Most Likely Descendent will make recommendations for means of treating, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.	
<b>Impact 3.5-C-1:</b> Implementation of the proposed project, in combination with other cumulative development, could contribute to cumulative impacts to archaeological resources.	<b>Mitigation Measure 3.5-C-2: Inadvertent Discovery of Archaeological Resources.</b>	Less than significant
<b>Impact 3.5-C-2:</b> Implementation of the proposed project, in combination with other cumulative development, could contribute to cumulative impacts to human remains.	<b>Mitigation Measure 3.5-C-3: Inadvertent Discovery of Human Remains.</b>	Less than significant
<b>Geology, Soils, and Paleontological Resources</b>		Less than significant
<b>Impact 3.6-1:</b> The proposed project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury or death involving strong ground shaking or seismically induced ground failure, including liquefaction and lateral spreading.	None required	
<b>Impact 3.6-2:</b> The proposed project would not result in substantial soil erosion.	None required	Less than significant
<b>Impact 3.6-3:</b> The proposed project would not create direct or indirect substantial risks to life or property due to expansive or corrosive soils.	None required	Less than significant
<b>Impact 3.6-C-1:</b> Implementation of the proposed project, in combination with past, present, and reasonably foreseeable future development would not result in a cumulatively significant impact related to geology and soils.	None required	Less than significant
<b>Energy</b>	<b>Mitigation Measure 3.7-1: Construction Equipment Efficiency.</b> The City shall retain a qualified professional (i.e., construction planner/energy efficiency expert) to identify the specific measures that the City (and its construction contractors) will implement as part of project construction and decommissioning to increase the efficient use of construction equipment to the maximum extent feasible. Such measures shall include, but not necessarily be limited to: procedures to ensure that all construction equipment is properly tuned and maintained at all times; a commitment to utilize existing electricity sources where feasible rather than portable diesel-powered generators; and identification of procedures (including the routing of haul trips) that will be followed to ensure that all materials and debris hauling is conducted in a fuel-efficient manner. The measures shall be incorporated into construction specifications and implemented throughout the construction and decommissioning periods.	Less than significant

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
<b>Impact 3.7-2:</b> project would not constrain local or regional energy supplies, require additional capacity, affect peak and base periods of electrical demand, or otherwise require or result in the construction of new electrical generation and/or transmission facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects.	<b>Mitigation Measure 3.2-1: BAAQMD Basic Construction Measures.</b>  None required	Less than significant
<b>Impact 3.7-C-1:</b> Implementation of the project, in combination with past, present, and reasonably foreseeable future development, would not use large amounts of fuel or energy in an unnecessary, wasteful, or inefficient manner.	<b>Mitigation Measure 3.7-1: Construction Equipment Efficiency.</b>  <b>Mitigation Measure 3.2-1: BAAQMD Basic Construction Measures.</b>	Less than significant
<b>Impact 3.7-C-2:</b> Implementation of the project, in combination with past, present, and reasonably foreseeable future development, would not constrain local or regional energy supplies, require additional capacity, affect peak and base periods of electrical demand, or otherwise require or result in the construction of new electrical generation and/or transmission facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects.	None required	Less than significant
<b>Greenhouse Gases</b>		
<b>Impact 3.8-1:</b> The project would not generate an amount of GHG emissions that would contribute substantially to climate change.	None required	Less than significant
<b>Impact 3.8-2:</b> The project would not conflict with the Executive Order B-30-15 Emissions Reduction Goal.	None required	Less than significant
<b>Impact 3.8-C-1:</b> Implementation of the project, in combination with past, present, and reasonably foreseeable future development, would not result in a cumulatively significant impact related to generating GHG emissions that would contribute substantially to climate change.	None required	Less than significant
<b>Impact 3.8-C-2:</b> The project, in combination with other cumulative development, would not conflict with the Executive Order B-30-15 Emissions Reduction Goal.	None required	Less than significant

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
Hazards and Hazardous Materials		
<b>Impact 3.9-1:</b> The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, disposal, or accidental release of hazardous materials.	None required	Less than significant
<b>Impact 3.9-2:</b> The proposed project could emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	<b>Mitigation Measure 3.17-1b: Construction Traffic Control/Traffic Management Plan</b>	Less than significant
<b>Impact 3.9-3:</b> The proposed project would be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, could create a significant hazard to the public or the environment.	<p><b>Mitigation Measure 3.9-3a: Health and Safety Plan</b></p> <p>The construction contractor(s) shall prepare and implement site-specific Health and Safety Plans (HASP) in accordance with 29 CFR 1910.120 to protect construction workers and the public during all excavation and grading activities. This HASP shall be submitted to the City of Antioch for review prior to commencement of demolition and construction activities and as a condition of the grading, construction, and/or demolition permit(s). The HASP shall include, but is not limited to, the following elements:</p> <ul style="list-style-type: none"> <li>• Designation of a trained, experienced site safety and health supervisor who has the responsibility and authority to develop and implement the site HASP;</li> <li>• A summary of all potential risks to demolition and construction workers and maximum exposure limits for all known and reasonably foreseeable site chemicals;</li> <li>• Specified personal protective equipment and decontamination procedures, if needed;</li> <li>• Emergency procedures, including route to the nearest hospital; and</li> </ul> <p>Procedures to be followed in the event that evidence of potential soil or groundwater contamination (such as soil staining, noxious odors, debris or buried storage containers) is encountered. These procedures shall be in accordance with hazardous waste operations regulations and specifically include, but are not limited to, the following: immediately stopping work in the vicinity of the unknown hazardous materials release, notifying Contra Costa Health Services - Hazardous Materials Programs, and retaining a qualified environmental firm to perform sampling and remediation.</p> <p><b>Mitigation Measure 3.9-3b: Soil Management Plan</b></p> <p>In support of the HASP described above in Mitigation Measure HAZ-1, the contractor shall develop and implement a Soil Management Plan (SMP) that includes a materials disposal plan specifying how the construction contractor(s) will remove, handle, transport, and dispose of all excavated materials in a safe, appropriate, and lawful manner. This SMP shall be submitted to the City of Antioch for review prior to commencement of demolition and construction activities and as a condition of the grading, construction, and/or demolition permit(s). The SMP must identify protocols for soil testing and disposal, identify the approved disposal site, and include written documentation that the disposal site can accept the waste. Contract specifications shall mandate full compliance with all applicable local, state, and federal regulations related to the identification, transportation, and disposal of hazardous materials, including those encountered in excavated soil. In addition, the City or its contractor shall contact the Fulton Shipyards to acquire the most current information regarding chemicals in sediments around the proposed intake pump</p>	Less than significant

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
<b>Impact 3.10-3:</b> The proposed project would not risk release of pollutants due to project inundation from being located in flood hazard zones.	None required	Less than significant
<b>Impact 3.10-C-1:</b> Implementation of the proposed project, in combination with past, present, and reasonably foreseeable future development, would not result in a cumulatively significant impact related to hydrology and water quality.	None required	Less than significant
<b>Delta Hydrology and Water Quality</b>		
<b>Impact 3.11-1:</b> Changes in the location and timing of water diversion from the Delta, when combined with proposed discharges, could alter threshold concentrations established by the Regional Water Quality Control Board, or otherwise violate waste discharge or water quality standards.	None required	Less than significant
<b>Impact 3.11-2:</b> The proposed project could exceed applicable NPDES permit discharge standards.	None required	Less than significant
<b>Impact 3.11-C-1:</b> Implementation of the proposed project, in combination with other cumulative development, could contribute to cumulative degradation of water quality in the Delta	None required	Less than significant
<b>Land Use and Planning</b>		
<b>Impact 3.12-1:</b> The proposed project would not conflict with an applicable land use policy included in a general plan or zoning ordinance adopted for the purpose of avoiding or mitigating an environmental effect.	None required	Less than significant
<b>Impact 3.12-C-1:</b> Implementation of the proposed project, in combination with past, present, and reasonably foreseeable future development, would not result in a cumulatively significant impact related to land use.	None required	Less than significant

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
<b>Noise and Vibration</b>	<p><b>Mitigation Measure 3.13-1: General Noise Controls for Construction Equipment and Activities</b></p> <p>a) The construction contractor(s) shall assure that construction equipment with internal combustion engines have sound control devices at least as effective as those provided by the original equipment manufacturer. No equipment shall be permitted to have an unmuffed exhaust.</p> <p>b) To reduce potential daytime construction noise impacts to residential uses immediately south of the desalination facility contractors shall employ temporary noise curtains or barriers along the southern and western property boundary of the WTP to shield daytime construction noise impacts to residential uses to the south and west. To reduce potential daytime construction noise impacts to residential uses immediately east of the proposed new pump station, contractors shall employ temporary noise curtains or barriers along the eastern property boundary of the pump station worksite to shield daytime construction noise impacts to residential uses to the east. Implementation of this measure will ensure that daytime construction activities do not exceed noise criteria for daytime construction at residential uses (70 dBA Leq). These barriers shall be installed prior to the start of construction.</p> <p>c) Impact tools (i.e., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler shall be placed on the compressed air exhaust to lower noise levels by up to approximately 10 dBA. External jackets shall be used on impact tools, where feasible, in order to achieve a further reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.</p>	Less than significant
<b>Impact 3.13-2:</b> Construction of facilities under the proposed project could generate noise levels that exceed the applicable county or city noise standards or result in a substantial temporary increase in ambient noise levels at nearby sensitive receptors.	None required	Less than significant
<b>Impact 3.13-3:</b> Operation of the project would generate traffic, stationary source, and area source noise similar to existing noise levels and would not exceed City noise requirements.	<p><b>Mitigation Measure 3.13-3: Stationary-Source Noise Controls</b></p> <p>The City shall retain an acoustical professional to design stationary-source noise controls and ensure the applicable noise standards are met. At a minimum, all stationary noise sources (e.g., RO pumps) shall be located within enclosed structures and with adequate noise screening, as needed, to maintain noise levels to no greater than 5 dBA above the existing monitored ambient values and 60 CNEL, at the property lines of nearby residences. Once the stationary noise sources have been installed, the contractor(s) shall monitor noise levels to ensure compliance with local noise standards.</p>	Less than significant
<b>Impact 3.13-C-1:</b> Implementation of the proposed project, in combination with other cumulative development could result in a significant noise impact for which the proposed project would make a considerable contribution.	<p><b>Mitigation Measure 3.13-1: General Noise Controls for Construction Equipment and Activities</b></p>	Less than significant

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
<b>Population and Housing</b>		
<b>Impact 3.14-1:</b> The proposed project would not directly or indirectly induce substantial population growth in the area or create demand for additional housing.	None required	Less than significant
<b>Impact 3.14-C-1:</b> The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, would not contribute to a cumulative impact on population and housing.	None required	Less than significant
<b>Public Services and Utilities</b>		
<b>Impact 3.15-1:</b> The proposed project could disrupt operations or require relocation of regional or local utilities.		
<b>Mitigation Measure 3.15-1a: Locate and Confirm Utility Lines</b>  Before excavation begins, the City of Antioch or its contractor(s) shall locate all overhead and underground utility lines (such as natural gas, electricity, sewage, telephone, fuel, and water lines) that are reasonably expected to be encountered during excavation. When a project excavation is within the approximate location of a subsurface utility, the City of Antioch or its contractor shall determine the exact location of the underground utility by safe and acceptable means, including the use of hand tools and modern techniques. Information regarding the size, color, and location of existing utilities shall be confirmed before construction activities begin. These utilities shall be highlighted on all construction drawings.		
<b>Mitigation Measure 3.15-1b: Coordinate Final Construction Plans with Affected Utilities</b>  The City of Antioch or its contractor(s) shall coordinate final construction plans, schedule, and specifications with affected utilities with utility providers and affected jurisdictions (e.g., the City of Pittsburg). Arrangements shall be made with these entities regarding the appropriate protection, relocation, or temporary disconnection of services. If any interruption of service is required, the City of Antioch or its contractor(s) shall notify residents and businesses in the project corridor of any planned utility service disruption at least 2 working days and up to 14 calendar days in advance.		
<b>Mitigation Measure 3.15-1c: Safeguard Employees from Potential Accidents Related to Underground Utilities</b>  When any excavation is open, the construction contractor(s) shall protect, support, or remove underground utilities as necessary to safeguard employees. The contractor(s) shall be required to provide weekly updates to the City of Antioch and construction workers regarding the planned excavations for the upcoming week, and to specify when construction will occur near a high-priority utility (i.e., pipelines carrying petroleum products, oxygen, chlorine, or toxic or flammable gases; natural gas pipelines greater than 6 inches in diameter or with normal operating pressures greater than 60 pounds per square inch gauge; and underground electric supply lines, conductors, or cables that have a potential to ground more than 300 volts that do not have effectively grounded sheaths). Construction managers shall hold regular tailgate meetings with construction staff on days when work near high-priority utilities will occur to review all safety measures regarding such excavations, including measures identified in the Mitigation Monitoring and Reporting Program and in construction specifications. The contractor shall designate a qualified Health and Safety Officer who shall specify a safe distance to work near high-priority utilities. Excavation near such utility lines shall not be		

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
<b>Impact 3.15-C-2:</b> The proposed project, in combination with other cumulative development, would not exceed the wastewater treatment requirements of the applicable Regional Water Quality Control Board or result in a determination by the wastewater treatment provider that it has inadequate capacity, including treatment and/or outfall capacity, to accommodate the project's projected demand.	None required	Less than significant
<b>Recreation</b>		
<b>Impact 3.16-1:</b> Project construction activities could temporarily disrupt access to recreational resources in the vicinity of the project components.	<b>Mitigation Measure 3.17-1b: Construction Traffic Control/Traffic Management Plan</b>	Less than significant
<b>Impact 3.16-C-1:</b> Implementation of the proposed project, in combination with other cumulative development would not result in a cumulatively significant impact related to recreational facilities.	None required	Less than significant
<b>Traffic and Transportation</b>		
<b>Impact 3.17-1:</b> Construction of the proposed project would have temporary and intermittent effects on traffic and transportation conditions in the project area.	<b>Mitigation Measure 3.17-1a: Encroachment Permits</b>	Less than significant
	<p>The construction contractor shall obtain any necessary road encroachment permits prior to constructing each project component and shall comply with the conditions of approval attached to all project permits and approval. In addition, the Construction Traffic Control/Traffic Management Plan (subject to local jurisdiction review and approval) required by Mitigation Measure 3.17-1b, would include safety measures for traffic flow and circulation during project construction.</p>	
	<b>Mitigation Measure 3.17-1b: Construction Traffic Control/Traffic Management Plan</b>	
	<p>The construction contractor shall prepare a Construction Traffic Control/Traffic Management Plan and submit it to the appropriate local jurisdiction prior to construction (i.e., City of Antioch, City of Pittsburg) for review and approval prior to construction. The plan shall include the following components:</p>	
	<ul style="list-style-type: none"> <li>• Identify hours of construction (between 8:00 AM and 5:00 PM; no construction shall be permitted between 10:00 PM and 7:00 AM);</li> </ul>	
	<ul style="list-style-type: none"> <li>• Schedule truck trips outside of peak morning and evening commute hours to minimize adverse impacts on traffic flow (i.e., if agencies with jurisdiction over the affected roads identify highly congested roadway segments during their review of the encroachment permit applications). Haul routes that minimize truck traffic on local roadways and residential streets shall be used.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Develop circulation and detour plans to minimize impact to local street circulation. This may include the use of signing and flagging to guide vehicles, bicyclists, and pedestrians through and/or around the construction zone.</li> </ul>	
	<ul style="list-style-type: none"> <li>• Control and monitor construction vehicle movements by enforcing standard construction specifications through periodic onsite inspections;</li> </ul>	

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
	<ul style="list-style-type: none"> <li>• Install traffic control devices where traffic conditions warrant, as specified in the applicable jurisdiction's standards (e.g., the California Manual of Uniform Traffic Controls for Construction and Maintenance Work Zones);</li> <li>• Perform construction that crosses on-street and off-street bikeways, sidewalks, and other walkways in a manner that allows for safe access for bicyclists and pedestrians. Alternatively, provide safe detours to reroute affected bicycle/pedestrian traffic.</li> <li>• Consult with the Tri Delta Transit at least one month prior to construction to coordinate bus stop relocations (as necessary) and to reduce potential interruption of transit service;</li> <li>• Comply with roadside safety protocols to reduce the risk of accidents. Provide "Road Work Ahead" warning signs and speed control (including signs informing drivers of state-legislated double fines for speed infractions in a construction zone) to achieve required speed reductions for safe traffic flow through the work zone.</li> <li>• Identify all access and parking restrictions, pavement markings and signage requirements (e.g., speed limit, temporary loading zones);</li> <li>• Store all equipment and materials in designated contractor staging areas;</li> <li>• Encourage construction crews to park at staging areas to limit lane closures in the public ROW;</li> <li>• Include a plan and implementation process for notifications and a process for communication with affected residents, businesses, and recreational users (public boat launch ramp and Contra Costa County Fairground) prior to the start of construction. Advance public notification shall include posting of notices and appropriate signage of construction activities at least one week in advance. The written notification shall include the construction schedule, the exact location and duration of activities within each street (i.e., which lanes and access point/driveways would be blocked on which days and for how long), and a toll-free telephone number for receiving questions or complaints;</li> <li>• Include a plan and implementation process to coordinate all construction activities with emergency service providers in the area at least one month in advance. Emergency service providers shall be notified of the timing, location, and duration of construction activities. All roads shall remain passable to emergency service vehicles at all times;</li> <li>• Include a plan and implementation process to coordinate all construction activities with the Antioch Unified School District at least two months in advance. The School District shall be notified of the timing, location, and duration of construction activities. The City shall coordinate with the School District to identify peak circulation periods at schools along the alignment(s) (i.e., the arrival and departure of students), and require their contractor to avoid construction and lane closures during those periods. The construction contractor for each project component shall be required to maintain vehicle, bicycle, pedestrian, and school bus service during construction through inclusion of such provisions in the construction contract. The assignment of temporary crossing guards at designated intersections may be needed to enhance pedestrian safety during project construction;</li> <li>• Identify all roadway locations where special construction techniques (e.g., trenchless pipeline installation or night construction) will be used to minimize impacts to traffic flow. Include the requirement that all open trenches be covered with metal plates at the end of each workday to accommodate traffic and access; and</li> </ul>	

**TABLE ES-1 (CONTINUED)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Environmental Impact	Mitigation Measures	Level of Significance after Mitigation
<b>Impact 3.17-2:</b> Construction of the proposed project would temporarily disrupt circulation patterns near sensitive land uses (schools, hospitals, fire stations, police stations, and other emergency providers).	<ul style="list-style-type: none"> <li>Specify the street restoration requirements pursuant to agreements with the local jurisdictions (i.e., City of Antioch, City of Pittsburg).</li> </ul>	Less than significant
<b>Impact 3.17-3:</b> Construction of the proposed project would have temporary effects on alternative transportation or alternative transportation facilities in the project area.	<b>Mitigation Measure 3.17-1b: Construction Traffic Control/Traffic Management Plan</b>	Less than significant
<b>Impact 3.17-4:</b> Construction of the proposed project would temporarily increase the potential for accidents on project area roadways.	<b>Mitigation Measure 3.17-1b: Construction Traffic Control/Traffic Management Plan</b>	Less than significant
<b>Impact 3.17-5:</b> Construction of the proposed project would increase wear-and-tear on the designated haul routes used by construction vehicles to access the project area work sites.	<b>Mitigation Measure 3.17-5: Roadway Repairs</b> The City shall repair any roads damaged by project construction to a structural condition equal to that which existed prior to construction activity. Prior to project construction, City of Antioch Public Works Department shall document road conditions for all routes that would be used by project-related vehicles. The City shall also document road conditions after project construction is completed. Roads damaged by project construction shall be repaired to a structural condition equal to that which existed prior to construction activity.	Less than significant
<b>Impact 3.17-C-1:</b> Construction of the proposed project, in combination with other cumulative development, could result in cumulative effects relating to transportation and circulation conditions in the project study area.	<b>Mitigation Measure 3.17-1a: Encroachment Permits</b> <b>Mitigation Measure 3.17-1b: Construction Traffic Control/Traffic Management Plan</b> <b>Mitigation Measure 3.17-5: Roadway Repairs</b>	Less than significant
<b>Tribal Cultural Resources</b>		
<b>Impact 3.18-1:</b> The project could cause a substantial adverse change in the significance of a tribal cultural resource.	<b>Mitigation Measure 3.5-2: Inadvertent Discovery of Archaeological Resources</b> <b>Mitigation Measure 3.5-3: Inadvertent Discovery of Human Remains</b>	Less than significant
<b>Impact 3.18-C-1:</b> Implementation of the proposed project, in combination with other cumulative development, could contribute to cumulative impacts to tribal cultural resources.	<b>Mitigation Measure 3.5-2: Inadvertent Discovery of Archaeological Resources</b> <b>Mitigation Measure 3.5-3: Inadvertent Discovery of Human Remains</b>	Less than significant

# **CHAPTER 1**

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## **Introduction**

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### **Sections**

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- 1.1 Purpose of the Environmental Impact Report
  - 1.2 EIR Process
  - 1.3 Range of Alternatives
  - 1.4 Organization of the Draft EIR
  - 1.5 Intended Uses of the EIR
- 

### **1.1 Purpose of the Environmental Impact Report**

The proposed Brackish Water Desalination Project approvals constitute a “project” as defined by, and subject to the requirements of, the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the “CEQA Guidelines” (California Code of Regulations, Title 14, Section 15000 et seq.). For purposes of CEQA, the term “project” refers to the whole of an action which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA *Guidelines* Section 15378). As the principal public agency responsible for approving the project, the City of Antioch (City) is the “lead agency” overseeing and administering the CEQA environmental review process.

As set forth in the provisions of CEQA *Guidelines* Section 15126.4, before deciding whether to approve a project, public agencies must consider the significant environmental impacts of the project and must identify feasible measures to minimize those impacts. Pursuant to CEQA *Guidelines* Section 15064, if any aspect of the proposed project, either individually or cumulatively, may cause a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, an EIR must be prepared. The City has determined that the potential impacts resulting from the proposed project require the preparation of an environmental impact report (EIR).

This EIR is a factual informational document, prepared in conformance with CEQA, and written for the purpose of making the public and decision-makers aware of the environmental consequences of the proposed project. For any consequence, or project impact, that is considered “significant,” the EIR identifies mitigation measures, where feasible, to reduce or avoid the significant impact. The EIR also considers the objectives of the project and identifies whether there might be alternative ways of accomplishing those objectives while avoiding or substantially reducing the project’s impacts.

Before any action may be taken to approve the project, the City must certify that it has reviewed and considered the information in the EIR and that the EIR has been completed in conformity with the requirements of CEQA. Certification of the EIR does not approve or deny the proposed project.

## 1.2 EIR Process

### 1.2.1 Notice of Preparation

In accordance with Section 15082 of the CEQA *Guidelines*, the City, as lead agency, prepared a Notice of Preparation (NOP) for this EIR. On August 15, 2017, the City sent a Notice of Preparation (NOP) to the State Clearinghouse [SCH No. 2017082044], County Clerk, responsible and trustee government agencies, organizations, and individuals potentially interested in the project. The NOP requested that agencies with regulatory authority over any aspect of the project describe that authority and identify relevant environmental issues that should be addressed in the EIR. Interested members of the public were also invited to comment. A scoping meeting was held on September 5, 2017. The 30-day scoping period for the project remained open through September 14, 2017.

The City received 11 comment letters from local and state agencies during the comment period, as well as questions and comments from attendees during the public scoping meeting on September 5, 2017. The NOP, comment letters, and transcript from the public meeting are included in **Appendix A** of this EIR. As discussed in the NOP and per the provisions of CEQA, the City did not prepare a CEQA Initial Study prior to preparation of the EIR, because the City determined that it was clear at the time of the issuance of the NOP that an EIR was required (CEQA *Guidelines* Section 15060[d]).

### Project Modifications Since Publication of the NOP

Since publication of the NOP and public scoping period, the proposed project components have been refined by the City as follows:

- Addition of an optional brine disposal pipeline alignment extending west on West Tregallas Road and crossing Highway 4 at L Street.
- Addition of an optional brine disposal pipeline extending from the WTP to Lone Tree Way, west along Putnam Street, and north on D Street.
- Addition of an optional raw water connection pipelines connecting to the WTP from Lone Tree Way, west along Putnam Street, and south on D Street.
- Increase in square footage of the desalination facility footprint from 9,600 square feet to 10,700 square feet.

The proposed project and components, as revised, are described further in Chapter 2, *Project Description*.

## 1.2.2 Draft EIR

This document and all attachments hereto constitute the Draft EIR. The Draft EIR contains a description of the project, including the project objectives, description of the environmental setting, identification of project impacts, identification of recommended mitigation measures to avoid or reduce impacts found to be potentially significant, identification of impacts after the implementation of recommended mitigation measures, identification of alternative ways of accomplishing the project's objectives while avoiding or reducing the project's impacts, and a comparative analysis of those alternatives (see Section 1.3, below). The City has filed a Notice of Completion (NOC) for the Draft EIR with the Governor's Office of Planning and Research to begin the public review period (Public Resources Code, Section 21161).

### Public Notice and Public Review

This Draft EIR is available to local, state, and federal agencies, and to interested organizations and individuals, who may want to review and comment on the analysis provided, for a 45-day period identified on the notice that is inside the front cover of the document. Notice of this Draft EIR has also been sent directly to every agency, person, or organization that commented on the NOP. During the public comment period, written comments regarding the Draft EIR may be submitted to:

Scott Buenting  
Project Manager  
City of Antioch  
PO BOX 5007  
Antioch, CA 94531-5007  
SBuenting@ci.antioch.ca.us

During this 45-day review period, copies of the Draft EIR will be available for public review at the following locations:

City of Antioch City Hall  
Community Development Department  
3rd and H Street, Second Floor  
Antioch, CA 94509

Antioch Library  
501 W 18th Street  
Antioch, CA 94509

An electronic copy of the Draft EIR can also be downloaded at <http://www.ci.antioch.ca.us>. The Planning Commission is scheduled to receive public comments on the Draft EIR on **July 18, 2018**, at 6:30 p.m. in the City Hall Council Chambers.

Responses to all comments received on environmental issues regarding the Draft EIR and submitted within the specified review period will be prepared and included in the Final EIR.

### 1.2.3 Final EIR and Certification

Following the public review period, a Final EIR will be prepared. All substantive written comments received on the adequacy of this Draft EIR during the public review period will be addressed in a “response-to-comments” document which, together with this Draft EIR, will constitute the Final EIR. The response-to-comments document will also present any changes to the Draft EIR resulting from public and agency input and City staff initiated changes.

### Certification of the EIR and Project Consideration

Prior to any decision to approve, revise, or reject the project, the Antioch City Council will review the Final EIR. If the City finds that the Final EIR is adequate and complete, the City will certify the Final EIR. Upon review and consideration of the Final EIR, the Antioch City Council may take action to approve, conditionally approve, revise, or reject the proposed project. A decision to approve the project would be accompanied by written findings in accordance with CEQA *Guidelines* Section 15091, and Section 15093, as applicable. A Mitigation Monitoring and Reporting Program, as described below, would also be adopted for project design features and mitigation measures that have been incorporated into the proposed project or adopted as conditions of approval to reduce or avoid significant effects on the environment.

### Mitigation Monitoring and Reporting Program

Throughout the EIR, mitigation measures have been clearly identified and presented in language that will facilitate establishment of a mitigation monitoring and reporting program (MMRP). CEQA *Guidelines* Section 21081.6(a) requires lead agencies to adopt an MMRP to describe measures that have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The MMRP will be presented to the City Council for adoption at the time of project approval. This MMRP will be designed to ensure that these measures are carried out during project implementation.

## 1.3 Range of Alternatives

CEQA requires that an EIR discuss a range of reasonable alternatives to the proposed project (see Chapter 5). This EIR describes and analyzes a range of reasonable alternatives, including a “No Project” alternative as required under CEQA (CEQA *Guidelines* Section 15126.6[e]); compares the environmental effects of each alternative with the effects of the proposed project; and addresses the relationship of each alternative to the project objectives. The determinations of the Lead Agency concerning the feasibility, acceptance, or rejection of each and all alternatives considered in this EIR will be addressed and resolved in the findings, when the City of Antioch considers approval of the project, as required by CEQA.

## 1.4 Organization of the Draft EIR

Prior to this chapter, this Draft EIR contains a summary section which provides a concise overview of the document. The ***Executive Summary*** chapter includes a brief project description and an overview table of the environmental impacts identified by this EIR. The summary table

lists the environmental impacts, proposed mitigation measures (including standard conditions), and the level of significance after mitigation. Detailed analysis of these impacts and mitigations is provided in Chapter 3, *Environmental Setting, Impacts and Mitigation Measures*.

Following this chapter, this Draft EIR has been organized as follows:

- **Chapter 2, Project Description.** This chapter describes the project, including project objectives, a summary of project components, and information about project construction and proposed operations. The chapter also lists required permits and approvals.
- **Chapter 3, Environmental Setting, Impacts and Mitigation Measures.** A separate section for each environmental topic is discussed within this chapter. Each section contains a description of the environmental setting (existing physical environmental conditions), the regulatory framework, and the environmental impacts (including cumulative impacts) that could result from the proposed project. It includes the thresholds of significance used to determine the significance of adverse environmental effects. The chapter also identifies the mitigation measures that would reduce or eliminate the adverse impacts that have been determined to be significant. The impact discussions disclose the significance of the impact both with and without implementation of mitigation measures and/or standard conditions.
- **Chapter 4, Other CEQA Requirements.** This chapter presents growth-inducing effects, significant irreversible changes, a summary of cumulative impacts, significant and unavoidable environmental impacts, and the significant and irreversible environmental changes of the project.
- **Chapter 5, Alternatives.** This chapter describes the alternatives to the project and compares their impacts to those of the project. This chapter also summarizes the alternatives that were considered but rejected from further analysis.
- **Chapter 6, Report Preparers.** This chapter identifies the persons, and affiliations of those persons who prepared this EIR.
- **Appendices.** The NOP, comment letters received on the NOP, and comments from the scoping hearing, as well as supporting documents and technical information for the impact analyses are presented in Appendices A through D.

## 1.5 Intended Uses of the EIR

This EIR provides the CEQA compliance documentation upon which the City of Antioch's consideration of, and action on, all applicable permits and other approvals (collectively, "approvals") for the proposed project or an alternate may be based. These include all approvals listed in this EIR, as well as any additional approvals that may be necessary to implement the proposed project or alternative, including activities such as planning, construction, operation and maintenance (e.g., use permits, grading permits, and building permits).