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1. Project Title: **Renaissance Phase Two (DR 12-028)**
  2. Lead Agency Name and Address: **City of Concord  
Planning Division  
1950 Parkside Drive, MS/53  
Building D, Permit Center  
Concord, CA 94519**
  3. Contact Person and Phone Number: **CEQA – Frank Abejo – (925) 671-3128  
  
Project – Ed McCoy – (858) 626-8341**
  4. Project Location: **1851 Galindo Street (south of Willow Pass Road, north of Concord Boulevard,  
and east of Mira Vista Terrace)  
APN's: 126-062-0131, 126-062-0149**
  5. Project Sponsor's Name and Address: **Owner: Behringer Harvard  
15601 Dallas Parkway, Suite 600  
Addison, TX 75001  
  
Developer: Fairfield Development L.P.  
5510 Morehouse Drive, Suite 200  
San Diego, CA 92121**
  6. General Plan Designation: **Downtown Mixed Use**
  7. Zoning: **DMX (Downtown Mixed Use)**
  8. Description of Project:

The proposed project is the second and final phase of the Renaissance residential infill project originally approved in 2004 by Signature Properties on an approximately 2.75 acre site in downtown Concord. Renaissance was approved for up to 314 units in podium-style buildings over subsurface parking. The unit types included live/work lofts on Galindo Street and retail spaces at the corner of Galindo Street and Willow Pass Road. Signature Properties constructed 132 residential units for Phase One and converted the project into apartments following slow residential sales during the recession. The property and project entitlements were recently purchased by Behringer Harvard.

The proposed Renaissance Phase Two project would include the demolition of an existing, but vacant, automotive related structure and construction of 179 residential units in a 4-5 story building wrapped around a free-standing parking garage. The 179 residential units would be comprised of up to 12 Studio apartment units, 83 One Bedroom apartment units, and 84 Two Bedroom apartment units. The project would provide approximately 371 on-site parking spaces comprised of 311 stalls for residents (1.50 stalls/studio unit; 1.50 stalls/1-bedroom unit; 2.00 stalls/two-bedroom unit) and 60 spaces for guests (1 space/3 units). The proposed sit plan and massing is similar to the original approval. The building envelope is maximized to place the building close to the streets, except at Mira Vista Terrace where the Concord Fault runs through the site and restricts development. This area will be used for guest surface parking.

A five story parking garage is proposed at the northern half of the site. The garage will be accessed from Willow Pass Road and Concord Boulevard via an existing private street and from Mira Vista Terrace via the guest parking lot. Project amenities include a large landscaped central courtyard with outdoor barbeque facilities, two story wine bar and an outdoor dining area, two story clubroom with full kitchen, private storage space, and balconies. The buildings would be constructed at grade and around a free standing concrete parking structure, rising up to 5 stories and a maximum height of 65 feet and surrounded by the residential buildings.

The project would require a Use Permit Amendment to allow the proposed wrap-style construction type as it represents a change from the currently approved podium-style building and Design Review.

9. Surrounding Land Uses and Setting. (Briefly describe the project’s surroundings.):  
 The project site is surrounded by the Phase One residences immediately to the east and a variety of commercial uses including, a restaurant, office buildings, and a movie theatre/parking garage structure across Willow Pass Road; a gas station, office buildings and banks across Galindo Street; a used car lot, place of worship and residential units across Concord Boulevard; and office buildings across Mira Vista Terrace. A restaurant/office building is located adjacent to the project site, on the corner of Willow Pass Road and Mira Vista Terrace.
10. Other agencies whose approval is required (e.g. permits, financing approval, or participation agreement.):  
 None.

### Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Aesthetics            | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Hydrology/Water Quality       | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Air Quality           | <input type="checkbox"/> Land Use/Planning             | <input type="checkbox"/> Transportation/Traffic             |
| <input type="checkbox"/> Biological Resources  | <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Utilities/Service Systems          |
| <input type="checkbox"/> Cultural Resources    | <input type="checkbox"/> Noise                         | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Geology/Soils         | <input type="checkbox"/> Population/Housing            | <input checked="" type="checkbox"/> None                    |

**Determination:**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

<u>Frank Abajo</u> Signature	<u>3-26-13</u> Date
<u>Frank Abajo</u> Printed Name	<u>3-26-13</u> Date

**Issues:**

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

**Discussion:**

- a) The project site is not identified in the City of Concord General Plan as a scenic vista. Views from the project site consist of adjacent commercial buildings and major roadways including Concord Boulevard and Willow Pass Road, and do not include scenic resources.
- b) The California Department of Transportation administers California's Scenic Highways Program. There are two designated California Scenic Highway roadway segments in Contra Costa County including an 8.9-mile roadway segment of State Route 24, from East Portal of Caldecott Tunnel to I-680 near Walnut Creek and a 14.4-mile roadway segment of I-680 from Alameda County line to State Route 24 (California Department of Transportation, 2004). The project site is approximately seven miles northeast of these designated highway segments and therefore would have no effect. The project site does not contain, nor is it in the immediate vicinity of scenic resources such as trees, rock outcroppings, or historic buildings. Therefore the project would have no impact to such resources.
- c) A substantial portion of the project site consists of surface vehicular storage areas, and the balance of the site consists of one automobile-related building. Vegetation is limited and the site does not contain visually prominent resources. The proposed project would construct residential buildings between four and five stories tall (e.g. maximum of 65 feet). The project sponsor has presented the project to the Design Review Board four times. Throughout the design review process, the project sponsor has incorporated design modifications, pursuant to the review comments from staff and the Design Review Board, to maintain consistency with Phase One including the revision of elevations to vary roof lines, provide clarity on proposed texture and materials and landscape and streetscape characteristics within the project. The proposed buildings would improve the visual quality of the site by adding new landscaping around the street frontages and create a more continuous block frontage that would improve the pedestrian environment. The proposed project would therefore have a beneficial effect on visual quality at the site.
- d) The project site is located in a built-out urban environment that includes exterior lighting associated with existing commercial buildings adjacent to the project site, and exterior lighting on the site associated with the existing automobile-related commercial uses. The site is also adjacent to major roadways, Willow Pass Road and Concord Boulevard, which provide street lighting. The proposed project would include exterior lighting along pedestrian and vehicle access ways and within outdoor public spaces. There would also be exterior lighting at building entries and exits. Exterior lighting throughout the project site would utilize fixtures designed to minimize light spillage. Because the project is within an urban setting, the increases in light attributed to the proposed project are not considered substantial and would not adversely affect day or nighttime views in the area. The project sponsor would also be required to submit a Photometric Study to be reviewed by City staff for compliance with city standards prior to building permit as a condition of approval. The project sponsor would comply with existing City standards and recommendations provided by City staff regarding light and glare. Therefore the proposed project would not result in significant new light or glare impacts.

Summary of Impacts				
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
<b>II. AGRICULTURE RESOURCES --Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
<b>Discussion:</b>				
a) The project site presently consists of a vacant lot with an abandoned automotive repair shop. There are no active agricultural uses at the project site or in the vicinity. The area is designated by the California Department of Conservation as urban and built-up land, defined as "land occupied by structures with a building density of at least one unit to one and one-half acres" as shown on the Important Farmland Map for Contra Costa County. Thus, the proposed project would not convert Farmland to non-agricultural use and there would be no impact (California Department of Conservation, 1990).				
b) The current zoning designation for the project site is Downtown Mixed Use (DMX) and there is no agricultural zoning at the site. Therefore the proposed project would not conflict with zoning for agricultural use and there is no Williamson Act contract that applies (City of Concord, 2004).				
c) The project site is within an urbanized area in the City of Concord. There are no active agricultural uses as the site or in the vicinity, and therefore no potential to convert Farmland to non-agricultural uses.				
<b>III. AIR QUALITY – Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X		
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative threshold for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X
<b>Setting:</b>				
<p>The proposed project site is located in the eastern portion of the nine-county San Francisco Bay Area Air Basin in the City of Concord. This city has a relatively low potential for air pollution given the predominance of westerly winds. These winds dilute pollutants and transport them away from the area. There are, however, several major stationary sources in upwind cities that can adversely influence local air quality.</p> <p>The Air District's June 2010 adopted thresholds of significance were challenged in a lawsuit. On March 5, 2012 the Alameda County Superior Court issued a judgment finding that the Air District had failed to comply with CEQA when it</p>				

adopted the thresholds. The court found that the adoption of the thresholds was a project under CEQA and ordered the Air District to examine whether the thresholds would have a significant impact on the environment under CEQA before recommending their use. The court did not determine whether the thresholds are or are not based on substantial evidence and thus valid on the merits. The court issued a writ of mandate ordering the District to set aside the thresholds and cease dissemination of them until the Air District had complied with CEQA. The court's order permits the Air District to develop and disseminate these CEQA Guidelines, as long as they do not implement the thresholds of significance.

In light of the court's order, all references of the Air District's June 2010 adopted thresholds, including related screening criteria, have been removed from the CEQA Guidelines.

Both the United States Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have established ambient air quality standards for common pollutants. Ambient standards include criteria pollutants and toxic air contaminants. These ambient air quality standards are levels of contaminants that represent safe levels that avoid specific adverse health effects associated with each pollutant. The federal and California standards differ in some cases. In general, the California standards are more stringent, particularly for ozone and particulate matter (PM10 and PM2.5). Pursuant to the California Clean Air Act, the CARB designates areas of the state as attainment, non-attainment, or unclassified with respect to applicable standards.

Despite progress in attaining the ozone standards, the San Francisco Bay Area (SFBA) remains classified as a probable non-attainment area for federal 8-hour ozone standard and a non-attainment area by US EPA rule-making for the federal 24-hour PM2.5 (see Table 3-1). California's more stringent 1-hour and 8-hour ozone standards, annual PM10 and PM2.5 standards, and 24-hour PM10 standards also have not been attained. Air basins downwind of the SFBA import ozone and ozone precursors emitted in the SFBA. The SFBA's most recently adopted Clean Air Plan (CAP) and ozone plan, the *Bay Area 2005 Ozone Strategy*, were adopted on September 15, 2010 and January 4, 2006, respectively (BAAQMD website).

**TABLE 3-1  
San Francisco Bay Area Attainment Status  
Criteria Pollutant**

Criteria Pollutant	Federal Attainment Status
Ozone (O <sub>3</sub> ), 8-hour (1997)	Non-attainment <sup>1,2</sup>
Ozone (O <sub>3</sub> ), 8-hour (2008)	Non-attainment <sup>3</sup>
Nitrogen Dioxide (NO <sub>2</sub> )	Attainment-Unclassified
Carbon Monoxide (CO), 8-hour	Attainment—Maintenance
Particulate Matter (PM <sub>10</sub> )	Attainment—Unclassified
Particulate Matter (2006 PM <sub>2.5</sub> )	Non-attainment <sup>4,5</sup>

**NOTES:**

National Ambient Air Quality Standard (NAAQS promulgated under the federal Clean Air Act.

1 Previous 1-hour ozone NAAQS non-attainment areas are no longer subject to the revoked 1-hour NAAQS as of June 15, 2005.

2 Effective June 2004, the SFBA was designated as a marginal non-attainment area for the 8-hour 1997 ozone NAAQS. <http://www.epa.gov/oaqps001/greenbk/ca8.html>

3 In 2008, USEPA revised the 8-hour ozone standard to 0.075 parts per million (ppm) from 0.080 ppm. The SFBA's design values of 0.081 (2006-2008) and 0.078 ppm (2007-2009) do not meet the 2008 ozone NAAQS. On April 30, 2012, USEPA issued final area designations and classifications for the 2008 (0.075 ppm) 8-hour ozone standard. The non-attainment area designations include Contra Costa County and several other SFBA counties. The area designations and classifications will be effective July 20, 2012.

4 California ARB recommended non-attainment status for PM2.5 to USEPA on December 17, 2007.

5 On December 14, 2009, USEPA designated the San Francisco Bay Area as nonattainment for the 24-hour 2006 PM2.5 NAAQS based upon violations of the standard over the three years 2006-2008. <http://www.epa.gov/oaqps001/greenbk/ca25b.html>

**2010 Clean Air Plan**

The 2010 CAP was adopted in September 2010. The 2010 CAP is intended to: 1) reduce emissions of multiple pollutants including NO<sub>x</sub> (Nitrous Oxides), ROG (Reactive Organic Gasses), PM2.5, (Particulate Matter) and Diesel Particulate Matter (DPM), as well as CO<sub>2</sub> (Carbon Dioxide); 2) safeguard public health by reducing exposure to air pollutants that pose the greatest health risk, with an emphasis on protecting the communities already affected by air pollution; and 3) reduce greenhouse gas (GHG) emissions to protect the climate.

The proposed project would not conflict with the adopted 2010 CAP or measures to reduce emissions of multiple pollutants (NO<sub>x</sub>, ROG, PM<sub>2.5</sub>, DPM, and CO<sub>2</sub>) and safeguard public health by reducing exposures to toxic air contaminants (TACs). The California Air Resources Board and BAAQMD have adopted or established additional programs and controls to identify and mitigate key sources of TACs. In the SFBA, the key community-level Mitigation Action Plan for priority TAC-affected areas is BAAQMD's Community Air Risk Evaluation (CARE) program. This program's mission is to evaluate and reduce health risks related to exposures to outdoor TACs in the San Francisco Bay Area. The Project Site is located in one of the six priority communities identified by the BAAQMD. TAC emissions may originate from industrial sources called "point sources," area sources and on-road and off-road mobile sources. A focus of CARE is diesel exhaust, which is a major contributor to health risk posed by outdoor TACs in California. The nearest TAC source, the BART Concord Train Yard (BAAQMD ID 2351), is located about 7,100 feet from project site at the point of closest approach. The current (1999) BAAQMD Air Quality CEQA Guidelines establish a cancer risk threshold from TAC emissions of under 10 in 1 million. Under the 2011 Draft CEQA Guidelines this standard would remain, but lead agencies would be recommended to establish a "Zone of Influence" around each new receptor of 1,000 feet. BAAQMD proposes that lead agencies will quantify the TACs emitted by any single source within 1,000 feet of a proposed new receptor, as well as conducting an overall cumulative assessment of all TACs within 1,000 feet. This measurement would include assessments of TAC emissions from any major road or freeway within 1,000 feet of the proposed new receptor. At the Plan level, the Draft Guidelines call for lead agencies to establish "overlay zones" around existing sources of TACs and "special overlay zones" of at least 500 feet on each side of all freeways and high volume roadways. Because the project site is located beyond 1,000 feet from the nearest TAC, no further analysis or consultation with BAAQMD is required.

Under the California Clean Air Act, Contra Costa County is a non-attainment area for ozone and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>.) Contra Costa County is either an attainment or unclassified area for other pollutants. The California Clean Air Act requires local air pollution control districts to prepare air quality attainment plans. These plans must provide for district-wide emission reductions of five percent per year averaged over consecutive three-year periods or provide for adoption of "all feasible source control measures on an expeditious schedule."

The project site is located within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD) whose various plans, guidelines and regulations would apply to the project. The BAAQMD has a multi-pollutant monitoring site on Treat Boulevard in Concord. Table 3-2 shows historical occurrences of pollutant levels exceeding the California and federal ambient air quality standards from 2008 through 2011. The number of days that each standard was exceeded is shown. As shown in the table, all federal ambient air quality standards are met in the area with the exception of ozone and PM<sub>2.5</sub>. Additionally, the California ambient standards for ozone and PM<sub>10</sub> are occasionally exceeded.

**Table 3-2  
AIR QUALITY DATA SUMMARY FOR CONCORD 2008- 2011**

Pollutant	Standard	Days Exceeding Standard In Given Year			
		2008	2009	2010	2011
Ozone	State 8-Hour	8	5	4	5
Ozone	Federal 8-Hour	6	2	1	2
PM <sub>10</sub>	Federal 8-Hour	0	0	0	0
PM <sub>10</sub>	State 24-Hour	6.0	0	0	6.1
PM <sub>2.5</sub>	Federal 24-Hour	7.0	1.0	1.0	2.1
PM <sub>2.5</sub>	State 24-Hour	N/A	N/A	N/A	N/A
Carbon Monoxide (CO)	Federal 24-Hour	0	0	0	0
Carbon Monoxide (CO)	State 8-Hour	0	0	0	0
Nitrogen Dioxide (NO <sub>x</sub> )	State 1-Hour	0	0	0	0
Sulfur Dioxide (SO <sub>2</sub> )	State 1-Hour	0	0	0	0

Sources: Air Resources Board, 2009 and 2012, Aerometric Data Analysis and Management (ADAM).  
Air Resources Board, 2012. Ambient Air Quality Standards

**Discussion:**

- a) The proposed project is located in the San Francisco Bay Area Air Basin, which is a state and federal "non-attainment" area for ozone and a state "non-attainment" area for particulate matter with less than a 10-micron diameter (PM<sub>10</sub>). To achieve

attainment, the Bay Area Air Quality Management District has developed both the *San Francisco Bay Area 2005 Ozone Attainment Plan for the 1-Hour National Ozone Standard* (in compliance with the Federal Clean Air Act) and the *Bay Area 2010 Clean Air Plan (CAP)* (in compliance with state law). These plans contain mobile source controls, stationary source controls and transportation control measures to be implemented in the region to attain the State and Federal ozone standards within the Bay Area Air Basin. The proposed project is a residential infill project in downtown Concord and would reuse a site that previously was a car dealership and automotive repair use. By providing infill residential development near the Concord BART Station, the proposed project would implement applicable transportation control measures. Therefore, the project would not conflict with or obstruct implementation of the applicable air quality plan.

Additionally, a project would be judged to conflict with or obstruct implementation of the regional air quality plan if it would be inconsistent with the growth assumptions, in terms of population, employment or regional growth in Vehicle Miles Traveled. This could occur if a project required a general plan amendment or rezoning, which the proposed project does not. Furthermore, the BAAQMD considers a daily auto vehicle trip generation of 2,000 to be the threshold of significance requiring project review for air quality mitigation (BAAQMD 1999 CEQA Guidelines, p. 24). Any potential impacts created by the vehicle trips generated by the proposed project's 179 units were analyzed during the approval of the 314-unit project. Therefore, the impact is considered less than significant.

- b) During construction, the operation of equipment would emit hydrocarbons, oxides of nitrogen, carbon monoxide, and particulate matter (consisting of windblown dust and diesel particulate). These emissions would occur at less-than-significant levels. The BAAQMD's approach to analysis of construction impacts is to emphasize implementation of effective and comprehensive control measures rather than detailed quantification of emissions (BAAQMD 1999 CEQA Guidelines, p. 14). The project would be required to implement BAAQMD control measures (**Mitigation Measure III.1, see below**) for controlling PM<sub>10</sub> emissions from construction activities.

#### ***Mitigation Measure III.1***

Control PM<sub>10</sub> Emissions in Accordance with BAAQMD Standards. The BAAQMD guidelines identify feasible control measures for construction emissions of PM<sub>10</sub>. The following list of measures was developed from the BAAQMD master list based on an understanding of the project:

- a) Water all active construction areas at least twice daily.
- b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of space from the top of the holding area.
- c) Apply water three times daily or apply nontoxic soil stabilizers on all unpaved access roads, parking areas, and staging areas.
- d) Sweep daily (with water sweepers) all paved access roads, parking area and staging areas at construction sites.
- e) Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

Operation of the project would not cause or contribute substantially to any existing or projected air quality violation. According to the BAAQMD (*CEQA Guidelines, 1999*), a residential project would have potentially significant emissions impacts if the project generated more than 2,000 vehicle trips per day. The previous Initial Study drafted for the original 310-unit proposed residential project indicated the project would generate about 1,384 vehicle trips per day, with about 100 and 120 trips during the AM and PM peak hours, respectively. The proposed Phase Two project of 179 units is in keeping with the original projections and current "environmental envelope" for the 314-unit Renaissance residential community with regard to air quality, and would generate approximately 806 vehicle trips per day. The 5,000 square feet of ancillary retail space constructed during the implementation of Phase One was projected to generate about 125 net daily vehicle trips (assuming that 50 percent of the trips are "pass-by" trips; that is, en route to and from other destinations). The 314-unit Renaissance residential community was previously determined to generate fewer than 2,000 trips per day, and the proposed Phase Two project would not reach the BAAQMD's threshold for individualized air quality analysis and will therefore not result in a violation of any air quality standard or contribute substantially to an existing or projected air quality violation.

- c) Although project-specific air quality impacts would be less-than-significant, the BAAQMD 1999 CEQA Guidelines recommend that this cumulative analysis be based on project consistency with the General Plan and General Plan consistency with the Clean Air Plan. The proposed project is consistent with the General Plan, and the City of Concord 2030 General Plan (2011) was determined to be consistent with the BAAQMD Clean Air Plan upon last adoption. Since the BAAQMD's threshold determining cumulative impacts of project-specific significance is the same at 2,000 daily trips for both (a) the Sept. 2002 Initial Study for the 314-unit proposed Renaissance and (b) the 2010 BAAQMD CAP, the proposed project would not "result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment." Based on

BAAQMD guidance, the cumulative effect would be less than significant if the project would not result in a greater increase in auto use (measured as vehicle-miles traveled, or VMT) and would not result in land use conflicts (measured by evaluating whether the project would be in close proximity to sources of objectionable odors, toxics, or accidental releases of hazardous materials). As to the latter, the proposed project would not result in such land use conflicts, as surrounding land uses are primarily commercial, including office buildings, gas stations, restaurants, and parking facilities (surface lots and structures), with the exception of Renaissance Phase One. There are no known sources of objectionable odors, toxics, or users of major quantities of hazardous materials in the immediate vicinity.

The project site has a General Plan land use designation of Downtown Mixed Use. This designation is intended for a high density and intensity mix of residential, commercial and office development in Central Concord. It allows for a mix of uses that balances jobs and housing opportunities, including offices, commercial development, hotels, public/quasi-public, and residential uses. Residential densities range from a minimum of 33 units per acre to a maximum of 100 units per net acre. The FAR ranges from a minimum of 1.0 to a maximum of 6.0. The project would result in a density of 65 units per acre and a FAR of 1.86. Therefore, the proposed project would not increase VMT, and the proposed project would not cause a cumulatively considerable net increase in criteria pollutants for which the region is in non-attainment.

- d) The proposed project would not expose sensitive receptors to substantial pollutant concentrations. The project site is not adjacent to any significant existing or planned stationary sources of pollutants. The project site is adjacent to Galindo Street, and measures to improve traffic flow, as a result of the original 314-unit proposal, along Galindo Street in the study area have been implemented previously by Signature Properties per the Galindo Street General Plan Amendment Traffic Study, so nothing additional is required of the project applicant for Phase Two. These measures include the addition of a third through lane on southbound Galindo Street between Willow Pass Road and Concord Boulevard by widening Galindo Street by 15 feet along the Galindo Street frontage of Phase One (within right-of-way previously dedicated to the City) to accommodate the planned improvements.
- e) The proposed project is residential and therefore would not be considered to create objectionable odors affecting a substantial number of people.

**SOURCES OF INFORMATION**

Bay Area Air Quality Management District, 2010. *Bay Area 2010 Clean Air Plan*.

Bay Area Air Quality Management District, 1999 *California Environmental Quality Act Air Quality Guidelines*.

City of Concord 2030 General Plan (2011).

**Summary of Impacts**

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCE -- <i>Would the project:</i></b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife				X

corridors, or impede the use of native wildlife nursery sites?				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

**Discussion:**

- a) The approximate 2.75-acre project site is within the Central Area of the City of Concord, within Contra Costa County. The site consists of the 132 residential units comprising Phase One of Renaissance and surface parking with an automobile-related commercial structure. Vegetation is limited to the perimeter of the site including street trees on Willow Pass Road and Concord Boulevard, bushes on Concord Boulevard and trees on the slope along Mira Vista Terrace. No identified candidate, sensitive, or special status species inhabits the project site, thus the proposed project would not adversely affect any such species.
- b) There is no riparian habitat or any other sensitive natural community on the site. The proposed project would therefore have no effect on riparian habitat or other sensitive natural communities identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game, or U.S. Fish and Wildlife.
- c) The project site is relatively level and contains no active drainage. Therefore, there will be no impact on wetlands as defined by Section 404 of the Clean Water Act.
- d) The project site is located within an existing urban environment. The project site has existing commercial uses, and the area surrounding the project site is also developed. No wildlife corridors or native wildlife nurseries are within the project area. Thus the project would not interfere with fish or wildlife movement.
- e) The Concord Development Code includes provisions for the preservation and removal of protected trees. Protected trees are defined as: 1) any Valley oak, Blue oak, Coast live oak, California bay, California buckeye, and California sycamore with a diameter of 12 inches, or a diameter sum of 12 inches for multiple stemmed trees (as measured 4.5 feet above grade); 2) other trees with a diameter or diameter sum of 24 inches; and 3) Heritage Trees designated by City resolution.

The project site contains 13 London Plane trees meeting the criteria for a protected tree (HortScience, Inc., 2004). These 13 London Plane trees along Willow Pass Road will be preserved pursuant to Mitigation Measure V.1 (see below).

**Mitigation Measure V.1**

- (a) The construction superintendent shall meet with the Consulting Arborist before beginning work to discuss work procedures and tree protection.
  - (b) All trees to be preserved (London Plane trees) shall be enclosed around the Tree Protection Zone (TPZ). The TPZ shall be defined five feet from the trunk. No grading, excavation, construction or storage of materials shall occur within the TPZ.
  - (c) Trees to be preserved shall be pruned by a Certified Arborist or Tree Worker and adhere to the latest edition of the ANSI Z133 and A300 standards as well as the BMPs – Tree Pruning published by the International Society of Arboriculture.
  - (d) No grading, excavation, construction or storage of materials shall occur within the TPZ. Any modifications must be approved and monitored by the Consulting Arborist.
  - (e) Any root pruning required for construction purposes shall receive the prior approval of and be supervised by the Consulting Arborist.
  - (f) Supplemental irrigation will be required for trees to be preserved and shall be applied at a rate determined by the Consulting Arborist.
  - (g) If injury should occur to the trees to be preserved during construction, it should be evaluated as soon as possible by the Consulting Arborist so that appropriate treatment can be applied.
  - (h) No excess soil, chemicals, debris, equipment or other material shall be dumped or stored within the TPZ.
- f) The project site is a developed urban area that does not have any applicable adopted habitat conservation plan or natural community conservation plan. The project would therefore have no impact on any habitat conservation plan.

Summary of Impacts

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES -- Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		
<b>Discussion:</b>				
<p>a) The existing structure on the project site was used for an automobile repair shop that was associated with Lehmer's automobile dealership. In addition to state and federal inventories, the other historical literature and maps consulted by the Northwest Information Center did not indicate the presence of any historic-period buildings or structures. Therefore, the proposed project would have no significant effect on these buildings (Northwest Information Center, 2004).</p> <p>b) The project site contains no recorded Native American or historic-period archaeological resources listed with the Historical Resources Information System (Northwest Information Center, 2004). Native American archaeological sites in the Concord area of Contra Costa County tend to be situated on alluvial flats, marsh margins and near sources of water including springs. The project site is situated on a broad alluvial plain without any freshwater sources nearby. Therefore, there is low potential for Native American sites in the project area. Historical literature and maps on file at the Northwest Information Center, also gave no indication of historic activity in the project area, thus there is low possibility of identifying historic-period archaeological deposits at the project site. Additionally, no archeological resources were discovered during excavation work for the subsurface parking constructed under Phase One. In the event that archaeological resources are encountered during the project excavation, implementation of <b>Mitigation Measure V.1</b> (see below) would apply.</p> <p><b>Mitigation Measure V.1</b> In accordance with CEQA Subsection 15064.5(f), should any previously unknown historic or prehistoric resources be discovered, earthwork within 100 feet of these materials shall be stopped until a professional archaeologist certified by the Registry of Professional Archaeologists (RPA) can evaluate the significance of the find and suggest appropriate mitigation(s).</p> <p>c) No recorded unique paleontological resources or unique geologic features are listed by the University of California, Berkeley Museum of Paleontology, which includes an extensive listing of recorded paleontological sites. Additionally, excavation would be limited to a depth of between zero and 23 feet, therefore the likelihood of encountering unique paleontological resources or geologic features would be low. No archeological resources were discovered during excavation work for the subsurface parking constructed under Phase One. In the event that paleontological resources are encountered during the project excavation, implementation of <b>Mitigation Measure V.2</b> (see below) would apply.</p> <p><b>Mitigation Measure V.2</b> In the event that paleontological resources are encountered during the project excavation, these resources would be treated as archaeological resources. The exposure of fossils may require temporary diversion of grading away from the exposed fossils in order to recover and/or document the fossil specimens. Recovered fossils will be prepared to the point of curation, identified by qualified experts, listed in a database to allow analysis, and deposited in a designated repository such as the Geology Department at Sonoma State University or a Contra Costa County facility, which shall have the first right of refusal of the collection. At each fossil discovery location field data forms will record the locality, stratigraphic columns will be measured and appropriate scientific samples submitted for analysis.</p> <p>d) The project site was undeveloped previously and archival research has indicated that the site does not contain any recorded Native American sites or historic-period archaeological sites listed within the Historical Resources Information System. As</p>				

discussed under Comment V.b, archival research has indicated that the site does not contain any recorded Native American sites or historic-period archaeological sites listed within the Historical Resources Information System, nor is there indication that the site has been used for burial purposes in the recent or distant past. No human remains were discovered during excavation work for the subsurface parking constructed under Phase One. Thus it would be unlikely to encounter human remains at the project site. In the event that human remains are encountered during project excavation, **Mitigation Measure V.3** (see below) would apply.

**Mitigation Measure V.3**

In the event of an accidental discovery or recognition of any human skeletal remains during project construction or ground breaking activities, all excavation or disturbance must cease at the site or any nearby area reasonably suspected to overlie adjacent human remains until the Project Applicant complies with the procedures outlined in CEQA Section 15064.5.

**Summary of Impacts**

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
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**VI. GEOLOGY AND SOILS -- Would the project:**

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.		X		
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

**Discussion:**

a.i) This section is based on a geotechnical investigation for the proposed 314-unit Signature Properties project conducted by Engeo Incorporated (Engeo) in 2003, as well as a supplemental geotechnical investigation for the proposed 179-unit Behringer Harvard project, or "Renaissance Phase Two," conducted by GEOCON Consultants, Inc. in March 2012.

Fault rupture on the project site is a potential seismic hazard during an earthquake on the Concord-Green Valley fault because a trace of the Concord-Green Valley Fault extends through the southwest end of the property. Surface fault rupture can occur along traces of active faults during major earthquakes and result in observable offsets on the ground surface. On faults that generate horizontal movement (referred to as strike-slip faults) this displacement along a fault trace can cause considerable damage to a structure, even collapse. Non-structural damage from fault rupture includes distorted asphalt, severe utility damage, distressed foundations and extensive service disruption for transportation facilities. Surface fault rupture presents a

significant potential risk to people and property, especially in the San Francisco Bay Area where there are several active faults. The State of California, through the Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act), prohibits the development of structures for human occupancy across active fault traces.<sup>1</sup> Under the Alquist-Priolo Act, the California Geological Survey (CGS) must establish zones on either side of the active fault that delimit areas susceptible to surface fault rupture. These zones are referred to as fault rupture hazard zones and are shown on official maps published by the CGS. The Alquist-Priolo Act requires setbacks from active fault traces for structures of human occupancy (generally 50 or 100 feet).

The Concord-Green Valley Fault Zone is designated as an active fault and is consequentially mapped under the Alquist-Priolo Act. The southwest portion of the project site is located within the fault rupture hazard zone for this fault and various researchers have mapped its inferred trace extending in a northwest direction, either adjacent to or through the extreme southwest end of the project site. The fault traces shown on published maps vary depending on the particular researcher because, often, the mapped trace must be inferred if it is not verified by actual fault trenching studies. Development in an Alquist-Priolo fault rupture hazard zone requires geologic investigations that include trenching across a fault to identify and map active fault traces. In 1974 and 1976, Berlogar Long and Associates (BLA) completed several fault study trenches on the project site, including the southwest end of the site, to determine whether the fault trace extended through the property. BLA identified fault displacement features in four trenches that verified the location of Concord-Green Valley fault on the project site approximately 40 feet northeast of the east curb of Mira Vista Terrace (Engeo, 2003). The Alquist-Priolo official map (originally issued in 1974 and revised in 1993) similarly shows the accurately located Concord-Green Valley fault trace extending through the project site.

For its investigation, Engeo conducted standard and accepted engineering tasks to prepare geotechnical recommendations for grading, foundation design, retaining walls, trench backfill, and preliminary asphalt paving. In addition, Engeo reviewed previous earthquake fault studies performed by BLA (previously mentioned) and Purcell Rhoades and Associates (PRA). PRA conducted fault investigations similar to BLA but on the parcel adjacent to and south of the project site. Based on its investigation, Engeo delineated a 50-foot setback from the trace identified by BLA in 1974 and 1976 and recommended that all structures intended for human occupancy be constructed outside this setback zone.

The setback zone established by Engeo and GEOCON, which is based on previous fault studies, would restrict structures for human occupancy from this zone and thereby substantially reduce seismic risk to people and property. As required by the Alquist-Priolo Act, the City of Concord, as lead agency, contracted for review, by a registered geologist, of Engeo's 2003 report. This review is intended to advise the City and allow the City to accept the Engeo report. The geotechnical review determined that the level of study undertaken by Engeo was acceptable and their recommendations sufficient to adequately reduce seismic risk associated with fault rupture. Therefore, based on the current project design for Phase Two of Renaissance, fault rupture is not considered a significant impact. Furthermore, the City's **Mitigation Measure VI.1 (see below)** will require a full peer review of the complete GEOCON report by the City's consulting geologist prior to the City accepting the GEOCON report as final. Engeo's report was previously reviewed and deemed acceptable. The project sponsor has agreed to implement the recommendations of Engeo's report, as they relate to Phase Two, as well as GEOCON'S report as it may be revised by the City's consulting geologist.

#### ***Mitigation Measure VI.1***

The project sponsor shall ensure that any revisions to the geotechnical investigation prepared by GEOCON Consultants incorporated in 2012 that may be required as a result of peer review by the City's consulting geologist are incorporated into the GEOCON report. The sponsor shall further incorporate into construction of the project all recommendations of the GEOCON report, as it may be revised by the City's consulting geologist.

a.ii) The U.S. Geological Survey (USGS) 2002 Working Group on California Earthquake Probabilities (USGS WG02) evaluated the likelihood of one or more earthquakes of moment magnitude 6.7 or higher occurring in the San Francisco Bay Area.<sup>2</sup> The result

<sup>1</sup> Alquist-Priolo Zones designate areas most likely to experience fault rupture, although surface fault rupture is not necessarily restricted to those specifically zoned areas. Zones are defined by the California Geological Survey (CGS). An active fault is defined by the State of California as a fault that has had surface displacement within Holocene time (approximately the last 10,000 years). A potentially active fault is defined as a fault that has shown evidence of surface displacement during the Quaternary (last 1.6 million years), unless direct geologic evidence demonstrates inactivity for all of the Holocene or longer. This definition does not, of course, mean that faults lacking evidence of surface displacement are necessarily inactive. Sufficiently active is also used to describe a fault if there is some evidence that Holocene displacement occurred on one or more of its segments or branches. A structure for human occupancy is one that is intended for supporting or sheltering any use or occupancy, which is expected to have a human occupancy rate of more than 2,000 person hours per year (Hart, 1997).

<sup>2</sup> Moment magnitude is related to the physical size of a fault rupture and movement across a fault. The Richter magnitude scale reflects the maximum amplitude of a particular type of seismic wave. Moment magnitude provides a physically meaningful measure of the size of a faulting event (CGS, 1997).

of the evaluation indicated a 62 percent likelihood that such an earthquake event will occur in the Bay Area before 2032. Within this 62 percent probability, the Hayward-Rodgers Creek and San Andreas Fault systems are the two most likely fault systems to cause the event (USGS WG02, 2003). Therefore, the proposed project would likely experience at least one major earthquake (greater than moment magnitude 6.7) before 2032. The intensity of such an event would depend on the causative fault and the distance to the epicenter, the moment magnitude, and the duration of shaking.

As with the entire Bay Area, the project site is located in Seismic Zone 4 as designated by the current Uniform Building Code. According to the CGS Probabilistic Seismic Hazard Assessment (PSHA), peak ground acceleration at the project site could reach or exceed 0.7 to 0.8 g (CGS, 2003a).<sup>3</sup> The PSHA identifies the hazard from earthquakes that geologists and seismologists agree could occur. It is "probabilistic" in the sense that the analysis takes into consideration the uncertainties in the size and location of earthquakes and the resulting ground motions that can affect a particular site.<sup>4</sup> As a comparison, the maximum ground accelerations recorded in San Francisco and Oakland during the 1989 moment magnitude 6.9 Loma Prieta earthquake were approximately 0.3g. However, the recording sites were located more than 40 miles from the earthquake epicenter. Ground motions within the Loma Prieta epicenter region were approximately 0.6 g (CGS, 1990). Structures on alluvium or artificial fill are generally more susceptible to damage than structures on bedrock.<sup>5</sup> In addition, the Association of Bay Area Governments (ABAG) (2003a) determined that ground shaking on the project site will most likely be felt as very violent if a moment magnitude 6.7 earthquake were to occur on the Concord-Green Valley fault zone.

Ground shaking from a moderate to strong earthquake could generate ground accelerations at the proposed project site that could cause damage to structures, utilities, and/or unsecured equipment and objects (CGS, 2003b). Specifically, the residential buildings and underground utilities could sustain structural damage, potentially causing injury to residents and/or visitors. Damage from ground shaking could include cracking in walls and pavement and damage to exterior building elements.

Although some structural damage is typically not avoidable during an earthquake, building codes and construction ordinances have been established to protect against building collapse and major injury during a seismic event. Recommendations given in the geotechnical report by Engeo (2003) and GEOCON (2012) require design and construction of the proposed project to strictly adhere with current standards for earthquake-resistant construction. The design and construction of the proposed facilities in accordance with the engineering recommendations of the geotechnical report would ensure that the level of risk from ground shaking is at less-than-significant levels.

a.iii) Liquefaction is the sudden temporary loss of shear strength in saturated, loose to medium dense, granular sediments subjected to ground shaking. Liquefaction generally occurs when seismically induced ground shaking causes pore water pressure to increase to a point equal to the overburden pressure. Liquefaction can cause foundation failure of buildings and other facilities due to the reduction of foundation bearing strength.

Engeo (2003) and GEOCON (2012) concluded that liquefaction potential at the proposed project site is considered low due to the densities of granular materials underneath the site. Groundwater was encountered in Engeo's borings at depths ranging from 14 to 18 feet below ground surface, and GEOCON's borings at depths ranging from approximately 19 to 25 feet below existing ground surface, well below the level which favors liquefaction conditions. The CGS has not at this time completed seismic hazard mapping within the USGS 7.5-Minute topographic quadrangle for Walnut Creek that includes the proposed project site. However, determinations by ABAG (2003b) revealed that the project area has a low potential for liquefaction. Considering the limited extent of liquefiable soils, low groundwater table, and the low potential for liquefaction as determined by ABAG, liquefaction is considered a less-than-significant impact.

a.iv) Slope failures, including landslides, include many phenomena that involve the down-slope displacement and movement of material, either triggered by static (i.e. gravity) or dynamic (i.e. earthquake) forces. Under existing conditions, the proposed

- <sup>3</sup> g is gravity = 980 centimeters per second squared. Acceleration is scaled against acceleration due to gravity or the acceleration with which a ball falls if released at rest in a vacuum (1.0 g). Acceleration of 1.0 g is equivalent to a car traveling 100 meters (328 feet) from rest in 4.5 seconds.
- <sup>4</sup> The maps are typically expressed in terms of probability of exceeding a certain ground motion. For example, the 10 percent probability of exceedance in 50 years maps depict an annual probability of 1 in 475 of being exceeded each year. This level of ground shaking has been used for designing buildings in high seismic areas. The maps for 10 percent probability of exceedance in 50 years show ground motions that geologists and seismologists do not think will be exceeded in the next 50 years. In fact, there is a 90 percent chance that these ground motions will not be exceeded. This probability level allows engineers to design buildings for larger ground motions that geologists and seismologists think will occur during a 50-year interval, which makes buildings safer than if there were only designed for the ground motions that are expected to occur in the next 50 years. Seismic shaking maps are prepared using consensus information on historical earthquakes and faults. These levels of ground shaking are used primarily for formulating building codes and for designing buildings. The maps can also be used for estimating potential economic losses and preparing for emergency response (Peterson *et al.*, 1999).
- <sup>5</sup> Alluvial and alluvium refers to deposits of clay, silt, sand, and gravel deposited by a stream or running water.

project site is flat with no hill or slope features susceptible to landslides either by static or dynamic forces. Landslides are therefore considered a less-than-significant impact.

- b) Construction activities associated with the proposed project and asphalt will require a minor amount of earthmoving, grading, and compaction involving approximately 18,000 cubic yards of material. These activities will expose areas of soil that have previously been covered with concrete. This temporary loss of erosion control will expose bare soil, which will be subjected to erosion by wind and storm water runoff. Concentrated water erosion, if not managed or controlled, can eventually result in significant soil loss and/or discharging of sediment into utilities and/or adjacent lots. Sediment from project-induced onsite erosion can also accumulate in downstream drainage facilities, interfere with flow, and aggravate downstream flooding conditions.

In order to minimize erosion impacts, the proposed project is applying for the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit), which involves preparing a Storm Water Pollution Prevention Plan (SWPPP) for all construction phases of the proposed project. This permit is required by the Regional Water Quality Control Board (RWQCB). The objectives of the SWPPP are to identify pollutant sources (such as sediment) that may affect the quality of storm water discharge and to implement Best Management Practices (BMPs) to reduce pollutants in storm water discharges. BMPs are individual or combined measures that can be implemented in a practical and effective manner on the project site which, when applied, prevent or minimize the potential release of contaminants into surface waters and groundwater. In addition, the project sponsor will be preparing an Erosion Control Plan (ECP) designed for implementation during construction.

Since BMPs have been recognized as methods to effectively prevent or minimize the potential release of contaminants into surface waters and groundwater, and that the project sponsor will be requiring the contractor to adhere to the project's ECP, compliance with the SWPPP and the ECP would reduce potential erosion impacts during project construction to less-than-significant levels.

To comply with Phase I NPDES regulations, Contra Costa County, eighteen of its incorporated cities, and the Contra Costa County Flood Control and Water Conservation District combined to form the Contra Costa Clean Water Program. The Contra Costa Clean Water Program obtained a joint municipal NPDES permit from the San Francisco Bay and Central Valley RWQCBs. The permit contains a comprehensive plan to reduce the discharge of pollutants to the "maximum extent practicable." The proposed project would operate under the jurisdiction of this NPDES permit during the life of the project. In addition, a preliminary hydrology study for the proposed project site by dk Associates (2004) indicated that surface water flow would be decreased by implementation of the proposed project from 11.61 cubic feet per second (cfs) to 11.28 cfs. A decrease in surface water flow will most likely decrease the potential for long-term sediment erosion on the site. Reduction or elimination of sediment and contaminants during project operation through compliance with the NPDES permit and the projected decrease in surface water flow would reduce erosion impacts to less-than-significant levels.

- c) The project site is entirely underlain by geologic materials that are stable, evidenced by the fact that the materials are currently able to serve as a suitable foundation for the existing site buildings. All areas left exposed would be developed or otherwise stabilized, making landslides, lateral spreading, subsidence, liquefaction, or collapse unlikely. Thus, this impact is considered less than significant.
- d) Geotechnical conclusions by Engeo Incorporated (2003) and GEOCON Consultants, Inc. (2012) indicate that the soils on the project site are highly expansive, presenting a constraint to development on the project site. The effects of expansive soils could damage foundations and aboveground structures, paved parking areas, and concrete slabs. Surface structures with foundations constructed in expansive soils would experience expansion and contraction depending on the season and the amount of surface water infiltration. The expansion and contraction due to the behavior of expansive soils could exert enough pressure on the structures to result in cracking, settlement, and uplift.

Engeo (2003) and GEOCON (2012) indicate that the potential detrimental effects of expansive soils and/or settlement (soil movement) can be reduced by proper foundation design and foundation recommendations given in the report. Recommendations given in the geotechnical report require design and construction of the proposed project to strictly follow engineering recommendations needed to improve and/or eliminate settlement and expansive soils conditions. The design and construction of the proposed facilities in accordance with the engineering recommendations of the geotechnical report would ensure that the level of risk from expansive soils remains less-than-significant levels.

e) Implementation of the proposed project would not involve the use of septic tanks or alternative wastewater treatment disposal systems to handle wastewater generation. Therefore, no impacts would result from project implementation.

Summary of Impacts

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
<b>VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X		
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			X	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	

**Discussion:**

a,b) A Phase I Environmental Site Assessment (Phase I) was conducted by Subsurface Consultants, Inc. (SCI) in 1998 that was reviewed and updated by Engeo Inc. (Engeo) in 2003 (Engeo, 2003a). A subsequent Phase I Environmental Site Assessment (Phase I) was conducted by Pond, Robinson & Associates, LP (PR&A) in 2011 that was reviewed and updated by GEOCON Consultants, Inc. (GEOCON) in 2011. The Renaissance Phase Two project site condition, building configuration and site use is similar to those conditions present during the time of the Phase I in 1998. An abandoned automotive repair structure occupies the subject property. The report Phase I ESA (SCI, 1998) documented automobile sales, service, and repair on the 1851 Galindo Street parcel since 1952 up until Renaissance Phase One construction activities commenced and completed between 2004 and 2006. A restaurant was reported to occupy the 1795 Galindo Street parcel from 1949 through 1973. The vacant auto repair building was abandoned in approximately 2003. The Phase I reported that prior to construction of the restaurant and auto dealership, an almond orchard occupied the property from the 1920s. Prior to the 1920s, the site was reportedly undeveloped.

The Phase I and Update, and the PR&A Sept. 2011 Phase I, included review of a search conducted by Environmental Data Resources (EDR) of available environmental records and provided results in a database report. The report meets the government records search requirements of the American Society for Testing Materials (ASTM) "Standard Practice for Environmental Site Assessments, E 1527-00." The databases searched included, among others, the State of California

Hazardous Waste and Substances List (Cortese List) and the Comprehensive Environmental Response, Compensation, and Liability System (CERCLIS). DTSC maintains the Cortese List is a compilation of information from various sources listing potential and confirmed hazardous waste and hazardous substance sites in California. A summary of the database search for the project site as well as for nearby surrounding sites is provided below.

The latest subject property reconnaissance was conducted by PR&A in August 2011. The reconnaissance consisted of a walking tour of the areas of the subject property included in this assessment (those floors containing the apartment units, retail and office spaces, parking garages, the west-lots, and warehouse). Small quantities of chlorine, hydrochloric acid, and other pool maintenance chemicals were observed in the pool maintenance room in the sub-grade parking area of Renaissance Phase One. There was some evidence of leakage from the pumps in the pool maintenance room to the floor drain where a small amount of corrosion was observed, though there were no odors and the liquid appeared to be water. Onsite, an unlabeled 55-gallon drum was observed in the area of the parcel just north of the warehouse. The drum appeared to contain paint waste; however, this could not be positively confirmed by PR&A. PR&A recommends characterizing the contents of this drum and properly disposing of it according to state and federal regulations. Implementation of **Mitigation Measure VII.6 (d)** (see below) would reduce any risks associated the contents of this drum during the demolition of the abandoned warehouse or auto repair shop.

***Mitigation Measure VII.6 (d)***

Project Sponsor shall require the use of construction best management practices typically implemented as part of its construction activities to minimize the potential adverse effect of the project to groundwater and soils from construction activities. These shall include the following:

- a) Follow manufacturer's recommendations on use, storage and disposal of chemical products used in construction;
- b) Avoid overtopping construction equipment fuel gas tanks;
- c) During routine maintenance of construction equipment, properly contain and
- d) Properly dispose of discarded containers of fuels and other chemicals.

Aboveground Storage Tank (AST)/Underground Storage Tank (UST) Systems and Petroleum Pipelines: Renaissance Phase One, adjacent to the subject property, had an emergency generator in the sub-grade parking area, located in an enclosed room. The generator includes a diesel AST with secondary containment. The fill port and fuel pump for the AST is located on the ground level at the northwest exterior corner of the site. No evidence of leaks, spills, or other environmental concerns was identified in association with the AST.

Transformers and PCB Equipment: Electrical power transformers and other devices are a potential source of environmental concern due to the potential presence of PCB-containing cooling oils used in some older units. A transformer unit was observed on the subject project parcel. The transformer was labeled as property of the Pacific Gas and Electric Company (PG&E) and was not marked as non-PCB containing. The unit appeared to be active and likely supplying electricity to the Renaissance buildings; however, the age of the transformer could not be determined. There was no staining observed, and the transformer appeared to be in good condition. However, Mitigation Measure VII.2 (see below) will ensure any PCB-containing materials are identified and disposed of property to the extent these materials are found prior to demolition.

***Mitigation Measure VII.3***

PCB-containing materials identified prior to demolition activities shall be removed and be disposed of by a licensed transportation and disposal facility in Class I hazardous waste landfill cells.

Solid Waste: Solid waste is collected in a dumpster and trash compactor unit located on the sub-level parking garage of Renaissance Phase One. The dumpster contained general office refuse and food waste from the on-site tenants. The solid waste is regularly removed from the site by an outside waste hauler. No spills or leaks were observed in that area.

Soil Pile: A large pile of soil was observed on the southwest portion of the subject site. The soil was deposited during excavation and construction activities of the Renaissance Phase One residential buildings. This soil was previously evaluated (ENGE0, 2006), and no significant impacts were reported. However, petroleum hydrocarbon levels were present in 2006 which were above current Environmental Screening Levels (ESLs). Sampling and analysis of this soil was conducted by GEOCON and determined analytes below published Environmental Screening Limits with the exception of arsenic and vanadium in Sample Nos. SP2 through SP4. GEOCON noted that the levels of arsenic and vanadium present in those samples are consistent with background levels in most soils in the Bay Area. Based on the lack of TPHg, BTEX, MTBE, PCB, and VOC detections and that the maximum reported TPHd and TPHmo concentrations are less than their respective residential land use ESLs,

residual petroleum hydrocarbons in site soil near the former auto body shop is not a concern for the site. Isolated or localized petroleum hydrocarbon-impacted soil may be encountered during demolition of the former auto body shop and, if encountered, should be excavated, stockpiled, and characterized to evaluate appropriate reuse or disposal alternatives (GEOCON Sept. 21, 2011 letter RE: Limited Site Investigation Report, Soil and Grab-Groundwater Sampling and Analysis, Renaissance Property – Phase II). Implementation of **Mitigation Measure VII.8** (see below) would reduce any risks associated with petroleum hydrocarbon-impacted soil that may be encountered during demolition of the former auto body shop.

***Mitigation Measure VII.8***

Isolated or localized petroleum hydrocarbon-impacted soil encountered during demolition of the former auto body shop shall be excavated, stockpiled, and characterized to evaluate appropriate reuse or disposal alternatives.

**Wastewater System:** A former wash-down area with a drain is located behind the former auto body shop building to the west. According to previous Phase I and Phase II ESAs (ENGEO, 2003), the drain formerly discharged to an oil/water separator located to the northeast of the former auto body shop building. Both the drain and oil/water separator were previously evaluated in the ENGEO Phase II report, and no significant impacts were reported. No issues are anticipated with future activities involving this wastewater system.

**Wells, Sumps, Septic Tanks and Drain Fields:** There was no evidence of wells, sumps, or septic systems observed on site during the property reconnaissance.

**Hydraulic Equipment:** The existing Renaissance Phase One residential buildings on the east parcel maintain three electric elevators. No hydraulic equipment was observed at the subject property, with the exception of the hydraulic automobile hoist at the former auto body shop on the west portion of the subject site. The lift is acknowledged in the previous ENGEO Phase I and II investigations, and the previous Phase II ESA included a hydraulic lift impact assessment for the facility; however, ENGEO's assessment of hydraulic lifts appears to have been limited to hoists located in the former main building (now demolished), and does not appear to have included the hoist at the former auto body shop. GEOCON conducted a subsequent limited site investigation in August 2011 regarding the soil and groundwater related to the hydraulic hoist and concluded that the residual petroleum hydrocarbons and volatile organic compounds in site groundwater near the former auto body shop are not a concern for the site based on the lack of TPHg, BTEX, and MTBE detections, that the maximum reported TPHd, TPHmo, and PCE concentrations are less than their respective ESLs, and that reported PCE and TCFM concentrations are less than their respective maximum contaminant levels (MCLs) (GEOCON Sept. 21, 2011 letter RE: Limited Site Investigation Report, Soil and Grab-Groundwater Sampling and Analysis, Renaissance Property – Phase II).

**Air Emissions:** Visible air emissions from the subject property were not observed.

**Former Paint Booths:** The 2003 ENGEO report (Phase II) showed two paint booths in the former body shop area, currently the warehouse. PR&A inspection did not identify any significant staining, waste disposal issues, or other environmental concerns in this area.

**Surrounding Area:** The areas surrounding the subject property were viewed from public right-of-ways. The surrounding area was developed with office and apartment buildings, a restaurant, a movie theater, and undeveloped lots. No environmental concerns were observed in the surrounding areas.

The subject property is comprised of a vacant site with an abandoned building. The former auto body shop on the site is used for miscellaneous storage. No manufacturing activities take place at the subject property.

The regulatory database records search performed by EDR revealed that the project site is not listed as a Leaking Underground Storage Tank (LUST) site or a Cortese Site. However, the site is listed on the State Water Resources Control Board of historical listing of active and inactive UST sites (CA FID), a historical listing of UST sites (HIST UST), and the Hazardous Waste Information System (HAZNET) that lists facility and manifest data regarding hazardous waste shipments. The transport of hazardous wastes, such as waste oil and spent oil filters, from the site results in the listing of the site in the HAZNET database. The remaining listings are associated with the presence of former USTs at the property. However, Mitigation Measure VII.1 (see below) will ensure any potential hazardous material is disposed of properly in the event an UST is discovered during construction activities.

***Mitigation Measure VII.1***

If construction activities encounter USTs, construction in the immediate area shall cease until the UST is removed and Contra Costa Environmental Health is contacted to oversee removal and determine appropriate remediation measures. Removal of the UST shall require, as deemed necessary by the LOP, over-excavation and disposal of any impacted soil that may be associated with such tanks to a degree sufficient to the oversight agency

In 2006, ENGEO oversaw the excavation of the now-present underground parking structure on the Renaissance Phase One site. During these activities, an area of discolored and odoriferous soil was exposed at the base of the excavation at an approximate depth of 15 feet. Impacted soils were excavated, stockpiled on site, and sampled in May 2006. The stockpiled soil was turned several times to allow for aeration and re-sampled in October 2006. The reported petroleum hydrocarbon concentrations for the stockpiled soil were determined to be less than the Environmental Screening Levels (ESLs) maintained by the San Francisco Bay Regional Water Quality Control Board (Appendix A: *Excavation Observation and Sampling*, ENGEO, 2006).

Follow-up sampling on the subject property during the excavation of the now-present Phase One underground parking structure on the site reported petroleum hydrocarbon concentrations were determined to be less than the Environmental Screening Levels (ESLs) maintained by the San Francisco Bay Regional Water Quality Control Board (*Excavation Observation and Sampling*, ENGEO, 2006). Stockpiled soils from the parking structure excavation are currently present on the west portion of the subject site and have been tested as discussed above.

Based on this documented soil-sampling, Pond, Robinson & Associates, LP (PR&A) and GEOCON Consultants, Inc. find that soil impacts from the former USTs and historical uses of the subject property have been adequately addressed, and these regulatory listings do not pose a current environmental concern to the subject property.

The former subject property Lehmer's GMC Truck facility was also identified as a NPDES site; however, because the Lehmer's facility is no longer present at the subject property and is not associated with a regulated wastewater discharge, this listing does not represent an environmental concern to the subject property.

Again, residual petroleum hydrocarbons and volatile organic compounds in site groundwater near the former auto body shop are not a concern for the site based on the lack of TPHg, BTEX, and MTBE detections, that the maximum reported TPHd, TPHmo, and PCE concentrations are less than their respective ESLs, and that reported PCE and TCFM concentrations are less than their respective MCLs (GEOCON Sept. 21, 2011 letter RE: Limited Site Investigation Report, Soil and Grab-Groundwater Sampling and Analysis, Renaissance Property – Phase II).

**U.S. EPA National Priority List (NPL) Database** - No NPL sites were identified within the ASTM search radius.

**U.S. EPA Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) and CERC-NFRAP Databases** - No CERCLIS-NFRAP sites were identified within the ASTM search radius.

**U.S. EPA Resource Conservation and Recovery Information System (RCRIS) Corrective Action (CORRACTS) Databases** - One RCRA CORRACTS site was identified. Cordis Dow Corporation is located 0.9 miles northwest and down-gradient of the subject property. The site was formerly used as a cellulosic organic fiber manufacturing and medical instrument manufacturing facility. The facility was assigned a low corrective action priority in 1991. Based on the regulatory status and distance, this site is not expected to present an environmental concern to the subject property.

**U.S. EPA Resource Conservation and Recovery Information System (RCRIS) Generators of Hazardous Waste** - No RCRA generator sites were identified on adjacent properties.

**State Registered Underground Storage Tanks (UST)** - No UST sites were identified on adjoining properties.

**Leaking Underground Storage Tank (LUST) Sites** - The Chevron (Facility ID 9-3192), located 120 feet across the Willow Pass Road/Galindo Street intersection at 2001 Willow Pass Road, was identified on the LUST database. California SWRCB GeoTracker records indicate the site began operating as a gasoline service station in 1937 on leased property. The existing underground storage tanks were installed in 1983, in roughly the same location as the previous generation tanks. The site involves a release of diesel or gasoline reported in 1997. Six soil borings have been advanced on site and seven monitoring wells have been installed on site since August 2007. Groundwater monitoring began in 2008 and is conducted semi-annually. In 2009, additional well monitoring locations were requested by the State to further determine the extent of contamination.

According to the most recent Semi-annual Groundwater Monitoring and Sampling Report, conducted by Conestoga-Rovers and Associates (CRA) in February 2011 (Appendix A), no chlorinated solvents, or gasoline range petroleum hydrocarbons (TPH - G), were detected at the site, while only very low concentrations of diesel-range hydrocarbons (TPH - D) were detected in two monitoring wells. Total oil and grease were detected in all wells at the site, although detections are sporadic and distribution does not indicate a single on-site source area. CRA noted that the detections may be resulting from a larger off-site source, or that the analysis is detecting something other than petroleum hydrocarbons. Groundwater at the site is documented at 10 to 23 feet below ground surface (Engeo 2003b) and 19 to 25 feet below ground surface (GEOCON 2012), flowing to the northwest. The site does not pose an environmental concern to the subject property based on the cross gradient location and investigations conducted on the subject property.

Eighteen additional LUST sites were identified within one-half-mile from the subject property, of which two are within one-eighth of a mile of the subject property. Based on the flat topography in the area of the subject property and the nature of the subject site, which is characterized by subsurface building levels and utilities that create barriers to groundwater flow, none of the sites identified on this list would be anticipated to pose an environmental concern to the subject property.

California RESPONSE (State-equivalent NPL) Sites: One California RESPONSE site was identified within one mile from the subject property, but is greater than one-half-mile down gradient. Response actions for the site have been completed and the RESPONSE site does not pose an environmental concern to the subject property.

California ENVIROSTOR (State-equivalent CERCLIS) Sites: Three California ENVIROSTOR sites were identified within 0.5 miles from the subject property. All of the sites are located over one-quarter-mile from the subject property. Based on the distance of from the subject property and presumed groundwater regional groundwater gradient, these sites do not pose an environmental concern to the subject property.

California Voluntary Cleanup Program (VCP) Sites: No VCP sites were identified within 0.5 miles of the subject property.

Landfill and Solid Waste Facility (LF/SWF) Sites: Two solid waste facility sites were identified within 0.5 miles of the subject property. The Safeway Inc. site is located at 2600 Willow Pass Road, 0.38 miles northeast of the subject property. According to the database report, the site reported asbestos-containing waste in 1997 and hydrocarbon solvents in 2003. Historical landfilling activities were not identified on the subject property, and, based on the distance, this site does not pose an environmental concern to the subject property.

The Tomra Pacific Recycling Facility is located 0.39 miles west-northwest of the subject property. Historical landfilling activities were not identified on the subject property, and, based on the distance and down gradient location, this facility does not pose an environmental concern to the subject property and no further assessment is recommended.

Drycleaners Facilities: A historical drycleaner facility was located at 1823 Willow Pass Rd., approximately 0.23 miles west-southwest of the property. There were no reported spills or releases, and the last date of operation is reported as 1996. Based on the regulatory status, it is our opinion that this historical drycleaner facility does not pose an environmental concern to the subject property and no further assessment is recommended.

No "orphan" sites, sites that could not be located by EDR due to incomplete latitude, longitude, or address information, were identified as being of environmental concern or have not been previously discussed.

A survey of asbestos containing material (ACM) and lead based paint (LBP) has not been conducted at the site. However, given the age of the structures it is likely that ACM and LBP is likely to exist (Engeo, 2003a). Implementation of **Mitigation Measures VII.3, VII.4 and VII.5** (see below) would reduce any risks associated with ACM and LBP to a less than significant level.

### ***Mitigation Measure VII.3***

Prior to reuse or off-site disposal, the project sponsor shall perform total and soluble lead analyses of in-place or excavated soils to confirm the classification of the soils. If the soils are classified as a California hazardous waste, the project sponsor shall dispose of the soils at a Class I disposal facility in California or an out of state non-RCRA facility permitted to accept wastes at concentrations of the excavated soils.

**Mitigation Measure VII.4**

A pre-demolition ACM survey shall be performed prior to demolition of the structures. Abatement of identified or suspected ACMs shall occur prior to demolition or construction activities that would disturb those materials. Pursuant to an asbestos abatement plan developed by a state-certified asbestos consultant and approved by the City, a state certified asbestos contractor shall remove and appropriately dispose of all ACMs.

**Mitigation Measure VII.5**

A pre-demolition lead-based paint (LBP) survey shall be performed prior to demolition of the structures. Abatement of identified or suspected LBP shall occur prior to demolition or construction activities that would disturb those materials. The project sponsor shall implement a lead-based paint abatement plan, which shall include the following components:

- a) A Certified Project Designer shall develop an abatement specification.
- b) A site Health and Safety Plan, as needed.
- c) Containment of all work areas to prohibit off-site migration of paint chip debris.
- d) Removal of all peeling and stratified lead-based paint on building surfaces and on non-building surfaces to the degree necessary to safely and properly complete demolition activities per the recommendations of the survey. The demolition contractor shall be responsible for properly containing and disposing of intact lead-based paint on all equipment to be cut and/or removed during the demolition.
- e) Appropriately remove paint chips by vacuum or other approved method.
- f) Collection, segregation, and profiling waste for disposal determination.
- g) Appropriate disposal of all hazardous and non-hazardous waste.

The proposed Renaissance Phase Two project includes re-grading of the site prior to construction. According to the project description, at the conclusion of construction 82 percent of the site will be impervious. Construction would require the use of certain hazardous materials such as fuels, oils, solvents, and glues. Inadvertent release of large quantities of these materials into the environment could adversely impact soil, surface waters, or groundwater quality. On-site storage and/or use of large quantities of materials capable of impacting soil and groundwater are not typically required for this type of projects (Engeo, 2003c). However, implementation of **Mitigation Measure VII.6** (see below) would reduce any risk associated with hazardous materials used during construction to a less than significant level.

**Mitigation Measure VII.6**

Project Sponsor shall require the use of construction best management practices typically implemented as part of its construction activities to minimize the potential adverse effect of the project to groundwater and soils from construction activities. These shall include the following:

- a) Follow manufacturer's recommendations on use, storage and disposal of chemical products used in construction;
- b) Avoid overtopping construction equipment fuel gas tanks;
- c) During routine maintenance of construction equipment, properly contain and remove grease and oils; and
- d) Properly dispose of discarded containers of fuels and other chemicals.

Groundwater fluctuates across the site and throughout the year. Depth to groundwater measured in monitoring wells at the site ranges between 10 feet and 23 feet (Engeo 2003b) and 19 feet to 25 feet (GEOCON 2012) below ground surface. It is doubtful that groundwater will be encountered during construction since cuts will be limited to depths above this range (Engeo, 2003b). Implementation of **Mitigation Measure VII.7** (see below) would reduce any risk associated with encountering contaminated groundwater during project construction to less than significant level.

**Mitigation Measure VII.7**

Groundwater generated during construction dewatering shall be contained and transported offsite for disposal at an appropriate facility, or treated, if necessary, prior to discharge into the sanitary sewer to levels acceptable to the Contra Costa County Sanitation District. Discharge of water shall be in accordance with a NPDES permit obtained by the applicant.

- c) There are no existing or proposed schools within one-quarter mile of the project site. The proposed project will not emit or use acutely hazardous materials during either construction or operation.
- d) The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Engeo, 2003a).
- e,f) The project site is located approximately one mile east of Buchanan Air Field, within the Buchanan Airport Influence area, but

not within the Airport Safety Zone (2030 Concord General Plan, 2011). Compliance with Policies LU-7.1.2 through LU-7.1.4 of the Concord General Plan will ensure that the project provides adequate noise, safety, and airspace protection criteria.

- e) The project site is not located within the vicinity of a private airstrip.
- g) The proposed project would not impair implementation of or physically interfere with any emergency response plan or emergency evacuation plan because the project site is not an evacuation route.
- h) The project site is located in a built-out area and surrounded by mixed use commercial, retail, office use, gas stations, and parking garages. The project site is not intermixed or located adjacent to wildlands. The new buildings would be required to comply with all applicable Fire Code and fire suppression systems, as required by the Contra Costa County Fire Protection District. Therefore, the proposed project would not expose people or structures to significant risks associated with wildland fires.

**Summary of Impacts**

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
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**VIII. HYDROLOGY AND WATER QUALITY – *Would the project:***

a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?			X	
i) Expose people or structure to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	

j) Inundation by seiche, tsunami, or mudflow?

X

**Discussion:**

- a) Two types of potential impacts exist as a result of the proposed project. During project construction, there could be potential water quality impacts due to various construction activities. After construction is completed, there is also the possibility that project operation could result in adverse water quality impacts.

As discussed in Section VI.b Geology and Soils, Construction activities associated with the proposed project would require a minor amount of earthmoving, grading, and compaction involving approximately 18,000 cubic yards of material. These activities could cause erosion and transportation of soil particles that, once in surface water runoff, could cause sediment and other pollutants to leave the site and ultimately affect water quality. However, regulatory controls in place by the RWQCB and the applicant's preparation of an Erosion Control Plan (ECP) would reduce construction impacts to less-than-significant levels.

Also, as discussed in Section VI.b Geology and Soils, during project operation the proposed project would operate under the jurisdiction of the Contra Costa Clean Water Program's joint municipal NPDES permit from the San Francisco Bay and Central Valley RWQCBs. The permit contains a comprehensive plan to reduce the discharge of pollutants to the "maximum extent practicable." Reduction or elimination of sediment and contaminants during project operation through compliance with the NPDES permit would reduce potential water quality impacts to less-than-significant levels.

- b) Increased impervious surfaces reduce the amount of surface water available for infiltration to groundwater sources. However, the proposed project would result in a minor decrease in the amount of impervious surfaces on the site, from 2.36 acres to 2.27 acres (dk Associates, 2012). Geotechnical investigation of the proposed project site indicates the site is underlain by subsurface geologic materials that consist of engineered fill associated with previous development on the site. Groundwater was encountered in borings at 14-18 feet below the ground surface. Fluctuations in the groundwater levels occur seasonally and over a period of years due to variations in precipitation, temperature, and irrigation, among other factors. Groundwater beneath the project site is not considered a beneficial use groundwater source and is not used as a municipal supply. Water for the proposed project is supplied by surface water sources managed by the Contra Costa Water District and is not drawn from the groundwater table below the project site. Considering that the proposed project would not result in an increase in impervious surfaces and that groundwater beneath the site is not a beneficial use groundwater source, no depletion in beneficial groundwater supplies would occur. Therefore, this impact is considered less than significant.
- c) As discussed in part (a), construction of the proposed project would involve a minor amount of earthmoving, grading, and compaction involving 18,000 cubic yards of material. These activities would expose areas of soil that have previously been covered with concrete and could cause erosion and transportation of soil particles that, once in surface water runoff, could cause sediment and other pollutants to leave the site and ultimately affect water quality.

Since the project site exceeds one acre in size the proposed project would be required to comply with the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). The NPDES permit requires the applicant to prepare a SWPPP for construction phases of the proposed project, as required by the RWQCB. Compliance with the SWPPP and the prescribed BMPs would ensure that impacts associated with erosion during project construction would remain less than significant.

As discussed in part (a), during project operation the proposed project would operate under the jurisdiction of the Contra Costa Clean Water Program joint municipal NPDES permit from the San Francisco Bay and Central Valley RWQCB's. Reduction or elimination of sediment and contaminants during project operation through compliance with the NPDES permit would reduce potential water quality impacts to less than significant levels.

- d) As mentioned in part (b) above, the proposed project represents a decrease in impervious surfaces on the site of 0.09 acres, which would subsequently cause a decrease in surface water flow being collected on the site by the storm drain system. The project would be connecting to the City of Concord's existing storm water system. This existing storm water system is adequate to handle flow that would result from the proposed project, because the current storm water system is able to serve as adequate drainage for the existing site buildings. Thus, runoff generated by the proposed project could be adequately managed by existing utilities and this impact would be less than significant.

- e) As discussed in part (d) above, the proposed project represents a decrease in impervious surfaces on the site. The utilities infrastructure in this area is currently adequate for the existing site buildings. Runoff that would result from the proposed project could be adequately managed by existing utilities. Therefore, this impact would be considered less than significant.
- f) As discussed in parts (a) and (c), water quality impacts would all be considered less than significant due to current regulatory controls that the project sponsor must follow during construction and project operation.
- g) According to the Federal Emergency Management Agency (FEMA), housing in the project site is not located in a 100-year floodplain (FEMA, 2001). Consequently, the proposed project would not expose housing to any adverse impacts due to flooding. Therefore, this impact is considered less than significant.
- h) As stated in part (g), the project site is not located in a 100-year floodplain (FEMA, 2001). Thus, this impact is considered less than significant.
- i) The project site is not located in any specific dam failure inundation area (Association of Bay Area Governments (ABAG), 1995). Therefore, this impact is considered less than significant.
- j) Although tsunamis can occur and cause tidal surges in San Francisco Bay, these events are extremely rare and would not result in wave run-up capable of causing flood damage within the project site. San Francisco Bay greatly attenuates tsunamis that might reach the Golden Gate area. No bodies of water large enough to cause a seiche are present near the project site. Therefore, tsunami and seiche hazards are considered less than significant.

**Summary of Impacts**

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
<b>IX. LAND USE AND PLANNING -- <i>Would the project:</i></b>				
a) Physically divide an established community?			X	
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

**Discussion:**

- a) The proposed 2.75-acre project site is within the City of Concord's urbanized downtown, or the area referred to as Central Concord. Presently, the project site consists of one structure and surface parking which was related to a previous automotive repair and storage use. The project is primarily surrounded by commercial uses including office buildings, gas stations, restaurants, and parking facilities (surface lots and structures). The only residential use in the immediate project vicinity is Renaissance Phase One. The proposed project is considered in-fill development and would result in an increase in land use intensity at the site. Further, the project would improve the pedestrian and urban environment by establishing a more consistent block frontage and increasing activity at the site. Thus, the project would not physically divide an established community.
- b) The project site has a General Plan land use designation of Downtown Mixed Use (DTMU). This designation allows high density and intensity mix of residential, commercial and office uses on the site with residential uses at a building intensity range of >33 to 100 units per net acre. The FAR ranges from a minimum of 1.0 to a maximum of 6.0. The project site for Phase Two is 2.75 acres, thus up to approximately 275 residential units would be allowed. The proposed density is approximately 65 du/ac which is consistent with the current General Plan land use designation for the subject site. Potential environmental effects of the project have been evaluated in this document under other topical areas.

The 2030 Concord General Plan is the community's long-range planning document that contains goals and policies intended to guide development within the City. The proposed project is consistent with the following General Plan policies:

- Land Use Goal LU-1.3, Policy LU-1.3.1: Encourage a variety of housing types on infill development sites.
- Land Use Goal LU-1.3, Policy LU-1.3.2: Establish standards to address the transition between existing neighborhoods and new infill development.
- Land Use Goal LU-1.3, Policy LU-1.3.3: Support higher density and mixed use development in Downtown and near transit centers and corridors.
- Land Use Goal LU-4.2, Policy LU-4.23: Promote pedestrian-oriented urban design.
- Land Use Goal LU-8.1, Policy LU-8.1.7: Follow community design principles which reduce greenhouse gas emissions and support environmental sustainability.
- Land Use Goal LU-9.2, Policy LU-9.2.3: Apply site planning techniques that minimize the amount of impervious paving, promote pedestrian safety, and reduce urban runoff in commercial centers.
- Land Use Goal LU-10, Policy 10.1.1: Encourage streetscape and façade improvements to enhance the appearance of existing uses along major arterials.

Division 5, "Downtown Districts," of the City of Concord Development Code (Article II. Zoning Districts, November 22, 2012) describes the Purpose, Allowed Uses and Permit Requirements, and Development Standards within the Downtown zoning districts.

- **Purpose:** The purpose of the Downtown Mixed Use (DMX) District is to promote a cohesive mix of high-density residential, commercial and office, and mixed-uses, including hotels with a minimum FAR of 1.0 up to 6.0 FAR, and residential densities of 33 to 100 units per net acre. Well-designed vertical mixed use within a single building is encouraged with retail at ground level and office and multifamily residential on upper floors. Single uses and horizontal mixed use with retail, office, and residential uses located in separate buildings but within a single development may also occur. The DMX District is consistent with and implements the Downtown Mixed Use (DTMU) land use designation of the General Plan.

**Project Consistency:** Renaissance Phase Two is consistent with this purpose as it completes the second phase of a previously approved, 314-unit, two-phase high-density residential mixed use project that will bring an additional 179 upscale residential units to the City of Concord downtown core (Renaissance Phase One developed ground floor commercial uses along the Galindo Street frontage, but were ultimately not leased by commercial users in the market place). Additionally, Renaissance Phase Two would result in a density of 65 units per acre and a FAR of 1.86. As far as the quality and character of design, Renaissance Phase Two recently received unanimous approval from the City of Concord Design Review Board who found Phase Two as consistent with the architectural quality and character of Phase One.

- **Allowable Uses and Permit Requirements:** According to Table 122-154.1, in the City of Concord Development

Code Article II. Zoning Districts – Use and Standards (Effective November 22, 2012), a Use Permit is required of multifamily residential and mixed use land use classification categories on sites with DMX Zoning.

Project Consistency: The site has been approved for 314 residential units and is an allowed use under the Downtown Mixed Use Zoning. The project would require amending the current Use Permit to change the previously approved podium-style building to a wrap-style construction type for the remaining 179 residential units constructed in Phase Two.

- **Development Standards:** Standards of development for sites zoned Downtown Mixed Use are as follows: (a) Density (du/net acre) must range from 33 – 100 dwellings unit per net acre; (b) the Floor Area Ratio must range from a minimum of 1.00 to a maximum of 6.0; (c) the Lot Area minimum must be 10,000 square feet; (d) Lot Width must be a minimum of 100 feet for an Interior Lot and 110 feet for a Corner Lot; (e) Lot Depth must be a minimum of 100 feet; (f) Building Height must be a minimum of 30 feet and maximum of 200 feet; (g) Building Height – First Floor must be a minimum of 15 feet floor to floor; (h) Setbacks shall be: Front 10 feet, Interior Side 0 feet, Corner Side 10 feet, Rear 0 feet, Front and Corner Yards 20 feet; (i) Private and/or Open Space Per Unit for developments with three or more dwelling units shall provide a minimum of 200 square feet which may be met by providing a combination of private and common open space as long as each unit has a minimum private open space of 60 square feet (see Article IV, Division I, Section 122-303 – Open Space and Recreational Facilities for Residential Development).

Project Consistency: Renaissance Phase Two is consistent with the development standards for the current Downtown Mixed Use Zoning as follows: (a) the density of Phase Two of 65 du/ac is within the specified range of 33 – 100 du/ac; (b) the 1.86 FAR for Phase Two is within the range of 1.0 – 6.0; (c) the Lot Area of Phase Two is 2.75 acres which is greater than the minimum of 10,000 square feet; (d) the Lot Width ranges from 290 feet to 324 feet which is greater than 100 and 110 feet; (e) the Lot Depth ranges from 330 to 334 feet which is greater than 100 feet; (f) Building Height is proposed at 70 feet which is between the permitted 30 foot to 200 foot range; (g) Setbacks are: Front (Mira Vista) at 10 feet, Exterior Side (Concord Blvd. and Willow Pass Rd.) at 10 feet, and Rear (Street 'A' or private interior street) at 0 feet all of which are in compliance with applicable required setbacks; (h) the amount of combined private and common open space per unit is 37,294, which is greater than 35,800 square feet required. Additionally, the project substantially meets the City's requirement of 60 square feet of private open space per unit.

- c) The project site is a developed urban area that does not have any applicable adopted habitat conservation plan or natural community conservation plan. Thus the project would have no impact.

Summary of Impacts				
	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
<b>X. MINERAL RESOURCES -- Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
<b>Discussion:</b>				
a) The project site is designated by the California Geological Survey as a MRZ-1 zone, which is defined as an "area where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence." The proposed project would therefore not affect the availability of mineral resources, and no impact would occur (Stinson, M. C, et al., 1982).				
b) There are no operational mineral resource recovery sites at the project area or in the vicinity, and therefore no operations or accessibility would be affected by the construction and operation of the project.				
<b>XI. NOISE – Would the project:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?		X		
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

**Discussion:**

Noise Principles and Descriptors

Noise can be defined as unwanted sound. Environmental noise is usually measured in A-weighted decibels (dBA). Environmental noise typically fluctuates over time, and different types of noise descriptors are used to account for this variability. Typical noise descriptors include the energy-equivalent noise level ( $L_{eq}$ ), and the day-night average noise level ( $L_{dn}$ ). The  $L_{dn}$  is commonly used in establishing noise exposure guidelines for specific land uses. In areas where noise is dominated by traffic, the  $L_{eq}$  during the peak-hour is roughly equivalent (within about 2 dBA) to the  $L_{dn}$  at that location (Caltrans, 1998). By virtue of the logarithmic nature of the decibel, a doubling of a noise source results in an increase of three dBA. In general, a change of 3-dBA is a noticeable difference and a change of 10-dBA is heard as a doubling of noise.

The noise level experienced at a receptor depends on the distance between the source and the receptor, presence or absence of noise barriers and other shielding features, and the amount of noise attenuation (lessening) provided by the intervening terrain. For line sources, such as motor or vehicular traffic, noise decreases by about 3.0 to 4.5 dBA for every doubling of the distance from the roadway. For point or stationary noise sources, such as electric motors or construction equipment, a noise reduction of 6.0 to 7.5 dBA is experienced for each doubling of the distance from the source.

Existing Noise Sources and Levels

Transportation-related noise sources, primarily automobiles and trucks, on Willow Pass Road, Galindo Street, Concord Avenue, other local arterials and Highway 242 (located just under 0.5 miles from the site) determine ambient noise levels in the project vicinity.

To characterize ambient noise conditions in the project vicinity, noise measurements were conducted by Charles M. Salter Associates, Inc. as part of a Noise Study prepared in support of this project to determine the compatibility of the site for the proposed uses (Charles M. Salter Associates, Inc., 2003). Two long-term noise measurements (48 hour) and several short-term "spot" measurements were taken at various locations on the site that reflect the approximate setback of the proposed residential buildings. The long-term data was used in connection with the short-term data to estimate existing noise levels at each of the building facades, as shown in Table XI-1.

**TABLE XI-1  
EXISTING NOISE ENVIRONMENT**

<b>Location (Approx. setback of proposed buildings) Existing <math>L_{dn}</math></b>
Willow Pass Road Facade 70 dBA
Concord Boulevard Facade 73 dBA
Mira Vista Terrace Facade 58 dBA

Sensitive Receptors

The project site is immediately adjacent to Renaissance Phase One residential use. Additionally, the project site is surrounded by a variety of commercial uses including a restaurant, office buildings, and a movie theater/parking garage structure across Willow Pass Road; a gas station, office buildings and banks across Galindo Street (other multi-family residential areas are located beyond the first row of commercial uses); office building and art gallery across Concord Boulevard; and office buildings across Mira Vista Terrace.

A restaurant/office building is located adjacent to the project site, on the corner of Willow Pass Road and Mira Vista Terrace. Occupants of the multi-family residential units and residential and offices for the Church of Nazarene located on Clayton Road would be considered off-site noise-sensitive receptors.

a,c) *Operation – Noise Compatibility of Proposed Use*

Development at the site is constrained by transportation noise. For purposes of clarity, L<sub>dn</sub>, or CNEL, dB are all synonymous units of measurement relating to Community Noise Exposure. Sounds levels are measured or expressed in decibels (dB), and transient noise events may be described by their maximum A weighted noise level (dBA).

When considering the City of Concord land use compatibility criteria for residential uses and the existing noise levels shown in Table XI-1 above, noise levels on the project site range between “normally acceptable” (67 L<sub>dn</sub> or lower) for the Mira Vista Terrace Facade to the upper limit of the “conditionally acceptable” range (67 to 77 L<sub>dn</sub>) for all other building facades.

“Normally acceptable” indicates that no special noise requirements would apply; “conditionally acceptable” requires that noise insulation features be incorporated into the project design to achieve noise standards contained in Title 24 of the California Code of Regulations (Part 2, Appendix Chapter 12A). These regulations are intended to limit the extent of noise transmitted into habitable spaces. For limiting noise transmitted between adjacent dwelling units, the noise insulation standards specify the extent to which walls, doors, and floor-ceiling assemblies must block or absorb sound. For limiting noise from exterior sources, the noise insulation standards set forth an interior standard of 45 L<sub>dn</sub> in any habitable room. Where units are exposed to exterior noise levels greater than 67 L<sub>dn</sub>, (such as the proposed project), an acoustical analysis demonstrating how dwelling units have been designed to meet this interior standard is required. Mitigation Measure XI.1 (see below on next page) will ensure this standard is met.

- Policy S-2.1.1: Use the community noise level exposure standards, shown in Figure 7-8, as review criteria for new land uses: For mixed-use and high-density residential land uses, Figure 7-8 indicates the “normally acceptable” noise level for mixed-use and high-density residential land use ranges from 53 L<sub>dn</sub> to 67 L<sub>dn</sub>, and the “conditionally acceptable” noise level ranges from 67 L<sub>dn</sub> to 77 L<sub>dn</sub>.

**Project Compliance:** Renaissance Phase Two is in compliance with Policy S-2.1.1 as the Mira Vista Terrace façade will be exposed to the existing condition of 58 dBA, and thus will be exposed to “normally acceptable” noise levels for a high-density residential land use; and the Concord Boulevard and Willow Pass façades will be exposed to the existing condition of 73 dBA and 70 dBA, respectively, and thus will be exposed to “conditionally acceptable” noise levels for a high-density residential community that will be mitigated per Mitigation Measure XI.1 below.

- Policy S-2.1.2: Require a noise study and mitigation measures for all projects that have noise exposure greater than “normally acceptable” levels.

**Project Compliance:** Renaissance Phase Two is part of the approved Renaissance project, of which Phase One is complete and occupied, and for which a noise study was conducted by Charles M. Salter (Charles M. Salter Associates, Inc. 2003). Furthermore, Implementation of Mitigation Measure XI.1 would ensure that the state-mandated 45 L<sub>dn</sub> interior noise standard was achieved and would prevent any significant impact (see following full extent of Mitigation Measure XI.1).

***Mitigation Measure XI.1***

The City shall require noise insulation for all residential units proposed under the Downtown Concord Residential Project that would face Willow Pass Road and Concord Boulevard. Noise insulation shall be such that interior noise levels do not exceed 45 L<sub>dn</sub>, as required under Title 24 of the California Code of Regulations (Part 2, Appendix Chapter 12A). Given the existing and predicted future exterior noise levels, the noise insulating features must be able to demonstrate a minimum reduction in exterior to interior noise levels to achieve 45 L<sub>dn</sub> for interior noise levels. Noise attenuation features to minimize interior noise should consider the combined effect walls, windows and doors have on interior noise levels. The City’s Building Division shall be responsible for ensuring the final building plans for the project are in compliance with Title 24 standards. The noise insulation features for residential units facing adjacent roadways shall include the following:

- a) Units shall be configured such that bedrooms and other noise-sensitive rooms are located away from the street, where feasible.
- b) Air conditioning shall be installed in all residential units to ensure that windows can be kept closed, if desired.
- c) Noise attenuation features should be employed in the building design and construction. Noise attenuation construction measures should consider a combination of the following:

- i. Reducing the total area of windows or acoustically weaker building elements;
  - ii. Sealing off “leaks” around windows, doors, and vents;
  - iii. Improving the actual sound attenuating properties of small building elements such as windows, doors, etc. The Noise Study completed in support of this project recommended that windows with acoustic ratings of Standard Transmission Class (STC) 33 to 36 be required. An updated acoustical report will be provided with the construction document submittal for plan check to ensure appropriate STC rated windows are utilized. The STC rating is used as a measure of a material’s ability to reduce sound. The STC rating is equal to the number of decibels a sound is reduced as it passes through a material;
  - iv. Improving the actual sound attenuating properties of major building elements such as wall construction (e.g., by use of additional layer(s) of gypsum board, increased width of airspace between wallboards or between studs, staggered studs, and/or the use of resilient channels to reduce noise and vibration).
- d) A qualified acoustical consultant/engineer shall be retained during the final design phase to verify the noise control recommendations have been properly implemented and would protect against interior noise.
- Policy S-2.1.3: Consider an increase of four or more dBA to be “significant” if the resulting noise level would exceed that described as “normally acceptable” in General Plan Figure 7-8.

Project Compliance: Renaissance Phase Two is in compliance with Policy S-2.1.3 as the Mitigation Monitoring Plan will include a mitigation measure acknowledging an increase of four dBA as “significant,” however, a) Phase Two was previously approved with Phase One as an entire project, and (b) the 2003 Noise Study findings relative to existing noise conditions remain valid as the surrounding land uses have not changed since that time.

- Policy S-2.1.4: Promote the use of noise attenuation measures to improve the acoustic environment inside residences where existing residential development is located on an arterial street.

Project Compliance: Renaissance Phase Two is in compliance with Policy S-2.1.4 as Mitigation Measure XI.1 will require the use of noise attenuation measures to achieve an exterior to interior noise level of 45 L<sub>dn</sub> for interior noise levels as required by Title 24.

- Policy S-2.2.1: Provide for the mitigation of noise exposure in areas of the City exposed to noise levels in excess of the “normally acceptable” standards to the extent feasible (see Figure 7-8).

Project Compliance: Phase Two is in compliance with Policy S-2.2.1 as Mitigation Measure XI.1 will mitigate noise exposure to noise levels in excess of the “normally acceptable” standards to the extent required by Title 24.

Absent mitigation, some of the proposed residential units could be exposed to existing exterior noise levels of 73 L<sub>dn</sub> (units along Concord Avenue) and 70 L<sub>dn</sub> (units along Willow Pass Road). Modeling conducted as part of the analysis of traffic-related increases in ambient noise levels shows that noise levels along these segments would increase by less than 1 dBA relative to existing conditions under General Plan buildout cumulative traffic conditions.

The City of Concord General Plan Policy S-2.1.1. may require some of the balconies on the exterior of the proposed residential units facing Willow Pass Road and Concord Boulevard to adhere to the 67 L<sub>dn</sub> exterior noise standard depending on their location on each facade. Those balconies exposed to noise levels greater than 67 L<sub>dn</sub>, based on their location over either arterial, will be mitigated by the incorporation of sound attenuation measures into the project construction drawings pursuant to Mitigation Measure XI.1. With the outdoor activity areas (i.e., interior courtyards and the pool and spa area) sited centrally on the project site such that these areas are completely shielded from roadway traffic and related noise by the residential buildings or walls, none of the residential units associated with the project would experience noise exceeding the City’s 67 L<sub>dn</sub> exterior noise standard for private open space areas.

Standard building construction typically reduces exterior to interior noise levels by a minimum of 15 to 20 dBA. Implementation of **Mitigation Measure XI.1** would ensure that the state-mandated 45 L<sub>dn</sub> interior noise standard was achieved and would prevent any significant impact. The City’s Building Division would be responsible for reviewing the final buildings plans for the project to ensure that it is designed and constructed in compliance with Title 24 standards.

*Operation – Increase in Ambient Noise Levels*

Over the long term, the proposed project would affect the ambient noise environment in the project vicinity by generating motor vehicle trips on the local road network. The project could introduce trips that occurred at all hours of the day (including noise-sensitive nighttime hours) and could affect roadside noise levels at more distant locations. Net increases in vehicle trips generated by the proposed project would be distributed over the local street network and could affect roadside noise levels at sensitive receptor locations. The proposed 179 -unit project would be expected to generate up to 806 net new vehicle trips per day.

To assess the impact of project traffic on roadside noise levels, noise predictions were made using the Federal Highway Administration's (FHWA) Noise Prediction Model for those roadway segments that would experience the greatest increase in traffic volumes due to the project (segments of Willow Pass Road, Galindo Street, and Concord Avenue adjacent to the project site). For the modeling effort, weekday p.m. peak-hour traffic volumes were used, with the exception of the modeled segment of Concord Boulevard where a.m. peak hour traffic volumes were greater. The estimated noise levels corresponded to a distance of approximately 50 feet from the centerline of the applicable roadway segment. Project-generated traffic alone or combined with short-range or General Plan buildout cumulative traffic would increase noise levels by 1dBA or less along modeled roadway segments. Because project-generated traffic would not cause noise levels to significantly increase (by 3 dBA or more), the proposed project would not result in any significant project or cumulative increases in noise levels for residents or other noise-sensitive land uses along roadways affected by the project.

The proposed project could also affect the ambient noise environment in the project vicinity by introducing stationary sources of noise, including heating, ventilation and air conditioning (HVAC) equipment. These stationary noise sources would replace noise-generating activities associated with the existing car sales businesses, but could again occur during hours in which the car sales businesses is inoperable, including during nighttime noise-sensitive hours. All proposed HVAC equipment would be located on the rooftop of the three residential buildings. The HVAC equipment would be located such that it is visually and acoustically screened by its position on the rooftop and rooftop architectural features from on-site uses and off-site receptors. Consequently, the related noise impact to on-site residences and adjacent land uses would not be significant.

- b) The project would generate ground borne vibration and potentially ground borne noise during construction. However, excavation, grading and earth movement operations associated with the construction of the proposed project do not typically result in significant ground borne vibration or ground borne noise effects. The project may require a pile driven foundation that poses more of a concern with respect to these types of impacts. During temporary pile driving activities, sensitive receptors located as close as 50 feet from the project site, could experience noise levels of up to 101 dBA (Cunniff, 1977). Impulsive noises (such as pile driving) can be particularly annoying. The noise-related effects of pile driving and other project-related construction activities are discussed under Item XI.d below.

With respect to ground borne vibration, the most common impacts include: annoyance; damage to structures and/or equipment; disruption of sensitive operations or activities; and triggering of landslides. There are no high-tech facilities or historic structures that are sensitive to vibration located in close proximity to the project site. Ground vibrations from construction activities very rarely reach the levels that can damage structures, but can achieve the audible and feelable ranges in buildings very close to construction sites (FTA, 1995). Pile driving, pavement breaking, blasting, and demolition of structures generate among the highest construction vibrations. These operations are potentially damaging to buildings at distances of less than 25 feet from the source (Hendricks, 2002). At 50 feet, vibrations are readily perceptible, but pose virtually no risk of "architectural" damage to normal buildings (Hendricks, 2002). The closest buildings to the project site and possible pile driving activities are located at a minimum of 50 feet from any pile driving activities and, as such, would not be exposed to excessive ground borne vibration.

With respect to project operations, the proposed project is not an industrial use that might generate excessive ground borne vibration or excessive ground borne noise levels. Similarly, the proposed project is not adjacent to any industrial use that might expose project residents to ground borne vibration or noise.

- d) Noise associated with construction of the proposed project would result in a temporary increase in ambient noise levels in the vicinity of the project site. Residences and other sensitive land uses along haul routes to the site could experience short-term increases in noise levels. Residences nearest the project site would experience some substantial increases in noise levels above existing conditions for the duration of the construction period. Construction activities would involve demolition, excavation, grading, earth movement, and vehicle travel to and from the project site. Construction activities such as foundation laying, building construction, and finishing operations would also generate noise. Typical noise levels generated during various phases of construction for domestic housing projects at 50 feet from the noisiest piece of equipment range from about 78 to 89 dBA (U.S. EPA, 1971). In addition, certain types of construction equipment generate impulsive noises (such as pile driving), which

can be particularly annoying. As discussed under Item XI.b above, the project may require a pile driven foundation. During pile driving activities, sensitive receptors located as close as 50 feet from the project site, could experience noise levels of up to 101 dBA (Cunniff, 1977). The nearest off-site residential structures to the project boundary are those located across Concord Boulevard to the south (as close as 50 feet away), and across Galindo Street to the east beyond the first row of commercial development (an estimated 125 feet away).

Although construction activities would occur only during daytime hours, construction noise would still be considered substantially disruptive to local residents, particularly if it is determined that pile driving activities are required for project construction. For these reasons, project construction noise would be considered a potentially significant impact. With implementation of the City's standard Mitigation Measures XI.2 and XI.3 (see below) that addresses pile driving (if required), noise from construction of the project would be reduced to a less-than-significant level.

#### ***Mitigation Measure XI.2***

The following measures shall be implemented during project construction:

- a) Noise-generating activities at the construction site or in the areas adjacent to the construction site associated with the project shall be restricted to daytime hours of 7:30 a.m. to 6:00 p.m. Construction on Saturdays shall be allowed based on prior approval by the Building, Engineering, and Planning Divisions. No changes to these construction hours shall be allowed without the prior written consent of the City.
- b) The applicant shall designate a contact person available during the evenings and on weekends to respond to complaints and take appropriate action to reduce noise.
- c) Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- d) Unnecessary idling of internal combustion engines within 100 feet of residences shall be strictly prohibited. Avoid staging of construction equipment within 200 feet of residences and locate all stationary noise-generating construction equipment, such as air compressors and portable power generators, as far away as practical from noise sensitive residences.

#### ***Mitigation Measure XI.3***

If pile driving is required for Renaissance Phase Two, the following measure shall be implemented during project construction:

- a) If possible, sonic or vibratory pile drivers shall be used instead of impact pile drivers (sonic pile drivers are only effective in some soils).
- b) Engine and pneumatic exhaust controls on pile drivers will be required as necessary to ensure that exhaust noise from pile driver engines are minimized to the extent feasible.
- c) Where feasible, pile holes shall be pre-drilled to reduce potential noise and vibration impacts.

Cumulative construction noise impacts would not be significant as there are no known projects occurring near the site.

- Policy S-2.2.4: Require new noise sources to use best available control technology (BACT) to minimize noise emissions.

**Project Compliance:** Renaissance Two is in compliance with Policy S-2.2.4 as Mitigation Measures XI.2 and XI.3 will require the use of best available control technologies to minimize noise emissions.

- e) While the proposed project site is located just under one mile from the Buchanan Field Airport, a public use airport, it is located well outside the Airport's 60 L<sub>dn</sub> noise contour and is not exposed to excessive noise levels related to airport operations (McClintock, Becker & Associates, 1989; Arens, 2004). Buchanan Field Airport staff have indicated that although there was an effort made to update the Part 150 Study, that effort was abandoned in 2008, and as such, the Buchanan Field Airport staff does not expect that the noise contour footprints will change substantially from those shown in the current Part 150 Study, particularly since operations have declined over the past several years (personal communication with Staff, Feb. 20, 2013). As such, the project site would similarly not be exposed to excessive airport noise levels into the future.

Because the project site is located within the Airport's Influence Area (defined as extending 2.65 miles from each airport runway), it is subject to County Airport Land Use Commission (ALUC) real estate disclosure requirements (Arens, 2004). Implementation of Mitigation Measure XI.4 (see below) would ensure that the project is consistent with County ALUC policy.

#### ***Mitigation Measure XI.4***

Consistent with County Airport Land Use Commission Policy, the project sponsor shall ensure that the following disclosure statement (constructive notice) be made to all prospective tenants of the proposed project:

“This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitive to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.”

- f) The project site is not within the vicinity of a private airstrip. The project site is within about 0.4 miles of the Mount Diablo Hospital Medical Center helipad. Because the project site is located well outside of the hospital’s 55 L<sub>dn</sub> (City of Concord, 1994), it is not exposed to excessive noise levels associated with the hospital helipad.

**Summary of Impacts**

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
<b>XII. POPULATION AND HOUSING -- <i>Would the project:</i></b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

**Discussion:**

- a) The proposed project would result in an increase in the City of Concord’s resident population by constructing up to 179 new housing units. According to the project sponsor, the project would generate about 260 additional residents at the site, which represents approximately 0.2 percent of Concord’s 2007 total population of 125,100 (Housing Element, 2010). The population and household growth attributed to the proposed project would account for less than 0.3 percent of Concord’s growth by 2015, and would be considered a less-than-significant impact and within ABAG projections.

In the project vicinity, surrounding land uses are mixed, including office buildings, restaurants, gas stations and parking garages and lots. The project site, located within downtown Concord, would be considered in-fill development and result in an intensification and change in land use from commercial to residential. Although infrastructure improvements would be necessary on site, extension of offsite infrastructure which could indirectly contribute to growth would not occur. The project would therefore not induce substantial growth in the area either directly or indirectly.

- b) Existing land use at the proposed project site includes a parking lot and a vacant building. The project would therefore not result in the displacement of existing housing.
- c) As discussed in Comment XII.b, the project site does not contain residential uses; therefore, the project would not result in the displacement of substantial numbers of people.

**Summary of Impacts**

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
<b>XIII. PUBLIC SERVICES -- <i>Would the project:</i></b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the				

public services:				
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?				X
Other public facilities?			X	

**Discussion:**

**Fire Protection & Police Protection.** The Concord Police Department and Consolidated Fire Protection district have reviewed the project plans and determined that adequate service is available to serve the project.

**Schools.** The California State Department of Education has developed student generation rates that are routinely used by school districts that have not developed its own rates. The State's student generation rates are a result of statewide sampling and include areas that vary demographically. The City of Concord 2030 General Plan estimates that one dwelling unit would generate an average of 0.1896 students per unit: 47% elementary students, 27% middle school students, and 26% high school students. Thus, Renaissance Phase Two would result in approximately 16 elementary students, nine middle school students, and 9 high school students.

The proposed project site would be within the Mt. Diablo Unified School District, which operates 15 elementary schools, 7 middle schools and 6 high schools. The additional students generated by the project would represent about one percent of existing student enrollment, and would not have a substantial effect on public schools, nor require the construction of additional facilities. The project sponsor would be subject to relevant school impact fees.

**Parks.** The project has paid the parkland dedication fees per the Concord Municipal Code. Therefore, project impacts have been mitigated.

**XIV. RECREATION -- *Would the project:***

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?			X	

**Discussion:**

a) The City of Concord owns and maintains 23 parks and recreational facilities and community facilities throughout the city. The proposed project is located within a one-mile radius of six existing parks providing a mix of active and passive recreation facilities. These parks include John F. Baldwin Park, the BART Park, Concord Skate Park, Ellis Lake Park, Krueger Fields and Todos Santos Plaza. The proposed project would provide on-site recreation amenities including a swimming pool, spa, fitness center and four internal courtyards, however it is likely that the project would generate additional demand for existing neighborhood and regional parks and other recreational facilities. As discussed under section XIII, Public Services, the proposed project is consistent with land use identified in the General Plan for the site, thus the General Plan has accounted for the increase demand associated with the proposed project and the project would not cause substantial physical deterioration of existing parks or recreational facilities. The project sponsor paid relevant impacts fees as per the City fee guidelines; thus, the impact to recreation has been mitigated.

b) The proposed project would provide on-site recreation amenities for residents including an outdoor swimming pool and spa (approximately 7,100 square feet) and indoor fitness center and recreation room (approximately 2,000 square feet). Private balconies and patios of about 2,977 square feet would also be provided for selected residential units fronting Willow Pass Road, Concord Boulevard and the internal pedestrian mews. As discussed in Section IX. Land Use and Planning, under Project Compliance with Development Standards, Renaissance Phase Two will provide a combination of 37,294 square feet of open

space where 30,036 square is common open space and 7,258 square feet is private patio open space that is allowable with the flexibility provided by the City of Concord Development Standards for achieving the 200 square foot per unit requirement, and Renaissance Phase Two provides more than what was approved for private/open space in Renaissance Phase One. The proposed project would not require the construction of new public recreational facilities or the expansion of existing public facilities. Therefore, the project would not cause any adverse physical effect on the environment from the construction or expansion of such facilities.

Summary of Impacts

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
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**XV. TRANSPORTATION/TRAFFIC -- Would the project:**

a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?			X	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X	

**Discussion:**

- a)
- The 179-unit proposed residential project would generate about 806 vehicle trips per day, with about 65 and 75 trips during the AM and PM peak hours, respectively. The impacts created by these vehicle trips were analyzed during the approvals for the larger 314-unit project, and any potentially significant impacts were subject to mitigation measures that have already been implemented per the Galindo Street General Plan Amendment Traffic Study. Specifically, these measures include the addition of a third through lane on southbound Galindo Street between Willow Pass Road and Concord Boulevard by widening Galindo Street by 15 feet along the Galindo Street frontage of Phase One (within right-of-way previously dedicated to the City) to accommodate the planned improvements. That trip generation estimate reflects application of a 25 percent reduction to account for the site being in the Central Business District (i.e., close to nearby compatible land uses) and being in proximity to transit (e.g., the Concord BART Station). It is noted that the City's General Plan EIR assumes a 33 percent reduction in trips for residences located within one-half mile of BART. On the basis of the above-cited peak-hour trips, the displacement of vehicle trips currently generated by the previous car dealership, and trips generated by approved developments in the site vicinity, the proposed project would not cause a significant impact on AM and PM peak-hour traffic levels of service at area intersections.
- b) The proposed project would not cause any exceedance of CMA standards. The project would have negligible effect on CMA roadways and no significant cumulative impacts on these roadways are anticipated.
- c) The proposed project would not change air traffic patterns. The project site is not within any Airport Safety Zone.

- d) The proposed project would not substantially increase traffic hazards. It would not include design features that would create a traffic safety hazard, nor would it introduce uses that are incompatible with existing uses served by the street network.
- e) The proposed project would provide multiple access points to the site, which would adequate emergency access. The project would be required to comply with any access requirements that may be set forth by the Contra Costa County Fire Protection District.
- f) The Concord Municipal Code (Sec. 122-845) requires that multifamily shall provide 1.5 parking spaces for each studio or one-bedroom unit, two parking spaces for each unit with two or more bedrooms, and one additional space for every three units for guest parking. The proposed 179-unit project would provide approximately 371 on-site parking spaces comprised of 311 stalls for residents (1.50 stalls/studio unit; 1.50 stalls/1-bedroom unit; 2.00 stalls/two-bedroom unit) and 60 spaces for guests (1 space/3 units). Those components of the parking supply would each meet the City's standards for parking capacity for residential uses.
- g) The proposed project would not conflict with adopted policies, plans and programs supporting alternative transportation because it is an infill residential project in proximity to the Concord BART station. See Air Quality Policies S-1.3.2 and S-1.3.3 (General Plan, Chapter 7: Safety and Noise Element), which promotes infill development and transit-oriented development to reduce automobile travel. Additionally, all traffic impact fees have been paid and, therefore, the traffic related impacts of the proposed project have been mitigated.

Summary of Impacts			
Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact

**XVI. UTILITIES AND SERVICES SYSTEMS -- *Would the project:***

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of a new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

**Discussion:**

- a) The proposed residential project would not violate any wastewater treatment requirements.
- b) The City of Concord Public Works Engineering Services Department maintains the City's wastewater collection systems, but does not treat the raw sewage. Instead, it is pumped to and treated by the Central Contra Costa Sanitary District. Currently, the City has a \$12.2 million budget to improve undersized sewer mains throughout the City. The proposed project would generate an additional 0.05 million gallons per day (mgd) of wastewater from the site. According to the Public Works Engineering

Services Department, there is adequate capacity in the City's wastewater collection systems to handle the increased volume of wastewater (Pascual, 2004). If it is determined that upsizing of sewer mains affected by the project are needed, the project sponsor would be responsible for payment relative to the project's portion of the capacity (0.05 mgd). Sewer connection fees for Phase Two have been paid. Existing water or wastewater treatment facilities are adequate to serve the proposed project and new or expanded facilities would not be required. Thus the impact would be less than significant.

- c) The proposed project will create a local storm drain system within the project boundary. In accordance with Contra Costa County Clean Water Program requirements, all storm drain runoff will be subject to treatment using LID and non-LID methods. Additionally, the project will detain the runoff prior to discharging into the existing City storm drain system. This will result in a flow rate reduction from existing conditions and will therefore not create a significant impact.
- d) The Contra Costa Water District has confirmed that there is adequate water supply to serve the proposed project. The proposed project would have sufficient water supplies available from existing entitlements and resources (Contra Costa Water District letter, dated October 9, 2012).
- e) The Contra Costa Sanitary District is the wastewater treatment provider that would serve the project site. The proposed project would generate a sewer demand of approximately 0.5 mgd of wastewater, which would be a higher sewer load than a mixed use project on the site. The Contra Costa Sanitary District has adequate capacity to serve the proposed project. As discussed under Section XVI.b, the project sponsor would be required to pay the project's proportional share of upgrading the sanitary sewer main serving the project site if the project's contribution of wastewater exceeds available capacity.
- f) The Concord Disposal Service handles the residential and commercial waste stream in the City of Concord, collecting both solid waste and recycled materials. Concord Disposal Service transports waste to the Pittsburg Transfer Station and Recycling Center, where recycled materials are transported to the Mt Diablo Recycling Center in Concord, and solid waste is transported to the Potrero Hills Landfill in Solano County. The remaining capacity at the Potrero Hills Landfill is about 13,800,000 cubic yards, or 64 percent of the Landfill's total capacity, and the Landfill is not expected to close until 2035 (CIWMB, 2004a). The proposed project would result in approximately 450 new residents at the site that would generate approximately 495 pounds of household waste per day or 1.1 pounds per resident per day (CIWMB, 2004b). The Potrero Hills Landfill would have adequate capacity to serve the proposed project.
- g) Assembly Bill 939 (AB939), enacted in 1989, requires each city's and county's Source Reduction and recycling Element to include an implementation schedule to divert 25 percent diversion of its solid waste from landfill disposal by January 1, 1995, through source reduction, recycling, and composting activities, followed by an increase to a 50 percent reduction to the waste stream by January 1, 2000. As of 2000, the total annual waste diversion for the City of Concord was approximately 50 percent (CIWMD, 2004b).

Senate Bill 1374, enacted in 2002, requires each city's and county's Source Reduction and recycling Element to include an implementation schedule to divert 50 percent of solid waste including materials from construction and demolition projects and 75 percent by weight of inert debris such as concrete and asphalt. The proposed project would comply with all federal, state, and local statutes and regulations related to solid waste, thus there would be no impact would be less than significant.

**Summary of Impacts**

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less than Significant Impact	No Impact
<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable			X	

future projects)?				
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?			X	
<b>Discussion:</b>				
<p>a) The proposed project will not degrade the quality of the environment with respect to habitat of fish or wildlife species or fish or wildlife populations as the project site is an infill site located within an urban downtown area and currently being used for automobile-related uses. No rare or endangered plant or animals exist. No important examples of major periods of California history or prehistory exist on the site. As per the tree survey, a number of trees will be removed; however, none of the trees are considered heritage trees, and new trees and landscaping would be provided as part of the proposed project.</p> <p>b) It is not anticipated that the proposed project would result in any significantly considerable cumulative effects. With mitigation measures proposed in this environmental document, the proposed project would have no cumulatively considerable impacts. The proposed project's less than significant traffic, air quality and noise impacts would not be cumulatively considerable (see sections III, XI and XV above). Other less-than-significant impacts (e.g., geology and soils) are site specific and would not cumulate with potential impacts from other projects.</p> <p>c) The potential effects of the proposed project on human beings have been analyzed within the document. The proposed project will not cause substantial adverse effects on human beings, either directly or indirectly, upon implementation of the identified mitigation measures.</p>				

**Attachments:**

- Exhibit A. Comprehensive Source List**
- Exhibit B. Project Location and Vicinity Map**
- Exhibit C. Project Site Plans and Elevations**
- Exhibit D. Mitigation Monitoring Program**

# Exhibit A

## Comprehensive Source List

### I. ASTHETICS

1. Project Site Plans
2. California Department of Transportation. State Scenic Highway Program, [http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/scenic-hwy.htm](http://www.dot.ca.gov/hq/LandArch/scenic_highways/scenic-hwy.htm), accessed February 25, 2013.
3. City of Concord. City of Concord 2030 General Plan adopted October 2, 2007 and amended through July 10, 2012.

### II. AGRICULTURE RESOURCES

1. California Department of Conservation. Farmland Mapping and Monitoring Program, Important Farmland Map, 2010.
4. City of Concord. City of Concord 2030 General Plan adopted October 2, 2007 and amended through July 10, 2012.
2. City of Concord. City of Concord Development Code, <http://www.ci.concord.ca.us/permits/zoning.aspx>, accessed February 25, 2013.

### III. AIR QUALITY

1. Bay Area Air Quality Management District (BAAQMD). San Francisco Bay Area Ozone Attainment Plan for the 1-Hour National Ozone Standard, June 1999.
2. Bay Area Air Quality Management District (BAAQMD). Air District 1999 Thresholds of Significance.
3. Bay Area Air Quality Management District (BAAQMD). Bay Area 2005 Ozone Strategy, adopted January 4, 2006
4. Bay Area Air Quality Management District (BAAQMD). 2010 Clean Air Plan (CAP) adopted September 15, 2010.
5. Bay Area Air Quality Management District (BAAQMD). BAAQMD CEQA guidelines – assessing the air quality impacts of projects and plans. San Francisco, CA 1996.

### IV. BIOLOGICAL RESOURCE

1. City of Concord. City of Concord 2030 General Plan adopted October 2, 2007 and amended through July 10, 2012.
2. City of Concord. City of Concord Development Code, <http://www.ci.concord.ca.us/permits/zoning.aspx>, accessed February 25, 2013.
3. HortScience, Inc. Preliminary Tree Report – Lehmers Property, January, 2004.

### V. CULTURAL RESOURCES

1. Northwest Information Center. Letter to ESA regarding records search for the Downtown Condominium Project, April 30, 2004.

### VI. GEOLOGY AND SOILS

1. Project Site Plans.

2. GEOCON Consultants, Supplemental Geotechnical Investigation for Renaissance Phase Two, March 2012.
3. ABAG, 2003a, Earthquake Hazard map for Concord – Scenario; Concord-Green Valley Fault (magnitude 6.7 earthquake), online at <http://abag.ca.gov/bayarea/eqmaps/pickcity.html>.
4. ABAG, 2003b, Bay Area Liquefaction Susceptibility Maps, online at: <http://www.abag.ca.gov/bayarea/eqmaps/liquefac/liquefac.html>.
5. CGS, 1990, The Loma Prieta (Santa Cruz Mountains), California, Earthquake of 17 October 1989, Special Publication 104.
6. CGS, 1997, How Earthquakes Are Measured, CDMG Note 32.
7. CGS, 2003a, USGS/CGS PSHA Model (revised April 2003), online at: <http://www.consrv.ca.gov/cgs/rghm/pshamap/pshamain.html>.
8. CGS, 2003b, ShakeMap Working Group (CGS, Pacific Gas and Electric, University of California Berkeley, and the (USGS), online at: <http://quake.usgs.gov/research/stongmotion/effects/shake/about.html>.
9. dk Associates, 2004, Lehmer Site Preliminary Hydrology Study, dated March 26, 2004, prepared by Easton C. McAllister, P.E. for Mr. Doug Park, Signature Properties.
10. Engeo Incorporated, 2003, Geotechnical Exploration, 1851 Galindo Street, Concord, California, submitted to Signature Properties, Pleasanton, California, Project No. 5740.1.001.01, dated July 10, 2003, revised November 14, 2003.
11. Hart, E.W., 1997, Fault-Rupture Hazard Zones in California: Alquist-Prilolo Special Studies Zones Act of 1972 with Index to Special Studies Zones Maps, CDMG Special Publication 42.
12. Peterson, M.D., Bryant, W.A., Cramer, H.H., 1996, PSHA for the State of California, CGS Open-File Report issued jointly with the USGS, CDMG 96-08 and USGS 96-706.
13. USGS WG02, 2003, Earthquake Probabilities in the San Francisco Bay Region: 2003-2032 – A Summary of Findings, online at: <http://quake.usgs.gov/research/seismology/wg02/summary/>.

## VII. HAZARDS AND HAARDOUS MATERIALS

1. GEOCON Consultants, Inc. (GEOCON), Review and update of PR&A's Phase I ESA, 2011.
2. GEOCON Consultants, Inc. (GEOCON), Letter re: *Limited Site Investigation Report, Soil and Grab-Groundwater Sampling and Analysis, Renaissance Property – Phase II*, September 2011.
3. Pond, Robinson & Associates, LP (PR&A), Subsequent *Phase I Environmental Site Assessment*, September 2011.
4. ENGEO, Inc. *Environmental Site Assessment Update, Galindo Street Project, Concord, California*. June 27, 2003a.
5. ENGEO, Inc. *Phase Two Environmental Site Assessment, Galindo Street Project, Concord, California*. June 20, 2003b.
6. ENGEO, Inc. *Geotechnical Exploration, 1851 Galindo Street, Concord, California*. July 10, 2003 revised November 2003c.
7. ENGEO, Inc. *Appendix A: Excavation Observation and Sampling*, 2006.
8. City of Concord. City of Concord 2030 General Plan adopted October 2, 2007 and amended through July 10, 2012.

## VIII. HYDROLOGY AND WATER QUALITY

1. ABAG, 1995, Dam Failure Inundation Hazard Maps: City of Concord, online at: <http://www.abag.ca.gov/bayarea/eqmaps/damfailure/dfpickc.html>.
2. dk Associates, 2004, Lehmer Site Preliminary Hydrology Study, dated March 26, 2004, prepared by Easton C. McAllister, P.E. for Mr. Doug Park, Signature Properties.
3. FEMA, 2001, Flood Insurance Rate Map: City of Concord, California, Contra Costa County. Panel 5 of 10, Community Panel Number 0650220005 C.

## **IX. LAND USE AND PLANNING**

1. City of Concord. City of Concord 2030 General Plan adopted October 2, 2007 and amended through July 10, 2012.
2. City of Concord. City of Concord Development Code, <http://www.ci.concord.ca.us/permits/zoning.aspx>, accessed February 25, 2013.

## **X. MINERAL RESOURCES**

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## **XI. NOISE**

1. Caltrans, *Technical Noise Supplement to the traffic Noise Analysis Protocol*, October 1998.
2. Charles M. Salter Associates, Inc., *Lehmer Site – Residential Development Feasibility Noise Study, Concord, California*, October 2003.
3. City of Concord. City of Concord 2030 General Plan adopted October 2, 2007 and amended through July 10, 2012.
4. Cunniff, Patrick, *Environmental Noise Pollution*, 1977.
5. Airport Staff, Buchanan Field Airport, telephone conversation, February 20, 2013.
6. Federal Transit Administration (FTA), U.S. Department of Transportation, *Transit Noise and Vibration Impact Assessment*, Final Report, April 1995.
7. Hendricks, Rudy, Caltrans, *Transportation Related Earthborne Vibrations, Technical Advisory, Vibration TAV-02-01-R9601*, February 20, 2002
8. U.S. Environmental Protection Agency, *Noise from Construction Equipment and Operation, Building Equipment and Home Appliances*, December 1971.

## **XII. POPULATION AND HOUSING**

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2. Association of Bay Area Governments (ABAG). ABAG Projections 2009: Regional Projections, (<http://www.abag.ca.gov/planning/currentfcst/regional.html>), accessed February 25, 2013.
3. U.S. Census Bureau, official website, <http://www.census.gov/>, accessed February 25, 2013.
4. City of Concord. City of Concord 2030 General Plan adopted October 2, 2007 and amended through July 10, 2012.

## **XIII. PUBLIC SERVICES**

1. City of Concord. City of Concord 2030 General Plan adopted October 2, 2007 and amended through July 10, 2012.
2. City of Concord. City of Concord Development Code, <http://www.ci.concord.ca.us/permits/zoning.aspx>, accessed February 25, 2013.

#### **XIV. RECREATION**

1. Project Site Plans.
2. City of Concord. City of Concord 2030 General Plan adopted October 2, 2007 and amended through July 10, 2012.
3. City of Concord. City of Concord Development Code, <http://www.ci.concord.ca.us/permits/zoning.aspx>, accessed February 25, 2013.

#### **XV. TRANSPORTATION/TRAFFIC**

1. Project Site Plans.
2. Fehr and Peers Associates, *Concord Residential – Lehmer’s Site Transportation Impact Analysis, April 2004; and subsequent memorandum*, May 7, 2004 and May 22, 2004.
3. Dowling Associates, *Galindo Street General Plan Amendment Traffic Study*, May 16, 2000.
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#### **XVI. UTILITIES AND SERVICES SYSTEMS**

1. Project Site Plans.
2. City of Concord. City of Concord 2030 General Plan adopted October 2, 2007 and amended through July 10, 2012.
3. Contra Costa Water District. Will Serve Letter dated October 9, 2012.
4. Nick Adler, Concord Disposal Service. Personal Communication. August, 30, 2012.
5. Pasqual, Alex, Director of Public Works Engineering Services Department City of Concord. Memorandum Re: Signature Properties Condominiums, Re-Connection to the City’s Sewer System. May 20, 2004

