

# CEQA

## The California Environmental Quality Act

### Town of Danville Environmental Checklist Form

1.	<b>Project title:</b> PUD 18-01, SUB 18-01, DEV 18-09 and TR 18-26 - 2550 Camino Tassajara	
2.	<b>Lead agency name and address:</b> Town of Danville 510 La Gonda Way Danville, CA 94526	
3.	<b>Contact person and phone number:</b> Kevin J. Gailey, Chief of Planning (925) 314-3304	
4.	<b>Project location:</b> 2550 Camino Tassajara Danville, CA 94526	
5.	<b>Project sponsor's name and address:</b> Trumark Homes, LLC Attn.: Heide Antonescu 3001 Bishop Dr., Ste. 100 San Ramon, CA 94583	
6.	<b>General Plan designation:</b> Residential - Single Family - Low Density (1-3 units per acre)	7. <b>Zoning:</b> P-1; Planned Unit Development District
8.	<p><b>Description of project:</b> Preliminary Development Plan - Rezoning request PUD 18-01 seeks approval to rezone the 5.05 acre project site from a P-1; Planned Unit Development District to a new, project-specific, P-1; Planned Unit Development District - proposed with R-10; Single Family Residential District development standards. The applicants are proposing to develop the property with 18 single family homes and related infrastructure improvements. Major Subdivision request SUB 18-01 seeks approval of a vesting tentative map application to allow creation of 18 residential lots and six common parcels. The proposed common parcels would be parcels encompassing private project roadways, stormwater treatment facilities, and common ownership landscape areas. Final Development Plan request DEV 18-09 seeks approval of final project design - i.e., final architecture and landscape improvements. Proposed project architecture includes two plan types, each with three architectural options, for the single family residences in the project. Tree Removal request TR 18-26 seeks authorization to remove seven Town-protected trees and to allow construction activity in proximity to additional onsite and offsite Town-protected trees. The project applicants have invoked state and local density bonus law and the resultant project would have a development density of just under 3.5 units per acre. To qualify for the requested 20% density bonus, the applicants are proposing provision of eight for-rent low income below market rate (BMR) second units. The second units, also referred to as accessory dwelling units or ADUs, are proposed as attached units limited to a maximum size of 550 square feet. The for-rent low income ADUs would serve as the project's affordable 'target units' - units the units provided to allow the project to qualify for a density bonus. Absent invoking density bonus, the project would be have been limited to a maximum of 15 single family residential units. Were a fifteen unit project to have been pursued by the applicant, it would have been required, under the provisions of the Town's Inclusionary Housing Ordinance, to provide either one for-sale below market rate unit affordable to a moderate income household or four attached, or detached, ADUs affordable to low income households.</p>	

9. **Surrounding land uses and setting:** The property is currently occupied by the Tassajara Nursery which has been operating since 1980 by the Akabane family. The site contains a 4,000 square foot 1980-era commercial building, a 1,000 square foot 1992-era storage shed, a mobile home (unoccupied), several additional small accessory structures, a 23-space parking lot, and approximately four acres of nursery planting display area. Surrounding uses include:

North - Commercial uses; institutional uses; and 7-unit low density multifamily project:

The Rock Church; US Post Office; Peekadoodle Academy of Danville child care; Messiah Lutheran Church LCMS; and the seven-unit project developed under SD 9287 in 2014 on a one acre site west northwest of the Post Office.

West - Single Family Residential Low Density and Country Estate:

Directly west and southwest of the subject property is the 31 unit P-1 (R-10 standards) Lasata single family residential project, developed between 1994 and 1997. The Lasata project developed with a mix of public and private roadways. The roadway system includes the private bridge crossing of Sycamore Creek - which was recently structurally upgraded. The public roadway network includes a section of roadway that terminates at the west side of the subject property. This roadway section reflects the anticipation of a future extension of the public roadway system into the subject property, which ultimately would allow the elimination of the driveway connection on the subject property at the northeast corner of the property unto Camino Tassajara. A subarea of the Lasata project (i.e., a 5.04 acre portion selected to allow an "apples-to-apples" comparison with the proposed 5.05 acre subject project) is the portion of the Lasata project consisting of most of the fully developed lots north of Sycamore Creek. This area contains seventeen lots for a 3.37 units per acre development density. These seventeen lots average 10,565 square feet in size and are occupied with residences with an average size of 3,366 square feet. (See Attachments A-1 and A-2.) For comparison, the proposed project would be on a 5.05 acre property and would consist of 18 lots - for a 3.56 units per acre development density. The proposed project would provide for single family residences with an average lot size of size of 3,513 square feet, with eight of the 18 residences including an attached accessory dwelling units - or ADUs). Attachment A-4 allows a comparison of the project to the nearby Cross Bridge and Sarah Court project that lies west of the Lasata project.

East - "Valerosa" 16-unit Single Family Residential Low Density and Country Estate:

Directly east of the subject property is the 16 unit P-1 (R-10 standards) Valerosa single family residential project, containing four attached ADUs and having been developed over the course of 1998 and 1999. The project is served by a temporary connection to Camino Ramon and includes public roadways, including a section of public roadway that terminates at the east side of the subject property. This roadway section reflects the anticipation of a future extension of the public roadway system into the subject property, which ultimately would allow the elimination of the temporary driveway connection in the Valerosa project with the intersection of Fieldstone Court and Camino Tassajara. A 5.05 acre subarea of the Valerosa project (selected to allow an "apples-to-apples" comparison with the 5.05 acre subject project) is the entire area of the project less approximately 4/5ths of that project's flood control easement along Sycamore Creek. Included in the 5.05 subarea is the pedestrian easement connection to the project and portions of the public trail improvements located in the flood control easement along the north side of Sycamore Creek. The 5.05 subarea contains sixteen lots for a 3.17 units per acre development density. These sixteen lots average 10,552 square feet in size and

are occupied with residences with an average size of 3,718 square feet. (See Attachment A-1 and A-3.) As stated above, the proposed project would provide for single family residences with an average lot size of size of 3,513 square feet, with eight of the 18 residences including an attached accessory dwelling units - or ADUs).

South - Misson Trust and GSP Associates, Inc. properties lying north and south of Sycamore Valley Creek:

Lying directly south of the subject property is the 6.75 acre Misson Trust property, a partially developed property bisected by Sycamore Valley Creek. The property has a split land use designation, including Residential - Single Family - Low Density (1 to 3 units per acre) north of the creek (being the partially developed portion of the property) and Residential - Single Family - Country Estate (1 acre minimum lot size) over the undeveloped portion of the property located south of the creek. Above (south) of Misson Trust property is the 13.28 acre GSP Associates, Inc. property, an undeveloped property that also has a split land use designation. The portion of this property below the 650' contour line (which serves as a water service elevation boundary for EBMUD) carries the Residential - Single Family - Country Estate (1 acre minimum lot size) designation. The portion of the property above the 650' contour line has a Residential - Single Family - Rural Residential (5 acre minimum lot size) land use designation. These two properties have an association with the Tassajara Nursery site as they represent lands that, under directives in the Tassajara Lane/Sherburne Hills Road Special Concern Area language of the Danville 2030 General Plan (see Attachment B), must be accommodated for as regards the roadway network ultimately developed in the Special Concern Area. Outstanding circulation needs in the area include: (a) accommodation of public roadway access to Camino Tassajara for these two properties; (b) provision of a second bridge crossing (in the form of at least an emergency vehicle access connection) over Sycamore Valley Creek which is to be adequate to serve the emergency access needs of all the properties located south of Sycamore Creek that are currently served by just the one existing bridge crossing by Sherburne Hills Road; and (c) missing links to the planned public pedestrian trail system planned along Sycamore Valley Creek.

10. **Previous Actions:** The subject property was Parcel A of the Parcel Map recorded for Minor Subdivision request MS 115-77, a three-parcel minor subdivision approved by Contra Costa County prior to Danville's incorporation. The property was a portion of the Town-initiated Preliminary Development Plan - Rezoning action in 1991 (PUD 91-03) that imposed development standards on approximately 212 acres in the Tassajara Lane / Sherburne Hills Road Special Concern Area to bring the area zoning into conformance with the general plan land use designations for the area and to establish development standards consistent with the rights and limitations set forth for the area under the Special Concern Area text. Through the adoption of Planning Commission Resolution No. 98-17 Development Plan request DEV 97-05 (aka LUP 97-26), Danville granted a 20-year time extension for the previously approved land use permit authorization to operate a commercial nursery on the subject property. LUP authorization for the use was required as a result of the property's residential land use and zoning designations. With the extension, authorization to use the property as a commercial nursery will expire in April 2018. The original authorization was granted prior to Danville's incorporation by the County approval granted under Land Use Permit request LUP 2091-77 approved on September 27, 1977. DEV 13-83 (LUP) granted a temporary approval to use a portion of the property as a Christmas tree lot.

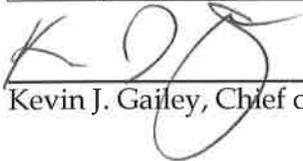
11. **Other public agencies whose approval may be required:**
- San Ramon Valley Fire Protection District (SRVFPD)
  - Contra Costa Central Sanitary District (CCCSD)
  - Contra Costa County Flood Control & Water Conservation District (CCCFC&WCD)
  - East Bay Municipal Utilities District (EBMUD)
  - San Ramon Valley Unified School District (SRVUSD)
  - Contra Costa Health Services - Environmental Health Division (CC Health)
  - Regional Water Quality Control Board, Central Coast Region (RWQCD)
  - Office of Historic Preservation Northwest Information Center - Sonoma State Univ.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The environmental factors checked below would be potentially affected by this project, involving at least one impact that is other than a "No Impact", as indicated by the checklist on the following pages.

X	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry Resources	X	Air Quality
X	Biological Resources	X	Cultural Resources	<input type="checkbox"/>	Energy
X	Geology/Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	X	Hazards & Hazardous Materials
X	Hydrology/Water Quality	<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources
X	Noise	<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	X	Transportation	<input type="checkbox"/>	Tribal Cultural Resources
X	Utilities/Service Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Significance

**DETERMINATION** On the basis of this initial evaluation:

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	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, and/or agreed to by, the project proponent. A MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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.

  
 Kevin J. Gailey, Chief of Planning - Town of Danville

3-18-19  
 Date

**DISCUSSION AND ANALYSIS OF PROJECT ISSUES:**

I. AESTHETICS: Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Substantially de scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

Discussion and analysis:

- a) **No impact.** The subject project is not within a scenic hillside or major ridgeline and dwelling units under this development are subject to all applicable Town of Danville height limitations. The development is an infill project which has contained a General Plan and Zoning designation allowing for single family development consistent with the proposed density, and has been long anticipated. Therefore, no further analysis is required.
- b) **No Impact.** The site is not within view of a state scenic highway. Therefore, no further analysis is required.
- c) & d) **Less than Significant with Mitigation Incorporated.** The project will result in the development of eighteen new residences and, potentially, new accessory structures on a 5.05 acre property. Existing commercial structures on the property are planned for removal. The project is an infill project on a property that has General Plan and Zoning designations allowing for single family development consistent with the proposed density. Development reflective of the proposed application has been long anticipated. Potential light and/or glare impacts on surrounding residential uses will be mitigated through imposition of standard conditions of approval (COA) project lighting, as follows:  
*Draft COA #B.1 - SITE PLANNING: All lighting shall be installed in such a manner that lighting is generally down directed and glare is directed away from surrounding properties and rights-of-way.*

<b>II. AGRICULTURE RESOURCES AND FORESTRY:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined by Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Discussion and Analysis:</p> <p>a) <b>No Impact.</b> The parcel is not classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance therefore the project would not convert those types of farmland to non-agricultural use. Therefore, no further analysis is necessary.</p>				

- b) **No Impact.** The proposed project is consistent with the zoning for the site. The site is not zoned for agricultural use, is not used for agricultural use, and is not under a Williamson Act contract. Therefore, no further analysis is necessary.
- c) **No Impact.** The site is zoned for residential use, and the proposed development would not result in the conversion of any forest land, timberland, or timberland zoned Timberland Production. Therefore, no further analysis is necessary.
- d) **No Impact.** The proposed development would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no further analysis is necessary.
- e) **No Impact.** The site is zoned for residential use, and the proposed development would not result in the conversion of any farmland to non-agricultural use. Therefore, no further analysis is necessary.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) 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?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>

Discussion and Analysis:

a) **No Impact.** The proposed project is consistent the General Plan and Zoning designation for the property. The Bay Area Air Quality Management District would have authority over when demolition can occur based on air quality. Therefore, no further analysis is necessary.

b) 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?

**Less than Significant with Mitigation Incorporated.** Traffic generated by the project by the project would increase local carbon monoxide concentrations. New traffic generated by the project and area source emissions from heating and cooling equipment within the project site would be less than significant as this would be an infill development consistent with existing surrounding residential developments. Construction activities such as clearing, excavation, grading, and demolition, construction vehicle traffic, and wind blowing over exposed earth would generate exhaust emissions and particulate matter emissions that could affect local air quality on a short term basis. The potential for dust nuisance would be concentrated when clearing, demolition and grading/excavation activities take place. Construction impacts on air quality standards will be mitigated through imposition of standard conditions of approval (COA) regarding wind erosion, as follows:

**Draft COA #A.6 - GENERAL:** *A watering program which incorporates the use of a dust suppressant, and which complies with Regulation 2 of the Bay Area Air Quality Management District shall be established and implemented for all on and off-site construction activities. Equipment and human resources for watering all exposed or disturbed soil surfaces shall be supplied on weekends and holidays as well as workdays. Dust-producing activities shall be discontinued during high wind periods. The project developer shall post a publicly visible sign with the telephone numbers and persons to contact both for the project superintendent and for the Town of Danville regarding dust complaints. The project superintendent, once advised of the dust complaint, shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.*

- c) **No Impact.** The proposed development is an infill residential project, consistent with surrounding residential uses. This type of residential development will not result in the concentration of pollutants which is not typical for the area. Therefore, no further analysis is necessary.
  
- d) **Less than Significant Impact.** The proposed development is an infill residential project, consistent with surrounding residential uses. This type of residential development will not result in the creation of objectionable odors which are not typical for the area. Therefore, no further analysis is necessary.

IV. BIOLOGICAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 CA Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Discussion and Analysis:

- a) **Less than Significant with Mitigation Incorporated.** Potential construction impacts on nesting raptors that might be present on the site will be mitigated through imposition of the following conditions of approval (COA):

**Draft COA #A.7 - GENERAL** *The project developer shall make payment of the \$2,216.25 California Department of Fish and Wildlife (CDFW) CEQA Environmental Document Filing Fee, or the applicable fee in place at the time of project approval if that fee is higher, within four days of the effective date of the project approval, unless the project developer submits to the Town of Danville a written explanation as to the basis, under Cal. Code Regs., tit. 14, §§ 15260-15333 and Fish & G.*

Code, § 711.4, subd. (d)(1), that the project is exempt from paying filing fee. A copy of this written explanation shall concurrently be forwarded to CDFW.

**Draft COA #E.1 - BIOLOGICAL RESOURCES** *If demolition or construction activity (e.g., structure or hardscape demolition, tree removal, grading, road construction, home construction, etc.) is to occur within the raptor nesting season (i.e., between February 1 and July 31), a pre-construction survey of the property for nesting raptors shall be conducted, with such survey to occur a minimum of 15 days prior to planned commencement of demolition or construction activity. The nesting survey shall include examination of all trees within 200 feet of the area proposed for demolition or construction activity. If birds are identified nesting on or within the zone of proposed demolition or construction activity, a qualified biologist shall establish a temporary protective nest buffer around the nest(s). Where protective nest buffering is deemed necessary, the nest buffer(s) shall be staked with orange construction fencing or orange lath staking. The buffer shall be of sufficient size to protect the nesting site from demolition or construction related disturbance and shall be established by a qualified ornithologist or biologist with extensive experience working with nesting birds near construction sites. Typically, adequate nesting buffers are 50 feet from the nest site or nest tree dripline for small birds, and up to 250 feet for sensitive nesting birds that include several raptor species known in the region of the project site. No demolition, construction or earth-moving activity shall occur within the established buffer until it is determined by a qualified biologist that the young have fledged and have attained sufficient flight skills to avoid project construction zones. This typically occurs by July 15<sup>th</sup> of each year. This date may be earlier or later and shall be determined by the qualified ornithologist or biologist. If a qualified ornithologist or biologist is not hired to watch the nesting birds, then the buffers shall be maintained in place through the month of August and work within the buffer can commence September 1st.*

- b) **No Impact:** The project will not affect any riparian habitat or other sensitive natural community.
- c) **No Impact:** The project does not include work within a wetland area.
- d) **No Impact:** The project will not interfere with the movement of any native resident or migratory fish or wildlife species
- e) **Less than Significant with Mitigation Incorporated.** To complete the project application submittal, the applicant submitted a tree survey and report (i.e., the Amended Tree Survey and Report for 2550 Camino Tassajara", prepared by Live Oak Associates, Inc. dated December 14, 2018 - see Attachment C). The arborist report surveyed 71 trees, including 24 trees on the subject property and 47 offsite trees whose canopy at least partially extends into the project site and which could be affected by project development. The report indicates 37 trees will be removed for project development, including seven Town-protected trees. A total of 22 Town-protected trees were recorded during the site survey. Potential construction impacts to identified Town-protected trees will be mitigated through imposition of the following conditions of approval (COAs):

**Draft COA #C.1 - BIOLOGICAL RESOURCES** *The following recommendations shall be observed/implemented to help reduce impacts to trees from development and to maintain and improve their health and vitality through the clearing, grading and construction phases of the project.*

- a. *Any changes to the plans affecting Town-protected trees shall be reviewed by the Consulting Arborist with regard to potential tree impacts. These include, but are not limited to, changes to project demolition plans, site plans, improvement plans, utility and drainage plans, grading plans, and landscape and irrigation plans.*
- b. *The vertical and horizontal locations of the Town-protected trees that are slated for retention, whether onsite trees or offsite trees, with at least 15% of their tree dripline extending into the project site, shall be established and plotted on all plans. Once trunk locations for such trees are plotted on plans, they shall be reviewed by the Consulting Arborist who shall have the responsibility to assess potential impacts to individual trees and to establish tree protection zones*

- for such trees. No grading, excavation, construction or storage of materials shall occur within that zone.
- c. To the extent reasonably feasible, underground services, including utilities, sub-drains, water or sewer, shall be routed around tree protection zones. Where encroachment cannot be avoided, special construction techniques, such as hand digging or tunneling under roots, shall be employed to minimize root injury.
  - d. Tree Preservation Notes, prepared by the Consulting Arborist, shall be included on all plans.
  - e. Irrigation systems shall be designed so that no trenching would occur within a tree protection zone.
  - f. Any herbicides placed under paving materials must be safe for use around trees and labeled for that use.
  - g. If lime treatment is to be applied on the property in conjunction with site grading and/or site preparation, it shall not occur within 50' of any identified Town-protected tree to be preserved.
  - h. The demolition contractor and construction superintendent shall meet with the Consulting Arborist before beginning work to discuss work procedures and tree protection measures.
  - i. Tree pruning of identified Town-protected trees may be required to clean the crown and/or to provide construction clearance. Where such pruning will occur, it shall be done by a State of California Licensed Tree Contractor (C61/D49 license) and all pruning shall be done by Certified Arborist or Certified Tree Worker in accordance with the Best Management Practices for Pruning (International Society of Arboriculture, 2002) and adhere to the most recent editions of the American National Standard for Tree Care Operations (Z133.1) and Pruning (A300).
  - j. Structures, underground features, and existing hardscape that is to be removed for the project within tree protection zones shall use the smallest equipment feasible for the work performed, which shall operate from outside the affected tree protection zone to the extent reasonably feasible. The Consulting Arborist shall be onsite during all operations within the tree protection zone to monitor such demolition activity.
  - k. Prior to beginning work, all contractors working in the vicinity of Town-protected trees slated for preservation shall meet with the Consulting Arborist at the site to review all work procedures, access routes, storage areas and tree protection measures.
  - l. Any grading, construction, demolition or other work that is expected to encounter tree roots shall be monitored by the Consulting Arborist.
  - m. Construction trailers, traffic and storage areas shall remain outside of identified tree protection zones areas at all times.
  - n. Prior to grading, pad preparation, excavation for foundations/footings/walls, or trenching, trees requiring root pruning outside the tree protection zone shall be done by cutting all roots cleanly to the depth of the excavation. Roots shall be cut by manually digging a trench and cutting exposed roots with a saw, vibrating knife, rock saw, or other approved root pruning equipment. The Consulting Arborist shall identify where root pruning is required and monitor all root pruning.
  - o. Where there is 2' or more of fill placed within the dripline of an identified Town-protected tree, aeration improvements shall be installed. These shall, at a minimum, include provision of a 4" drain line placed at natural grade prior to fill. The number and placement of drain lines shall be as directed by the Consulting Arborist.
  - p. Since site construction activity will occur in the direct vicinity of the on-site and off-site identified Town-protected trees, a security deposit in the amount of the assessed value of the tree(s) (calculated pursuant to the Town's Tree Protection Ordinance) shall be posted with the Town prior to the issuance of a grading permit or building permit to maximize the probability that the affected trees will be retained in good health. The applicant shall be required to secure an appraisal of the condition and value of all affected trees. The appraisal shall be done in accordance with the current edition of the "Guide for Establishing Values of Trees and Other Plants," by the Council of Tree and Landscape Appraisers under the auspices of the International Society of Arboriculture. The appraisal shall be performed by a Certified Arborist, and shall be subject to review and approval by the Chief of Planning. A tree preservation agreement shall be

*prepared that outlines the intended and allowed use of funds posted as a tree preservation security deposit. That portion of the security deposit still held by the Town two full growing seasons after project completion shall be returned upon verification that the trees covered by the deposit are as healthy as can be provided for under the terms of the tree preservation agreement.*

**Draft COA #C.2 - BIOLOGICAL RESOURCES** *To compensate for the proposed removal of identified Town-protected trees, the project developer shall assure the implementation of the following measures:*

- a. The project applicant's Consulting Arborist shall calculate the total inches of diameter of Town-protected trees to be removed, as of the date of the grading permit application (i.e., the "Total Inches"), and submit that calculation to the Planning Division. The project applicant shall be required to replace the identified Town-protected trees to be removed with a number and size of oak trees equal to the total inches of the diameter of the trees to be removed. The required tree mitigation planting may be part of the project's landscape plan.*
  - b. It is currently estimated that all mitigation oak trees can be accommodated onsite. These trees shall be either 15 gallon size trees (credited at a ratio of 2" per tree toward the aggregate replacement planting) or 24-inch box size trees (credited at a ratio of 4" per tree toward the aggregate replacement planting). Tree mitigation planting that cannot be accommodated onsite shall be handled through the project developer's payment of an in-lieu fee, which shall be made payable to the Town of Danville. This in-lieu fee shall be in the amount of \$135.00 per off-site mitigation tree. This mitigation fee is based on a \$135.00 installed cost per 15-gallon tree indicated in recently approved Town-sponsored capital improvement projects. The in-lieu mitigation funds received by the Town will be applied to an account chosen by the Town for use by the Danville Maintenance Department staff to allow the purchase and planting of beautification trees within the Town of Danville.*
- f) **No Impact.** There is no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan associated with this property. No further evaluation is required.

V. CULTURAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>

Discussion and Analysis:

a) **No Impact.** The site and existing buildings on site do not meet criteria as a historical resource as defined in § 15064.5. Therefore, no further analysis is necessary.

b) **Less than Significant with Mitigation Incorporated.** There has been no identification of the existence, or probable likelihood, of an archaeological resource on this site. Potential impacts will be mitigated through standard conditions of approval (COA) regarding finding subsurface archaeological remains, as follows:

**Draft COA #A.9 - GENERAL** *In the event that subsurface archeological remains are discovered during any construction or pre construction activities on the site: (a) all land alteration work within 100 feet of the find shall be halted; (b) the Town of Danville Development Services Department shall be notified; and (c) a professional archeologist, certified by the Society of California Archeology and/or the Society of Professional Archeology, shall be notified. Site work in this area shall not occur until the archeologist has had an opportunity to evaluate the significance of the find and to outline appropriate mitigation measures, if they are deemed necessary. If prehistoric archaeological deposits are discovered during development of the site, local Native American organizations shall be consulted and involved in making resource management decisions.*

c) **Less than Significant with Mitigation Incorporated.** There has been no identification of the existence, or probable likelihood, of an archaeological resource on this site. Potential impacts will be mitigated through standard conditions of approval (COA) regarding finding subsurface human remains, as follows:

**Draft COA #A.10 - GENERAL** *In the event that human remains are discovered during grading or site development, all work shall be halted in the vicinity of the find, the applicant shall notify the county coroner and comply with all state law requirements, including Health and Safety Code section 7050.5 and Public Resources Code section 5097.98, to ensure proper disposition of the human remains or suspected human remains, including those identified to be Native American remains.*

VI. ENERGY: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Conflict with or obstruct a state or local plan for renewal energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<p>Discussion and Analysis:</p> <p>a) <b>No Impact.</b> The proposed development is an infill residential project, consistent with surrounding residential uses. This type of residential will not result in development wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Therefore, no further analysis is necessary.</p> <p>b) <b>No Impact.</b> The proposed development will not conflict with or obstruct any state or local plan for renewal energy or energy efficiency. Therefore, no further analysis is necessary.</p>				

VII. GEOLOGY/ SOILS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
ii) Strong seismic ground shaking?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Discussion and Analysis:				
<p>a) <b>Less than Significant with Mitigation Incorporated.</b> According to the project geotechnical report, a moderate to high magnitude Bay Area earthquake could result in considerable ground shaking at the site. The project will be required to comply with California Building</p>				

Code (CBC) relative construction design to mitigate potential seismic impacts. This impact is considered less than significant. Potential impacts will be mitigated through the following conditions of approval (COA):

**Draft COA #I.5 - MISCELLANEOUS:** *The following conditions shall be met to the satisfaction of the Danville Building Division:*

- a. *Separate building permits shall be secured for the retaining walls that are over 4' in height, as measured from the bottom of the footing to the top of the wall and/or where the retaining wall will support a surcharge load.*
- b. *Separate building permits shall be secured for retaining walls that support the access road, with such walls required to be built in advance of the proposed construction of the two additional homes at the project location. (Refer to California Residential Code [CRC] R105.2, Item 3.)*
- c. *All site drainage and foundation drainage systems shall be directed to an approved storm water disposal locations, which shall be clearly identified on the project plans. Drainage easements for these facilities shall be detailed on the project plans and shall be recorded. Precise depictions of existing and planned drainage easements shall be included as part of the project improvement plans and shall be subject to review and approval by the Building Division and the City Engineer.*
- d. *The design and construction of new residences, accessory structures and utilities shall be consistent with the "Phase I Environmental Site Assessment and Preliminary Soil, Ground Water, and Soil Vapor Quality Evaluation" dated October 5, 2017.*

- b) **Less than Significant with Mitigation Incorporated.** The Phase 1 Environmental Site Assessment prepared by Cornerstone Earth Group and dated October 5, 2017 (see Attachment D) indicates that the property owner/nursery operator has indicated that fill that originated from a Camino Tassajara road widening project was placed on the south portion of the site. There is potential for some soil erosion caused by both wind and water during the construction phase of the project. However, compliance with standard Town practices regarding erosion prevention makes this impact less than significant. Potential impacts will be mitigated through the following conditions of approval (COA):

**Draft COA #F.3 - GRADING:** *Development shall be completed in compliance with a detailed soils report and the construction grading plans prepared for this project. The engineering recommendations outlined in the project specific soils report shall be incorporated into the design of this project. The report shall include specific recommendations for foundation design of the proposed buildings and shall be subject to review and approval by the Town's Engineering and Planning Divisions.*

**Draft COA #F.4 - GRADING:** *Where soils or geologic conditions encountered in grading operations are different from that anticipated in the soil report, a revised soils report shall be submitted for review and approval by the City Engineer. It shall be accompanied by an engineering and geological opinion as to the safety of the site from settlement and seismic activity.*

**Draft COA #F.5 - GRADING:** *All development shall take place in compliance with the Town Erosion Control Ordinance (Ord. 91-25). Restrictions include limiting construction primarily to the dry months of the year (May through October). If all or part of the construction does occur during the rainy season, the developer shall submit an Erosion Control Plan to the City Engineer for review and approval. This plan shall incorporate erosion control devices such as, the use of sediment traps, silt fencing, pad berming and other techniques to minimize erosion. All visible mud or dirt track-out onto adjacent private or public roads shall be removed using wet power vacuum street sweepers, with a minimum frequency of at least once per day. The use of dry power sweeping for this cleaning is expressly prohibited.*

**Draft COA #F.6 - GRADING:** *All new development shall be consistent with modern design for resistance to seismic forces. All new development shall be in accordance with the Uniform Building Code and Town of Danville Ordinances.*

**Draft COA #F.7 - GRADING:** *All cut and fill areas shall be appropriately designed to minimize the effects of ground shaking and settlement.*

- c) **Less than Significant.** According to the Geotechnical Report prepared for the project, the soils at the site consist of silty clays, with no indications of slope instability observed. Therefore, no further analysis is necessary.
- d) **Less than Significant.** The site contains clay expansive soils, as is typical of most of the soils within Contra Costa County and the greater San Francisco Bay Area. Compliance with recommendations of the final soils report regarding foundation design would make this impact less than significant. Therefore, no further analysis is necessary.
- e) **No Impact.** The site is within the service boundary of the Contra Costa County Sanitary District and the District has supplied a "will serve" letter indicating the waste water from the project will be handle by existing sewer infrastructure. Therefore, no further analysis is necessary.
- f) **No Impact.** There are no none paleontological resources or unique geologic features on the project site or immediate surroundings of the site. Therefore, no further analysis is necessary.

<b>VIII. GREENHOUSE GAS EMISSIONS:</b> Would the project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<p>Discussion and Analysis:</p> <p>a) <b>Less than Significant.</b> The proposed project would take place on an existing single-family residential property where a single-family residence currently exists. In large, it would utilize existing roads and connect to existing utility infrastructure, making it consistent with the Town of Danville’s 2030 General Plan Policy 34.02.</p> <p>b) <b>No Impact.</b> The project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gases. Therefore, no further analysis is necessary.</p>				

IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Discussion and Analysis:

General Discussion: The Phase 1 Environmental Site Assessment prepared by Cornerstone Earth Group and dated October 5, 2017 (see Attachment D) indicates an approximately 1,000-gallon underground storage tank used for gasoline storage is present on the subject property, located southeast of the "fertilizer storage shed". The property owner/nursery operator has indicated that the tank has not been used for many years and reportedly is empty. The report also indicates the presence of an irrigation water well and an older wooden storage tank. The Phase 1 report indicates the property owner/nursery operator has indicated that the water well has not been used since 1988, when the property secured municipal water service from EBMUD. The Phase 1 report indicates that the property owner/nursery operator has indicated the presence of at least one septic tank on the property.

As the property is -presumed to be connected to a public sanitary sewer system, the septic tank would no longer be in use.

Based on results from ten onsite soil samples made on September 14, 2017, the detected metal concentrations in the upper ½ foot of soil were below their respective residential screening criteria and/or within published background concentrations.

Three onsite ground water grab samples from three exploratory borings advanced to a depth of up to approximately 30 feet below the ground surface were made in conjunction of the Phase 1 review. Ground water was encountered between the depths of 9 to 17 feet. No VOCs, THHg, TPHo, or TPHd were detected in the three water grab samples.

Three temporary soil vapor probes were installed onsite. The temporary vapor probes were sampled on September 22, 2017. The soil vapor samples were analyzed for VOCs, TPHg by EPA Method TO-15. VOCs (Volatile organic compounds) are emitted as gases from certain solids or liquids. TPHg, TPHo, or TPHd (would indicate presence of gasoline in the soil) detected in the samples were at a concentration which is lower than the Tier 1 ESL. Benzene and toluene were also detected in the sample, but also at concentrations below their respective soil vapor screening criteria. No VOCs exceeded their respective soil vapor screening criteria, indicating that the UST does not appear to have significantly impacted the soil vapor quality below the site.

The Phase 1 Assessment forwarded the following summary: Based on soil, soil vapor, and ground water quality reports, the previous site activities do not appear to have significantly impacted the site. Isolated areas of petroleum-related soil and/or ground water impacts may be present adjacent to the underground storage tank (UST). If present, these may require special handling when the UST is removed.

- a) **Less than Significant with Mitigation Incorporated.** There is potential for toxic or contaminated soil to be encountered during the construction phase of the project. However, compliance with standard Town practices regarding erosion prevention makes this impact less than significant.

**Draft COA #F.8 - GRADING** *If toxic or contaminated soil is encountered during construction, all construction activity in that area shall cease until the appropriate action is determined and implemented. The concentrations, extent of the contamination and mitigation shall be determined by the Contra Costa County Health Department. Suitable disposal and/or treatment of any contaminated soil shall meet all federal, state and local regulations. If deemed appropriate by the Health Department, the applicant shall make provisions for immediate containment of the materials.*

**Draft COA #F.9 - GRADING** *Runoff from any contaminated soil shall not be allowed to enter any drainage facility, inlet or creek.*

**Draft COA #I.6 - MISCELLANEOUS:** Although the Phase 1 Environmental Site Assessment prepared by Cornerstone Earth Group and dated October 5, 2017 indicates that no significant impacts from the 1,000-gallon underground storage tank (UST) were detected during the investigation for the Phase 1 report, pockets of impacted soil, vapor and/or ground water may be encountered in the vicinity of the UST during removal of the UST or construction activities. A Site Management Plan (SMP) and Health and Safety Plan (HSP) shall be prepared that established appropriate management practices for handling suspect conditions (e.g., soil with an odor or discoloration) or structures, if encountered during construction activities.

**Draft COA #I.7 - MISCELLANEOUS:** *Prior to demolition activities, an asbestos survey shall be conducted by an Asbestos Hazard Emergency Response Act (AHERA) and California Division of Occupational Safety and Health (Cal/OSHA) certified building inspector to determine the presence or absence of asbestos containing-materials (ACMs). If ACMs are located, abatement of asbestos shall be completed prior to any activities that would disturb ACMs or create an airborne asbestos hazard. Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the Bay Area Air Quality Management District (BAAQMD) Regulation 11, Rule 2.*

**Draft COA #I.8 - MISCELLANEOUS:** *If paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste shall be evaluated independently from the building material for lead by a qualified Environmental Professional. If lead-based paint is found, the project developer shall be responsible for abatement, which shall be completed by a qualified Lead Specialist prior to any activities that would create lead dust or fume hazard. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the Town Engineer.*

**Draft COA #I.9 - MISCELLANEOUS:** *If the asbestos containing-materials (ACM) report determines there are ACMs present, the developer shall have the responsibility to: (a) remove and dispose all ACM in accordance with applicable Federal, State and local regulations governing asbestos including, but not limited to those promulgated by OSHA, EPA, Cal-OSHA, Cal-DPH, DTSC, and the Bay Area Air Quality Management District (BAAQMD); (b) supply notification to employees, contractors, subcontractors, and tenants having access to the buildings on the project site as to the presence, location, and quantity of ACMs documented to be present at the site, with such notification to occur within 15 days of receiving such information; (c) retention of a State of California licensed and Cal-OSHA registered asbestos contractor to complete the recommended pre-demolition abatement of all ACM at the site; (d) provision of a 10 working day minimum advanced written notification to BAAQMD prior to demolition activities (with said notice to be accompanied by payment of requisite administrative fees); and (e) provision of an "Intent to Conduct ACM Related Work" notification to Cal-OSHA.*

**Draft COA #I.10 - MISCELLANEOUS:** *If the lead-based paint (LBP) report determines there are LBPs present, the project developer shall have the responsibility to: (a) remove and dispose all LBPs in accordance with applicable Federal, State and local regulations; (b) advise contactors engaged in work at the site that LBPs are present and that said LBPs shall only be impacted by properly trained workers, using appropriate lead-related work practices in compliance with applicable Cal-OSHA worker exposure regulations; and (c) provision of an "Intent to Conduct Lead Related Work" notification to Cal-OSHA.*

- b) **No Impact.** The proposed project is an infill residential project, similar to existing surrounding neighborhoods. Hazardous materials which are not consistent with typical residential areas are not expected to be associated with this development. Therefore, no further analysis is required.
- c) **No Impact.** The proposed project is an infill residential project, similar to existing surrounding neighborhoods. Hazardous materials which are not consistent with typical residential areas are not expected to be associated with this development. Therefore, no further analysis is required.
- d) **No Impact.** This site is not known to be included on any list of hazardous materials sites. Therefore, no further analysis is required.
- e) **No Impact.** The subject site is not within an airport zone or part of any airport plan. Therefore, no further analysis is necessary.
- f) **No Impact.** The Town has adopted an Emergency Plan that specifies roles and responsibilities of Town officials in the event of a disaster. Construction and occupancy of the project would not impair implementation of or physically interfere with this plan. Therefore, no further analysis is required.
- g) **No Impact.** The proposed project would be an infill residential project, surrounded by existing single family neighborhoods. The project will meet all requirements of the San Ramon Valley Fire Protection District including fire abatement measures. Therefore, no further analysis is necessary.

X. HYDROLOGY/ WATER QUALITY: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
iii) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Discussion and Analysis:

- a) **Less than Significant with Mitigation Incorporated.** Compliance with the Town's stormwater run-off requirements will ensure no water quality standards are violated. The integrated management practices (IMPs) proposed for the treatment areas will be consistent with the recommendations of the Contra Costa Clean Water Program. The proposed project will conform to the Town's Stormwater Management and Discharge Control Ordinance (Ord. No. 2004-06) and all applicable construction Best Management Practices (BMPs) for the site. A project Operations Maintenance Plan and Agreement will also be developed and recorded for this site. Therefore, no further analysis is required. The potential for contamination of ground water sources will be fully mitigated by the imposition of the following conditions of approval (COAs):

**Draft COA #I.11 - MISCELLANEOUS** A permit is required from the Contra Costa Health Services Department - Environmental Health Division (CCEH) for any well or soil boring prior to

*commencing drilling activities, including those associated with water supply, environmental investigation and cleanup, or geotechnical investigation.*

**Draft COA #I.12 - MISCELLANEOUS** *Any abandoned wells (water, environmental investigation, or geotechnical) and septic tanks shall be destroyed under permit from CCEH. If the existence of such wells or septic tanks are known in advance or discovered during construction or other activities, these must be clearly marked, kept secure, and destroyed pursuant to CCEH regulations.*

b) **No Impact.** The project would be served by the East Bay Municipal Utility District for water, so no new wells would be created. Groundwater levels in the area are mostly controlled by the presence of Sycamore Creek that lies slightly to the south of the project site. As a result of development in the Sycamore Valley Specific Plan Area and development to the east, both within and outside of Danville's corporate limits, Sycamore Creek is fed by landscape runoff and runs year round - keeping the groundwater level in the area high. Therefore, no further analysis is necessary.

c) **Less than Significant with Mitigation Incorporated.** Potential impacts will be mitigated through the following conditions of approval (COA):

**Draft COA #I.13 - MISCELLANEOUS:** *The proposed project shall conform to the Town's Stormwater Management and Discharge Control Ordinance (Ord. No. 2004-06) and all applicable construction Best Management Practices (BMPs) for the site. For example, construction BMPs may include, but are not limited to: the storage and handling of construction materials, street cleaning, proper disposal of wastes and debris, painting, concrete operations, dewatering operations, pavement operations, vehicle/equipment cleaning, maintenance and fueling and stabilization of construction entrances. Training of contractors on BMPs for construction activities is a requirement of this permit. At the discretion of the City Engineer, a Storm Water Pollution Prevention Plan (SWPPP) may be required for projects under five acres.*

**Draft COA #I.14 - MISCELLANEOUS:** *All grading activity shall address National Pollutant Discharge Elimination System (NPDES) concerns. Specific measures to control sediment runoff, construction pollution and other potential construction contamination shall be addressed through the Erosion Control Plan (ECP) and Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall supplement the Erosion Control Plan and project improvement plans. These documents shall also be kept on-site while the project is under construction. A NPDES construction permit may be required, as determined by the City Engineer.*

**Draft COA #I.15 - MISCELLANEOUS:** *Prior to commencement of any site work that will result in a land disturbance of one acre or more in area, the project developer shall submit evidence to the Town that the requirements for obtaining a State General Construction Permit have been met. Such evidence may be the copy of the Notice of Intent (NOI) sent to the State Water Resources Control Board.*

**Draft COA #I.16 - MISCELLANEOUS:** *The project shall conform to the Regional Water Quality Control Board post-construction C.3 regulations which shall be designed and engineered to integrate into the project's overall site, architectural, landscaping and improvement plans. These requirements are contained in the project's Stormwater Control Plan and are to be implemented as follows:*

a. *Prior to issuance of permits for building, site improvements, or landscaping, the permit application shall be consistent with an approved Stormwater Control Plan and shall include drawings and specifications necessary to implement all measures in the approved plan. The permit application shall include a completed Construction Plan C.3 Checklist as described in the Town's Stormwater C.3 Guidebook.*

b. *As may be required by the City Engineer and the Chief of Planning, drawings submitted with the permit application (including structural, mechanical, architectural, grading, drainage, site, landscape, and other drawings) shall show the details and methods of construction for site design features; measures to limit directly connected impervious area; pervious pavements; self-retaining areas; treatment Best Management Practices (BMPs); permanent source control*

- BMPs; and other features that control stormwater flow and potential stormwater pollutants.
- c. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute any agreements identified in the Stormwater Control Plan which pertain to the transfer of ownership and/or long-term maintenance of stormwater treatment or hydrograph modification BMPs.
  - d. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall submit, for the Town's review and approval, a Stormwater BMP Operation and Maintenance Plan in accordance with the Town of Danville guidelines. Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans are in Appendix F of the Town's Stormwater C.3 Guidebook.

**Draft COA #I.17 - MISCELLANEOUS** A final Stormwater Control Plan (SCP) shall be prepared and submitted as part of the final map review according to the adopted Municipal Regional Permit (MRP) that governs land development in Danville. The Contra Costa Clean Water Program has developed the 6<sup>th</sup> Edition Stormwater C.3 Guidebook to assist those who prepare SCP's. Information is available on the Program website as follows: <http://www.cccleanwater.org/c3-guidebook.html>.

**Draft COA #I.18 - MISCELLANEOUS:** The project is in the San Ramon Creek watershed. Consistent with FC District recommendations, the project is required to mitigate its potential adverse drainage impacts upon the San Ramon Creek watershed. Toward that end, the project developer shall mitigate the impact of adding stormwater runoff into the San Ramon Creek watershed by either of the following methods:

- a. Remove 1 cubic yard of channel excavation material from the inadequate portion of San Ramon Creek for each 50 square feet of new impervious surface area created by the development. All excavated material shall be disposed of off-site by the project developer at his own cost. The site selection, land rights, and construction staking will be performed by the Contra Costa County Flood District & Water Conservation District (FC District).

or, upon written request by the project developer:

- b. Provide for a cash payment in lieu of actual excavation and removal of material from the inadequate portion of San Ramon Creek. The cash payment will be calculated at a rate of \$0.10 per square foot of new impervious surface area created by the development. The added impervious surface area created by the development will be based on the FC District's standard impervious surface area ordinance. The FC District will use these funds to work on San Ramon Creek annually. The mitigation fee for this project will be based on the increase of impervious area. The project developer shall supply a worksheet to the FC District, which includes a scalable map that shows the square footage of the existing and proposed impervious areas.

**Draft COA #I.19 - MISCELLANEOUS** When sites are developed, debris from construction or demolition activity shall go to a solid waste and/or recycling facility that complies with the applicable requirements and can lawfully accept the material (e.g., solid waste permit, EA Notification, etc.). The debris shall be transported by a hauler that can lawfully transport the material. Debris bins or boxes of on cubic yard or more owned by the collection service operator shall be identified with the name and telephone number of the agent servicing the container.

- d) **No impact.** The project site is not located within a flood hazard, tsunami, of sieche zones. The project will be required to collect and treat stormwater and would be also subject to C-3 hydromodification requirements which are anticipated to result in on-site retention of stormwater up to the storm volumes for the C-3 design storm. Therefore, no further analysis is necessary.
- e) **Less than Significant.** The additional run-off will not exceed the capacity of downstream facilities. The applicant has prepared a preliminary Stormwater Control Plan which is consistent with the C.3. stormwater run-off quality standards. Therefore, no further analysis is required.

XI. LAND USE AND PLANNING: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Create a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<p>Discussion and Analysis:</p> <p>a) <b>No Impact.</b> The proposed project is an infill residential project, consistent with existing surrounding developments and would not physically divide an established community. Therefore, no further analysis is required.</p> <p>b) <b>No Impact.</b> The proposed project is an infill residential project that requires no variances and is consistent with existing surrounding developments. Therefore, no further analysis is required.</p>				

XII. MINERAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<p>Discussion and Analysis:</p> <p>a) <b>No Impact.</b> There are no known mineral resources on this site, therefore, no further analysis is required.</p> <p>b) <b>No Impact.</b> There are no known mineral resources on the site, therefore, no further analysis is required.</p>				

XIII. NOISE: Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive ground-borne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) For a project located within the vicinity of a private airstrip or airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Discussion and Analysis:

a) **Less than Significant with Mitigation Incorporated.** The project consists of an infill residential project, consistent with existing surrounding developments. Noise levels would temporarily be increased due to noise associated with the construction of the project. An Environmental Noise Assessment for the project has been prepared (report dated March 7, 2018 by Charles M. Salter Associates, Inc. - see Attachment E). The summary of findings of the report is as follows:

1. Land Use Compatibility - Estimated future noise levels at the planned setback of the residences range from under CNEL 60 to approximately CNEL 74 db, which fall into the Town's normally acceptable through normally unacceptable land use compatibility categories for residential projects.
2. Exterior-to-Interior Noise - Preliminary estimates suggest that windows and exterior doors with sound insulation ratings of up to STC 37 will be needed to meet the CNEL 45 db goal indoors, due to exterior sources. Since windows will need to be closed to meet this goal, ventilation systems must not compromise exterior-to-interior sound insulation.
3. Outdoor Use Spaces - Estimates show that noise barriers would reduce traffic noise in backyards along Camino Tassajara and Sherburne Hills Road to approximately CNEL 65 and below.

Potential noise impacts will be less than significant given imposition of the following standard conditions of approval (COA):

**Draft COA #A.9 - GENERAL** *Construction activity shall be restricted to the period between the weekday hours of 7:30 a.m. to 5:30 p.m. (Monday through Friday), unless otherwise approved in writing by the City Engineer for general construction activity and the Chief Building Official for building construction activity. Prior to any construction work on the site, including grading, the applicant shall install a minimum 3' x 3' sign at the project entry which specifies the allowable construction work days and hours, and lists the name and contact person for the overall project manager and all contractors and sub-contractors working on the job.*

**Draft COA #A.10 - GENERAL** *The applicant shall require contractors and subcontractors to fit all internal combustion engines with mufflers, which are in good condition, and to locate stationary noise-generating equipment as far away from existing residences as feasible.*

**Draft COA #A.11 - GENERAL:** *Construction Equipment Mufflers and Maintenance. All internal combustion engine-driven equipment utilized on the project site and all stationary noise sources shall be equipped with intake and exhaust mufflers that are maintained in good condition and are equipment-specific accordance with the manufacturers' recommendations for the respective equipment utilized.*

**Draft COA #A.12 - GENERAL:** *Construction Equipment Idling. The developer shall take reasonable efforts to assure unnecessary idling of internal combustion engines is limited.*

**Draft COA #A.13 - GENERAL:** *Equipment Locations. Stationary noise-generating equipment shall be located as far as reasonably feasible from sensitive receptors.*

**Draft COA #A.14 - GENERAL:** *Construction Traffic. Construction traffic to and from the construction sites shall be routed via routes as directed by the City Engineer. Construction-related heavy truck traffic are expressly prohibited from traveling through residential areas and shall generally be routed onto major roadways and as far as feasible from sensitive receptors.*

**Draft COA #A.15 - GENERAL:** *Quiet Equipment Selection. To the extent feasible, the project shall make use of quiet construction equipment, particularly air compressors. Air compressors and pneumatic equipment shall be equipped with mufflers, and impact tools shall be equipped with shrouds or shields. [Note: "Quiet construction equipment" is considered to be equipment that typically generates noise levels 5 dBA lower than that of comparable equipment.]*

**Draft COA #A.16 - GENERAL:** *Noise Construction Liaison. A noise construction liaison shall be designated by the developer to ensure coordination between construction staff and property owners and residential and commercial tenants within 350 feet of the external boundaries of the project site. These property owners and tenants shall be notified in writing of the contact information for the construction liaison a minimum of 15 days prior to the initiation of construction or pre-construction activity.*

**Draft COA #A.17 - GENERAL:** *Exterior-to-Interior Noise Mitigation. Exterior building assemblies shall be sound-rated as deemed necessary by the project acoustical engineer to reduce transportation noise to the CNEL 45 db interior noise goal set forth in the Danville 2030 General Plan for residential uses. Sound-rating assemblies for windows and exterior doors shall be as called for in Figure 2 of the project's Environmental Noise Assessment, unless otherwise dictated by the project acoustical engineer at the time of submittal for building permits. Sound insulations ratings shall be for the complete window and door assembly, including glass and frame, as based on laboratory test reports of similar sized samples from an NVLAP accredited lab. It is anticipated that some windows and exterior doors will need to have sound insulation ratings of up to Sound Transmission Class (STC) 37.*

**Draft COA #A.18- GENERAL:** *Un-shielded Traffic Noise Mitigation. To reduce the impacts of traffic noise from Camino Tassajara and Sherburne Hills Road to the backyard areas for proposed Lots 1, 11 and 12, the project precast concrete wall to be placed at the Camino Ramon property lines for these three lots and at the Sherburne Hills Road property line for Lot 1 shall be constructed with a residence-side wall height of seven feet. As indicated in the Environmental Noise Assessment report for the project, use of a seven foot height wall would be necessary to reduce traffic noise to these respective yard areas to approximately CNEL 65 db. To reduce the impacts of traffic noise from Sherburne Hills Road to the backyards of proposed Lots 2 and 3, the proposed precast concrete wall to be placed at the Sherburne Hills Road property line for these two lots shall be constructed with a residence-side wall height of seven feet. As indicated in the Environmental Noise Assessment report for the project, use of a seven foot height wall would be necessary to reduce traffic noise to these respective yard areas to approximately CNEL 60 db.*

- b) **No Impact.** The project consists of an infill residential project, consistent with existing surrounding developments. The noise level is not expected to exceed the existing noise level in the area and no significant adverse changes to groundborne vibration or noise is anticipated. Therefore, no further analysis is required.
- c) **No Impact.** The subject site is not located within an area including an airport land use plan, or within two miles of a public airport. Therefore, no further analysis is required.

XIV. POPULATION / HOUSING: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Discussion and Analysis:

- a) **No Impact.** The proposed development is an infill project which is consistent with the General Plan and Zoning for the area. Therefore, no further analysis is required.
- b) **No Impact.** The project will replace two single family residences with nineteen single family residences. The proposed development is an infill project which is consistent with the General Plan and Zoning for the area. Therefore, no further analysis is required.

XV. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
<p>Discussion and Analysis:</p> <p>a) Provision of new or physically altered governmental facilities, etc.</p> <p>i) <b>Less than Significant.</b> The project will be served by the San Ramon Valley Fire Protection District, as indicated in correspondence with the District. The project will be designed to meet all of the requirements of the District. Therefore, no further analysis is required.</p> <p>ii) <b>Less than Significant.</b> The project will be served by the Danville Police Department, which is on contract from the Contra Costa County Sheriff's Department. Therefore, no further analysis is required.</p> <p>iii) <b>Less than Significant.</b> The proposed residential units may increase the number of students attending the schools in the neighborhood. To compensate for this demand, a school impact fee of will be paid by the applicant for each unit to the San Ramon Valley Unified School District. Therefore, no further analysis is required.</p> <p>iv) <b>Less than Significant.</b> The closest Town parks have adequate existing facilities to serve nineteen new single family homes. The project will be required to pay parkland dedication impact fees for the two new lots created. Therefore, no further analysis is required.</p> <p>v) <b>Less than Significant.</b> No other public facilities have been identified in which this project would result in a significant adverse negative impact. Therefore, no further analysis is required.</p>				

XVI. RECREATION.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<p>Discussion and Analysis:</p> <p>a) <b>Less than Significant.</b> The development will provide for a home owners association to maintain the common area, storm water area, and private roadway adequate to accommodate nineteen new households. The project will also be required to pay the necessary park land in lieu fees to the Town.</p> <p>b) <b>No Impact.</b> The project does not include the development of new recreational facilities and none are required. Therefore, no further analysis is necessary.</p>				

XVII. TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with program, plan, ordinance, or policy addressing circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) (which pertains to vehicle miles traveled where an applicable threshold of significance is exceeded)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Substantially increase hazards due to geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Discussion and Analysis:

- a) **Less than Significant** Cause an increase in traffic which 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)?

A Traffic Impact Study Report for the project has been prepared (report dated December 14, 2018 by TJKM - see Attachment F). The analysis evaluated intersection level of service, as well as evaluations of project site access, onsite circulation, and parking. To evaluate the impacts on the transportation infrastructure due to the addition of traffic from the proposed project, five study intersections were evaluated during the weekday am peak hour, afternoon school peak hour, and pm peak hour, under three study scenarios. The five study intersections were: (a) Project Entrance and Sherburne Hills Road (un-signalized); (b) Camino Tassajara and Sherburne Hills Road (signalized); (c) Camino Tassajara and Holbrook Drive (signalized - entrance to Sycamore Valley Elementary School); (d) Camino Tassajara and Crow Canyon Road (signalized); and (e) Sycamore Valley Road and Camino Ramon (signalized). The study intersections were evaluated under Existing, Existing plus Project, Cumulative, and Cumulative plus Project scenarios.

Consistent with goals set forth in the Danville 2030 General Plan to limit access points along arterial streets, the analysis assumed the existing connection between Fairwood Court and Camino Tassajara would be closed and all existing trips from the sixteen residences served by that temporary connection to Camino Tassajara would be reassigned to the traffic network. This temporary connection was authorized to serve the sixteen lot Valerosa subdivision, the project to the east of the project site. The analysis also assumes the existing secondary project access to Camino Tassajara at the northeast corner of the project site would also ultimately be closed. The closure of this connection is linked to access rights to this connection by the Misson property, the property abutting and south of the project site.

For purposes of analysis, the traffic generation assumed for the project was that consistent with a project with 20 single family detached units and 10 secondary dwelling units (aka Accessory Dwelling units). For the purposes of the analysis, potential traffic operations effects from the proposed project were identified based on established traffic operational thresholds of the Town of Danville. The findings of the analysis are as follows:

**Project Trip Generation** - The proposed residential development is expected to generate 224 daily trips, including 28 am peak hour trips (eight in, 20 out), 26 school peak trips (16 in, ten out), and 20 pm peak hour trips (12 in, eight out).

**Existing Conditions** - Under this scenario, all study intersections operate at acceptable level of service (LOS) C or better during all peak periods.

**Existing plus Project Conditions** - Under this scenario, all study intersections would continue to operate at acceptable LOS C or better during all peak periods. The project is expected to produce a less-than-significant impact at all study intersection under Existing plus Project Conditions.

**Cumulative Conditions** - Under this scenario, all study intersections would operate at acceptable level of service LOS D or better during all peak periods.

**Cumulative plus Project Conditions** - Under this scenario, all study intersections would continue to operate at acceptable LOS D or better during all peak periods. The project is expected to produce a less-than-significant impact at all study intersection under Cumulative plus Project Conditions.

**Site Access, Circulation, and Parking** - The project site would be accessed via two connections to existing roadways at Sherburne Hills Drive and a private alley onto Camino Tassajara. The extension of Fieldstone Drive and all internal alleys would be 30 feet in road section width. Together, these would provide adequate access and circulation for vehicles, emergency vehicles, and garbage trucks. Each single family residence would provide the required two enclosed parking spaces through provision of attached garages. The site plan indicates provision of up to 37 on-street parking spaces. The project is expected to produce a less than significant impact either on-site or on public streets. Closure of Fairwood Court and/or the access easement on the east side of the project site would produce virtually no operational changes at the study intersections and would conform to Danville 2030 General Plan goals as set forth in the Special Concern Area discussion for the Tassajara Lane/Sherburne Hills Road sub-area. Site access for vehicles, pedestrian, and bicycles would be adequate and the project is not expected to produce conflicts with existing pedestrian or bicycle plans and would have a less-than-significant impact on existing pedestrian and bicycle facilities.

- b) **No Impact.** The project is not located within an airport approach zone therefore the project has no potential to have an effect on air traffic in the area. Therefore, no further analysis is necessary.
- c) **Less than Significant with Mitigation Incorporated.** Construction efforts associated with the project could result in damage to street improvements on public and/or private streets. Potential noise impacts will be less than significant given imposition of the following standard conditions of approval (COA):

*Draft COA #G.2 - STREETS Any damage to street improvements now existing or done during construction on or adjacent to the project site shall be repaired to the satisfaction of the Engineering Division by the project developer. As determined warranted by the Engineering Division, such repair*

*may include slurry seal; pavement overlay; and/or street reconstruction. Prior to commencement of any site work, the project developer shall establish baseline preconstruction roadway conditions in a manner, and covering an appropriate section of Sherburne Hills Road and Camino Tassajara, satisfactory to the City Engineer.*

- d) **No Impact.** The proposed new private drive meets all design standards contained within the Town's Standard Plans for private drives and will meet emergency vehicle access requirements of the San Ramon Valley Fire Protection District. The final design of the driveway shall be subject to review and approval of the Town. Therefore, no further analysis is necessary.

<b>XVIII. TRIBAL CULTURAL RESOURCES.</b> Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<p>Discussion and Analysis:</p> <p>a) <b>No Impact.</b> The project site is not listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources. Therefore, no further analysis is necessary.</p> <p>b) <b>No Impact.</b> The project site does not contain a resource determined to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Therefore, no further analysis is necessary.</p>				

<b>XIX. UTILITIES AND SERVICE SYSTEMS:</b> Would the project:	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
e) Comply with federal, state, and local management reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

Discussion and Analysis:

- a) **Less than Significant with Mitigation Incorporated.** The project will be required to comply with all stormwater quality requirements. A draft C.3 Stormwater Pollution Control Plan has been prepared for the project plans (see Attachment G). The development is within the Contra Costa County Central Sanitary District boundaries, and will be served by the District. Appropriate mitigation fees will be collected by the District. The project is within the boundaries of the East Bay Municipal Utilities District. The district has indicated that they will serve the project. Appropriate mitigation fees will be collected by the District. These potential impacts will be fully mitigated by the imposition of the following conditions of approval (COAs):

**Draft COA #I.20 - MISCELLANEOUS** *The proposed project shall conform to the Town's Stormwater Management and Discharge Control Ordinance (Ord. No. 2004-06) and all applicable construction Best Management Practices (BMPs) for the site. For example, construction BMPs may include, but are not limited to: the storage and handling of construction materials, street cleaning, proper disposal of wastes and debris, painting, concrete operations, dewatering operations, pavement operations, vehicle/equipment cleaning, maintenance and fueling and stabilization of construction entrances. Training of contractors on BMPs for construction activities is a requirement of this permit. At the discretion of the City Engineer, a Storm Water Pollution Prevention Plan (SWPPP) may be required for projects under five acres.*

**Draft COA #I.21 - MISCELLANEOUS** *All grading activity shall address National Pollutant Discharge Elimination System (NPDES) concerns. Specific measures to control sediment runoff, construction pollution and other potential construction contamination shall be addressed through the Erosion Control Plan (ECP) and Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall supplement the Erosion Control Plan and project improvement plans. These documents shall also be kept on-site while the project is under construction. A NPDES construction permit may be required, as determined by the City Engineer.*

**Draft COA #I.22 - MISCELLANEOUS:** *Prior to commencement of any site work that will result in a land disturbance of one acre or more in area, the project developer shall submit evidence to the Town that the requirements for obtaining a State General Construction Permit have been met. Such evidence may be the copy of the Notice of Intent (NOI) sent to the State Water Resources Control Board.*

**Draft COA #I.23 - MISCELLANEOUS** *The project shall conform to the Regional Water Quality Control Board post-construction C.3 regulations which shall be designed and engineered to integrate into the project's overall site, architectural, landscaping and improvement plans. These requirements are contained in the project's Stormwater Control Plan and are to be implemented as follows:*

- a. *Prior to issuance of permits for building, site improvements, or landscaping, the permit application shall be consistent with an approved Stormwater Control Plan and shall include drawings and specifications necessary to implement all measures in the approved plan. The permit application shall include a completed Construction Plan C.3 Checklist as described in the Town's Stormwater C.3 Guidebook.*
- b. *As may be required by the City Engineer and the Chief of Planning, drawings submitted with the permit application (including structural, mechanical, architectural, grading, drainage, site, landscape, and other drawings) shall show the details and methods of construction for site design features; measures to limit directly connected impervious area; pervious pavements; self-retaining areas; treatment Best Management Practices (BMPs); permanent source control BMPs; and other features that control stormwater flow and potential stormwater pollutants.*
- c. *Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute any agreements identified in the Stormwater Control Plan which pertain to the transfer of ownership and/or long-term maintenance of stormwater treatment or hydrograph modification BMPs.*

d. *Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall submit, for the Town's review and approval, a Stormwater BMP Operation and Maintenance Plan in accordance with the Town of Danville guidelines. Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans are in Appendix F of the Town's Stormwater C.3 Guidebook.*

**Draft COA #I.24 - MISCELLANEOUS:** *Prior to issuance of grading or building permits for the project, the project developer, project general contractor, and appropriate project sub-contractors shall attend a pre-construction meeting with the assigned Engineering Division and Stormwater inspection staff to discuss the project SCP and related IMPs and to discuss the inspection process to be used to assure IMPs are installed consistent with the SCP.*

**Draft COA #I.25 - MISCELLANEOUS:** *Written Engineering Division or Stormwater Program inspection staff sign-offs shall be secured for construction and installation of all project IMPs, with IMPs inspections observing the following minimum inspection sequence: a) layout inspection (required prior to beginning project excavation); b) excavation inspection (required prior to backfilling IMPs with any material or pipe installation); c) overflow inlet/surface connection to storm drain system inspection (required prior to backfilling IMPs with any material); d) underground connection to storm drain outlet or orifice inspection (required prior to backfilling IMPs with any material); e) drain rock/sub-drain inspection (required prior to soil media mix inspection/test and installation); f) soil media mix inspection/test (required prior to soil media installation); g) soil media installation inspection (required prior to irrigation installation); h) irrigation inspection (required prior to plant material installation); i) planting inspection (required prior to final Engineering Division Inspection); and j) Engineering Division Final (required prior to building permit final). The developer shall utilize the inspection log provided by the Engineering Division at the pre-construction meeting.*

**Draft COA #I.26 - MISCELLANEOUS:** *Prior to issuance of the building permit, the project developer shall prepare and submit a detailed Operation and Maintenance Agreement to the Development and Services Department for review and approval. The Operation and Maintenance Agreement shall identify the maintenance and funding for proposed storm water management features at the project site (i.e., bio-retention facility, storm water detention basin). All features shall be maintained and funded by the local homeowners' association (HOA), GHAD, or other instrument determined to be acceptable to the Town. The maintenance protocols shall address both routine and non-routine maintenance activities and shall explicitly identify monitoring and reporting requirements. These protocols shall include an estimate of annual monitoring and maintenance costs.*

- b) **No Impact.** The project will not conflict or be inconsistent with CEQA guidelines 15064. 3 subdivision (b). Therefore, no further analysis is required.
- c) **No Impact.** The project will result in the creation of hazardous roadway designs or dangerous intersections. Therefore, no further analysis is required.
- d) **No Impact.** The project will not result in an inadequate emergency access. Therefore, no further analysis is required.

XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<p>Discussion and Analysis:</p> <p>a) <b>No Impact.</b> The project site is not listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources. Therefore, no further analysis is necessary.</p> <p>b) <b>No Impact.</b> The project site does not contain a resource determined to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Therefore, no further analysis is necessary.</p> <p>c) <b>No Impact.</b> The project site is not listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources. Therefore, no further analysis is necessary.</p> <p>d) <b>No Impact.</b> The project site does not contain a resource determined to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Therefore, no further analysis is necessary.</p>				

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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 future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
<p>Discussion and Analysis:</p> <p>a) <b>No Impact.</b> There is no evidence that the project will degrade the quality of the environment, reduce the habitat of a wildlife species or reduce the range of a rare or endangered plant or animal. The project does not have the potential to eliminate important examples of major periods of California history or prehistory. Therefore, no further analysis is required.</p> <p>b) <b>No Impact.</b> The project does not have impacts that are individually limited, but cumulatively considerable. Therefore, no further analysis is required.</p> <p>c) <b>No Impact.</b> The project has no potential to cause substantial adverse effects on human beings, either directly or indirectly. Therefore, no further analysis is required.</p>				

**DETERMINATION:**

Based upon the above identified Mitigation Measures, no significant environmental impacts are anticipated to be associated with the subject project. A Draft Mitigated Negative Declaration of Environmental Significance has been prepared. The project applicant has submitted written confirmation of knowledge and acceptance of the mitigation measures set forth in this document.

ATTEST: Kevin J. Gailey  
Chief of Planning