

RESOLUTION NO. -10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARTINEZ APPROVING A NEGATIVE DECLARATION FOR THE ALHAMBRA VALLEY ANNEXATION PROJECT, WHICH AMENDS THE GENERAL PLAN AND GENERAL PLAN LAND USE MAP, ADOPTS A ZONING ORDINANCE AMENDMENT CREATING NEW ZONING DISTRICTS AND RELATED REGULATIONS RELATING TO THE ANNEXATION AREA, PRE-ZONES PARCELS WITHIN THE ALHAMBRA VALLEY ANNEXATION AREA, AND ADOPTS DESIGN GUIDELINES FOR THE ALHAMBRA VALLEY ANNEXATION AREA, AND SUBMITS AN APPLICATION TO THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

WHEREAS, the City of Martinez has initiated the process to annex a portion of Contra Costa County that is subject to the Alhambra Valley Specific Plan. The process is collectively known as the Alhambra Valley Annexation Project and includes an area located in the central portion of Contra Costa County, directly outside the current southwest jurisdictional boundary of the City of Martinez, but within the City's Sphere of Influence and the County Urban Limit Line. The proposed annexation area is comprised of 155 parcels covering approximately 400 acres. It is generally bounded by the City's current jurisdictional boundary to the north; detached single family homes and undeveloped hills to the east; Alhambra Valley Road and Briones Regional Park to the south; and undeveloped hills and rangeland to the west; and

WHEREAS, in order for the City of Martinez to annex the area into the City, it will need to take the planning and policy actions listed below that collectively make up the Alhambra Valley Annexation Project ("Project"):

- Adopt a Negative Declaration pursuant to the California Environmental Quality Act (CEQA);
- Amend the Martinez General Plan Land Use Element and Land Use Map to incorporate four new land use designations;
- Amend the Martinez General Plan Land Use Element, Scenic Roadways Element, Parks and Recreation Element and Transportation Element to add new policies relating to the Alhambra Valley annexation area;
- Amend the Martinez Zoning Ordinance to include a new chapter: the Alhambra Valley Districts which will contain four new zoning districts and regulations applicable thereto;
- Amend the Martinez Zoning Map to show the annexation area and the new Zoning Districts for the annexation area;
- Approve Pre-Zonings and General Plan Land Use designations for the properties to be annexed;

- Amend the Zoning Ordinance to incorporate approval of and approve the Alhambra Valley Design Guidelines;
- Approve a City-Initiated Contra Costa Local Agency Formation Commission (LAFCO) application; and

WHEREAS, in addition, in order to complete the annexation of the area into the City of Martinez, LAFCO will need to take the planning and policy actions listed below:

- LAFCO processing and approval of City's annexation application; and

WHEREAS, pursuant to California Environmental Quality Act (CEQA) the City has conducted an Initial Study to evaluate the Project's potential impacts on the environment. The Initial Study and Negative Declaration are attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, on the basis of said Initial Study, a Negative Declaration has been prepared; and

WHEREAS, on April 16, 2010 the City provided a Notice of Intent to adopt a Negative Declaration to the public, responsible agencies, trustee agencies, and the county clerk in which the Project is located as well as all persons requesting notice, and published said notice in a newspaper of general circulation as required by law; and

WHEREAS, the Planning Commission of the City of Martinez held a duly noticed public hearing on May 25, 2010, listened to testimony from the public, and continued the item to a date uncertain; and

WHEREAS, the Planning Commission held the continued duly noticed public hearing on June 29, 2010 and considered all oral and written comments received at or prior to the public hearings on the matter and directed staff to return with a resolution; and

WHEREAS, the Planning Commission held a continued duly noticed public hearing on August 10, 2010 to consider draft resolutions, and considered all oral and written comments received at or prior to the public hearings on the matter; and

WHEREAS, the Planning Commission considered the proposed Negative Declaration before making its recommendation to the City Council on the adoption of the Negative Declaration and the project; and

WHEREAS, on August 10, 2010, the Planning Commission adopted Resolution PC 10-04, recommending that the City Council not adopt

the proposed Negative Declaration, not approve the land use regulations proposed for the Alhambra Valley Annexation Area, and not submit an application to the Contra Costa Local Agency Formation Commission; and

WHEREAS, on December 1, 2010, the City Council of the City of Martinez held a duly noticed public hearing on the adoption of the draft Negative Declaration and proposed project; and

WHEREAS, the Record of Proceedings ("Record") upon which the City Council bases its decision regarding the Initial Study and Negative Declaration includes, but is not limited to: (1) the Initial Study and Negative Declaration, and the technical reports cited in and/or relied upon in preparing the Initial Study and Negative Declaration, (2) all staff reports, City files and records and other documents prepared for and/or submitted to the Planning Commission relating to the Initial Study and Negative Declaration, (3) the City of Martinez General Plan, its related EIR and the Martinez Municipal Code, (4) all documents, designs, plans, studies, data and correspondence submitted in connection with the Initial Study, Negative Declaration or the Project, (5) all documentary and oral evidence received at public hearings or submitted to the City during the comment period relating to the Initial Study, Negative Declaration, (6) prior CEQA documents prepared relating to the Project site, and (7) all other matters of common knowledge to the Planning Commission, and the City, including, but not limited to, City, State and Federal laws, policies, rules, regulations, reports, records and projections related to development within the City and its surrounding areas; and

WHEREAS, the location and custodian of the Record is the City Clerk of the City of Martinez 525 Henrietta Street, Martinez, CA.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Martinez certifies that the proposed draft Negative Declaration is adequate for the proposed project:

1. On the basis of the whole record before it, including the Initial Study and any comments received thereto, there is no substantial evidence that the project will have a significant effect on the environment, as based in findings as set forth in said Initial Study, attached hereto and incorporated herein by reference.
2. That in acting on the Negative Declaration, the City Council has exercised its independent judgment and analysis.
3. That the Negative Declaration for said project is complete and in compliance with CEQA and the City's Environmental

ALHAMBRA VALLEY ANNEXATION PROJECT

INITIAL STUDY

City of Martinez

April 16, 2010

Revised June 24, 2010

Note: Revisions are minor editorial changes.

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PROJECT DESCRIPTION

- Project Title and Number:** Alhambra Valley Annexation Project
- 1. Lead Agency Name and Address:** City of Martinez, Planning Division
525 Henrietta Street
Martinez, CA 94553
- 2. Contact Person and Phone Number:** Karen Majors, Assistant City Manager
Terry Blount, AICP, Planning Manager
- 3. Project Location and APN:** Multiple Parcels in Contra Costa County, CA
(see Appendix A for a list of APNs)
- 4. Project Sponsor's Name & Address:** City of Martinez, Planning Division
525 Henrietta Street
Martinez, CA 94553
- 5. General Plan Designation:** Contra Costa County: Alhambra Valley Specific Plan: AL (Agricultural Lands); OS (Open Space); SV (Single-Family Residential - Very Low); and SL (Single-Family Residential - Low)
- 6. Zoning:** Contra Costa County: A-2 General Agricultural District; R-20 Single-Family Residential District; R-40 Single-Family Residential District; and P-1 Planned Unit District.
- 7. Description of Project:**

Project Location

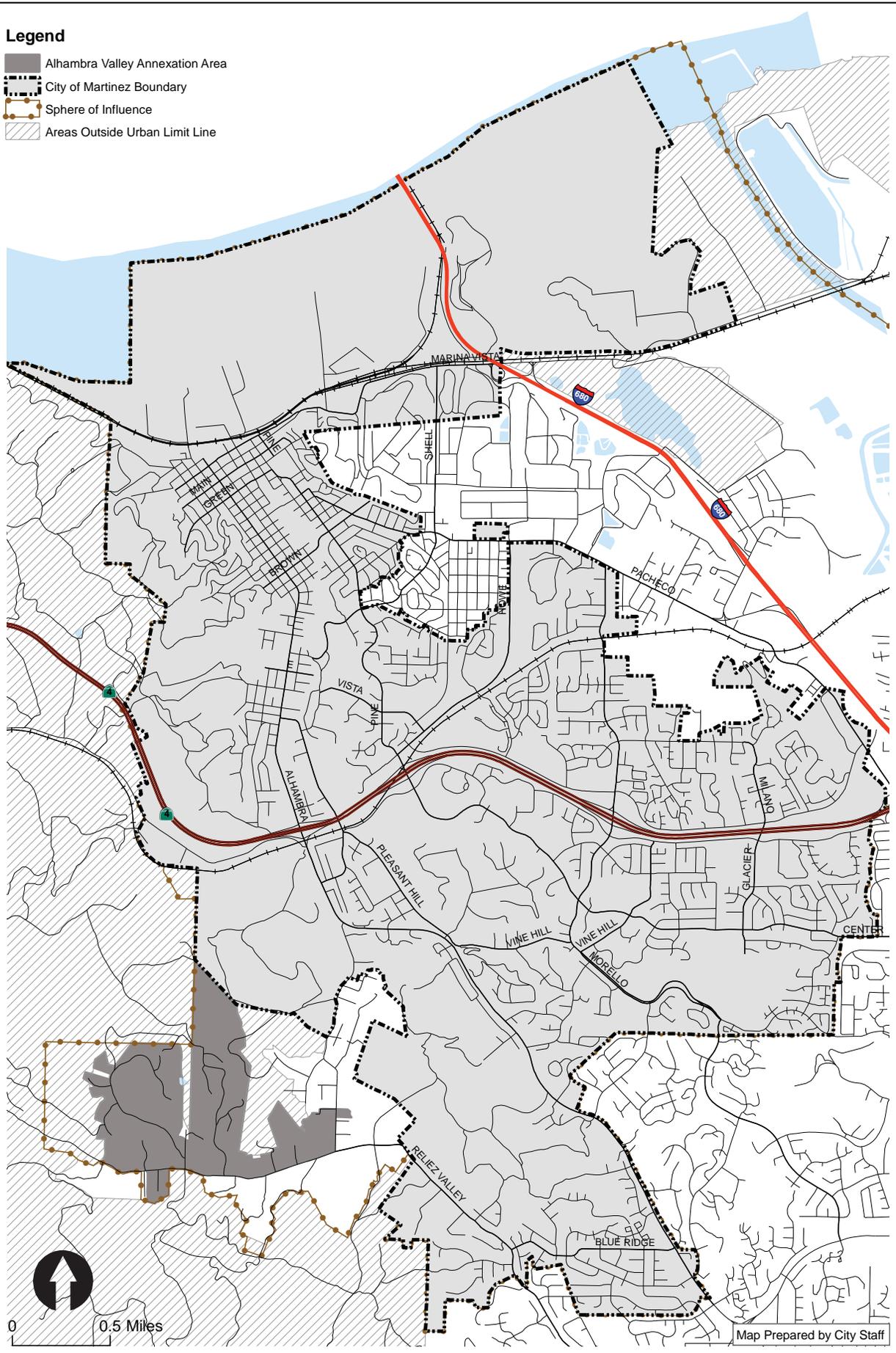
As shown in Figure 1, the Alhambra Valley Annexation Project annexation area (“annexation area”) is located in the central portion of Contra Costa County, directly outside the southwest jurisdictional boundary of the City of Martinez, but within the City’s Sphere of Influence and the County Urban Limit Line. The irregularly shaped annexation area is comprised of 155 parcels covering approximately 400 acres. The annexation area is generally bounded by: the City’s jurisdictional boundary to the north; detached single-family homes and undeveloped hills to the east; Alhambra Valley Road and Briones Regional Park to the south; and undeveloped hills and rangeland to the west.

Annexation Area Conditions and Characteristics

The annexation area’s terrain is characterized by rolling hills containing oak woodlands, nonnative annual grassland, and scrub. The annexation area contains a total of 155 lots, 127 of which have been developed with primarily single-family residential uses and/or

Legend

- Alhambra Valley Annexation Area
- City of Martinez Boundary
- Sphere of Influence
- Areas Outside Urban Limit Line



Source: City of Martinez Planning Department

FIGURE 1
Alhambra Valley Annexation Project Initial Study
Project Location

agriculture-related uses. (Please see Appendix A for a list of lots in the annexation area, along with relevant parcel information for each of them).

In most cases, developed parcels contain one detached single-family home, and some of these homes include adjoining small orchards, vineyards, and equestrian areas. Although the annexation area as a whole is considered to be a “large-lot” residential area, it does contain a range of parcel sizes; the smallest parcel sizes are closer to Alhambra Valley Road, and the largest are located along Stonehurst Drive and Chelsea Drive, north of Alhambra Valley Road, in the Stonehurst and Alhambra Valley Ranch subdivisions.

Existing General Plan and Zoning. Land use designations in the annexation area from the Contra Costa General Plan include: AL (Agricultural Lands); OS (Open Space); SV (Single-Family Residential – Very Low); and SL (Single-Family Residential – Low). County Zoning designations in the annexation area include: A-2 General Agricultural District; R-20 Single-Family Residential District (minimum lot area: 20,000 square feet); R-40 Single-Family Residential District (minimum lot area: 40,000 square feet); and P-1 Planned Unit District (minimum residential lot area: 217,800 square feet). The portion of the annexation area east of Vaca Creek Road contains the following City-imposed pre Zoning¹ designations: ECD (Environmental Conservation District) R-100 – P (minimum lot area: 100,000 square feet); and RR-40 – P (minimum lot area: 40,000 square feet). The portion of the annexation area west of Vaca Creek Road is not pre-zoned. Existing General Plan and Zoning designation exhibits are included in Appendix A.

Approved Projects. The annexation area contains three residential subdivisions that have been approved but not yet constructed. These subdivisions are all located in the southeastern portion of the annexation area, and include: Subdivision 8634, a 23-unit subdivision west of northern Alhambra Valley Road; Subdivision 8947, a 7-unit subdivision at the intersection of Alhambra Valley Road and Reliez Valley Road; and Subdivision 7609, a 7-unit subdivision directly northwest of Subdivisions 8634 and 8947. It should be noted that Subdivision 7609 only includes adjustments to existing lot lines for an existing seven lots; therefore, Subdivision 7609 would not result in an increase of existing lots. Tentative maps have been approved for Subdivision 8634 and 8947 and are valid until November 2012 and September 2013. Assembly Bill 333 and Senate Bill 1185 could potentially extend the life of the Tentative Subdivision Maps by an additional 36 months.

Background

The annexation area is contained within the boundaries of the Alhambra Valley Specific Plan (AVSP), which was adopted by the County Board of Supervisors on October 6, 1992. The AVSP is a long-range plan that was conceived as a tool to implement County General

¹ Cities are authorized to pre-zone County land outside its existing jurisdictional boundaries in order to indicate an area’s anticipated future zoning before it is incorporated into the City via annexation. Annexations are subject to approval by the Contra Costa Local Agency Formation Commission (LAFCO).

Plan policies related to land use, transportation, and conservation “by establishing strict regulations for the protection and enhancement of natural resources and scenic beauty of the valley.”² An Initial Study/Mitigated Negative Declaration was completed for the AVSP and approved by the board of supervisors in 1992. One hundred fourteen parcels in the annexation area are subject to deferred annexation agreements, which have allowed these lots to connect to City water services but deferring formal annexing to Martinez.

Proposed Project

The City of Martinez proposes to annex a portion of the Alhambra Valley Specific Plan area, as shown in Figure 2. In order to annex the area into the City of Martinez, the City and the Contra Costa Local Agency Formation Commission (LAFCO) will need to take the planning and policy actions listed below (see Appendices B and C for the detailed General Plan amendments and Zoning amendments). These actions are collectively referred to as the Alhambra Valley Annexation Project (or “annexation project” or “project”):

- Amend the Martinez General Plan as follows:
 - Amend the Land Use Element to incorporate four new land use designations for the Alhambra Valley Annexation Area: Estate Residential—Very Low, Estate Residential—Low, Agricultural Lands, and Open Space;
 - Amend the Land Use Map to show the annexation area within the City limits and the new associated designations;
 - Amend the Scenic Roadways Element to designate the following roadways within the annexation area as either Scenic Roadways or Valley Gateways: portions of Vaca Creek Road and Stonehurst Drive would be designated as Scenic Roadways, and two intersections would be designated as Valley Gateways;
 - Amend the Parks and Recreation Element to include policies to encourage the development and maintenance of trails, as well as the protection of historic structures, in the Alhambra Valley;
 - Amend the Transportation Element to reflect a proposed Class III bike path on Alhambra Valley Road, as well as proposed street plan improvements for Alhambra Valley Road and Reliez Valley Road. (City)
- Amend the Zoning Ordinance to include new definitions and a new chapter: the Alhambra Valley Districts, which would contain four new zoning districts:
 - AV/R-20 Single Family District to reserve land for the construction, use and occupancy of detached single-family development. Minimum lot size is 20,000 square feet;

² Contra Costa County Community Development Department, 1992. *Alhambra Valley Specific Plan*. Adopted by the Board of Supervisors October 6.

- AV/R-40 Single Family District to reserve land for the construction, use and occupancy of detached single-family development. Minimum lot size is 40,000 square feet;
- AV/A-5 Agriculture District to reserve land for agricultural uses and supporting operations, including detached single-family residential uses. Minimum lot size is 5 acres; and
- AV/PD Planned Development District to allow for large-scale integrated residential development with a cohesive design. The Planned Development District is intended to allow diversification in the relationship of various uses, buildings, structures, lot sizes and open space while insuring substantial compliance with the applicable standards and regulations. (City)
- Amend the Zoning Map to show the annexation area within the City limits and the new Zoning Districts for the annexation area. (City)
- Approve pre-zonings and General Plan Land Use designations of the properties to be annexed. (City)
- Approve the Alhambra Valley Design Guidelines. (City)
- Adopt a Negative Declaration. (City)
- Approve a City-Initiated LAFCO application. (City)
- Process and approve the annexation. (LAFCO)

Development Potential. The majority of the annexation area is built out, and is characterized as a low-density, large-lot residential area. The proposed project would not increase or significantly change the allowed use, density or scale of development when compared to existing conditions or existing County policies and regulations. The primary difference would be that the City would include language in the Alhambra Valley Districts that would be slightly more restrictive than current County regulations for the annexation area relative to hillside development, as well as the types of structures allowed in agricultural zones.

The majority of the annexation area would be zoned PD. The PD District would apply to the existing residential development in the western portion of the annexation area. The southern portion of the annexation area (parcels along Reliez Valley Road and Valley Orchard Court) would be zoned AV/R-40. Parcels within the annexation area that are north of Alhambra Valley Road and east of Vaca Creek Road would be zoned AV/A-5 and the parcels in the eastern most portion of the annexation area would be zoned AV/A-20. Table 1 provides a breakdown of existing parcels and the potential for new parcels, which could result from subdividing existing parcels, by each proposed zoning district.

The annexation area includes 155 existing parcels. Nine of the existing parcels have approved and valid subdivision maps that have not yet been developed. Build out of these existing and approved subdivisions would increase the number of lots within the

annexation area from 155 to 183 parcels. Additionally, there are nine parcels that could potentially be further subdivided resulting in a maximum of ten new parcels. If and

TABLE 1 DEVELOPMENT POTENTIAL

Proposed Sub-Zoning	Existing			Potentially Subdividable Parcels	Maximum Increase in Parcels	Total
	Current Parcels	Approved New Parcels ^a	Current + Approved Parcels			
R-20/AV	5	22	27	0	0	27
R-40/AV	55	6	61	6 ^b	6	67
A-5/AV	32	0	32	3	4	36
PD-1	63	0	63	0	0	63
Total	155	28	183	9	10	193

^a These are maps that have been approved by the County and are still valid. They include: 8634, 8947 and 7609. Note that 7609 does not create new parcels, but adjusts parcels lines of 7 existing lots to create 7 developable lots.

^b Lot 2 is split between the R-40/AV and A-5 zones, and is included in this table as a potentially subdividable lot in the R-40 zone.

Source: Alhambra Valley District Subdividable Lots Map and Alhambra Valley District Lot Numbers Map (see Appendix A).

when the potential ten new parcels are created, development on these parcels would be required to conform to the proposed City regulations, and would occur within an existing residential neighborhood. In addition, the project includes language in the new Zoning Districts that would restrict hillside development, as well as the types of structures allowed in agricultural zones, slightly more than County regulations for the annexation area. Finally, existing policies in the Alhambra Valley Specific Plan intended to avoid or mitigate environmental effects would continue to apply to the annexation area, as those policies are incorporated within the City’s proposed General Plan and Zoning amendments. The proposed City policies and regulations are discussed throughout this Initial Study as appropriate. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities).

Infrastructure Systems and Public Services. The City of Martinez currently provides potable water service to the annexation area. Wastewater services in the annexation area are provided by the Central Contra Costa Sanitary District, the Contra Costa County Sanitary District No. 6 (where effluent is treated with on-site septic systems and off-site

secondary treatment at a community plant), and individual property owners (on-site septic systems). The County holds the solid waste franchise that services the annexation area.

The Contra Costa County Fire Protection Department currently provides fire and emergency services to the annexation area, and the Contra Costa County Sherriff's Department provides police services to the annexation area. School-age children who live within the annexation area attend schools in the Martinez Unified School District.

Required Approvals. This Initial Study is intended to evaluate the environmental impacts of the proposed annexation project, which will require approval from:

- City of Martinez
- Contra Costa Local Agency Formation Commission (LAFCO)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

Determination.

On the basis of this initial evaluation:

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

Karen Majors

Date

INITIAL STUDY CHECKLIST

This chapter contains an analysis of each environmental issue identified in the City of Martinez's Initial Study for the Alhambra Valley Annexation Project, and as such, constitutes the major portion of the Initial Study.

The proposed annexation project would not result in substantive changes to the content and purpose of the County's existing land use policies and regulations that apply to the annexation area. Rather, the actions outlined in the Project Description constitute steps necessary to allow the City to administer planning policy and zoning in the annexation area generally according to the same planning policies and regulations that the County currently uses for the annexation area. As such, the project would not involve any physical changes to the annexation area. Development would be allowed to proceed according to new City policies and regulations that would be essentially the same as those currently administered under the County. Existing development that conforms to County policies and regulations is anticipated to also comply with the proposed City policies and regulations. In addition, implementation of the proposed annexation project would not increase the allowed density or scale of development in the annexation area when compared to existing County policies and regulations.

Because no specific development is proposed as part of the annexation project, this CEQA evaluation focuses on the implementation of the proposed annexation project, as well as the potential to further subdivide certain parcels (see Table 1, page 6) resulting in a maximum of ten new parcels.

Issues Addressed in the Initial Study

The following environmental topics are addressed:

- A. Aesthetics
- B. Agricultural and Forest Resources
- C. Air Quality
- D. Biological Resources
- E. Cultural Resources
- F. Geology and Soils
- G. Greenhouse Gas Emissions
- H. Hazards and Hazardous Materials
- I. Hydrology and Water Quality
- J. Land Use and Planning
- K. Mineral Resources
- L. Noise
- M. Population and Housing
- N. Public Services
- O. Recreation
- P. Transportation/Traffic
- Q. Utilities

Format of Environmental Discussion

Each topic section includes the following sub-sections:

- *Environmental Checklist.* Contains the relevant section of the City of Martinez's Initial Study environmental checklist. Each checklist question is subject to a response from one of the following categories:
 - *No Impact*
 - *Less-Than-Significant Impact*
 - *Less-Than-Significant Impact With Mitigation Incorporated*
 - *Potentially-Significant Impact*
- *Environmental Checklist Responses.* Provides an explanation to each environmental checklist question. Where appropriate, this sub-section also identifies mitigation measures that would be necessary to reduce the potential level of impact to less-than-significant.

A. AESTHETICS

Environmental Checklist

AESTHETIC ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Increase the amount of shade in public and private open space on adjacent sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Checklist Findings

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

Views of hillsides and natural landscapes within and surrounding the Alhambra Valley contribute to a feeling of community identity as well as visual enjoyment. The annexation area's terrain is characterized by rolling hills containing oak woodlands, nonnative annual grassland, and scrub. Views of the area from surrounding residential neighborhoods, roadways, and Briones Regional Park (directly south of the annexation area) are available, although most of these views are at least partially obstructed by natural contours of the area's hilly terrain, as well as vegetation.

The Contra Costa County General Plan addresses scenic vistas by designating scenic ridgelines. The Open Space Element of the County General Plan designates the ridgeline beginning just north of the annexation area and extending to the northwest as a "Scenic Ridgeway." The County Open Space Element includes goals (9-11), policies (9-18 through 9-26), and implementation measures (9-a through 9-d) related to the protection of

scenic ridges. The Alhambra Valley Specific Plan (AVSP) also includes goals and policies related to the protection of scenic ridgelines.³

Given no physical development is proposed as part of the annexation project, approval of the annexation would not have a substantial adverse effect on a scenic vista. The proposed zoning would not increase or substantially change the allowed use, density or scale of development that would be permitted as compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). It is not possible to predict if and when private property owners may choose to request approval to subdivide their property. However, if additional subdivisions are requested, they will be subject to CEQA review and the policies, standards and design guidelines for the Alhambra Valley Districts.

The proposed Alhambra Valley Districts include the following purpose statements in Section 22.29.010, Purposes, related to scenic vistas:

- Preserve and enhance both the natural and man-made environment in Alhambra Valley. (*Section 22.29.010.C*)
- Preserve and protect areas of identified high scenic value including scenic ridgeways, scenic routes (Alhambra Valley Road, Reliez Valley Road and a portion of Vaca Creek Road), and valley gateways (intersection of Alhambra Valley Road and Vaca Creek Road and Reliez Valley Road and Alhambra Valley Road). (*Section 22.29.010.L*)

The proposed Alhambra Valley Districts also include the following standards in Section 22.29.070, Street and Subdivision Standards, which would help protect scenic vistas:

- In order to conserve the scenic beauty of Alhambra Valley, developers shall generally be required to restore the natural contours and vegetation of the land after grading and other land disturbances. (*Section 22.29.070.C.1.a*)
- Public and private projects shall be designed to minimize damage to significant trees and other visual landmarks. (*Section 22.29.070.C.1.b*)
- Extreme topographic modification, such as filing in canyons or removing hilltops shall be avoided. Clustering and planned unit development approaches to development shall be encouraged. All future development plans, whether large-scale or small-scale, shall be based on identifying safe and suitable sites for buildings, roads and driveways. (*Section 22.29.070.C.1.c*)

³ Contra Costa County Community Development Department, 1992. op. cit.

- Hilltops, ridges, rock outcroppings, mature stands of trees, and other natural features shall be considered for preservation, at the time that any development applications are reviewed. (*Section 22.29.070.C.1.d*)

The purpose statements and standards above are consistent with the previously described goals and policies in the Alhambra Valley Specific Plan related to scenic vistas. Therefore, current protections for scenic vistas would continue to exist under the proposed project.

The Martinez General Plan Open Space Element shows the annexation area as being located within the Alhambra Valley Conservation Zone. Policies that apply to this zone encourage agriculture, recreation, and low-density residential uses (Policy 22.21) and impose restrictions upon tree removal (Policy 22.45). In addition, the Scenic Roadways Element includes policies that provide protection to ridgelines and scenic resources that affect scenic vistas within view of designated scenic roadways (Policies 27.31 through 27.36). As a component of the annexation project, the City proposes to amend the Scenic Roadways Element to designate the following roadways within the annexation area as either Scenic Roadways or Valley Gateways: portions of Vaca Creek Road and Stonehurst Drive would be designated as Scenic Roadways, and two intersections would be designated as Valley Gateways (see Appendix B). As a result, current Martinez General Plan policies in the Scenic Roadways Element and the Open Space Element related to scenic vistas would apply to the annexation area.

In addition, the Alhambra Valley Districts Design Guidelines include guidelines that address the preservation of scenic vistas, including: the protection of views of ridgelines; grading; building bulk, siting, and materials; and landscaping. Implementation of these guidelines, together with the zoning standards and current Martinez General Plan policies, would help ensure that future development within the annexation area would not significantly alter scenic resources or ridgelines in a way that would have a substantial impact on a scenic vista. Therefore, the project's impact to scenic vistas would be less than significant.

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

There are two scenic highways in Contra Costa County, including State Route 24 (from Caldecott Tunnel to Interstate 680) and Interstate 680 (from Alameda County line to State Route 24).⁴ The annexation area is not visible from either of these scenic highways. Alhambra Valley Road, which runs in an easterly direction across the southern area of the annexation area, is designated as a "Scenic Route" in the Transportation and Circulation Element of the Contra Costa County General Plan.⁵ In addition, Alhambra Avenue, located approximately 1 mile northeast of the eastern edge of the annexation area, is designated as a "Route of Regional Significance" in the Contra Costa Countywide

⁴ California Department of Transportation, 2010. Website: http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm. Accessed January 20.

⁵ Contra Costa County Community Development Department, 2005. *Contra Costa County General Plan 2005-2020*. January 18.

Comprehensive Transportation Plan,⁶ and is a major arterial and “Scenic Roadway” in the City of Martinez Transportation Element. The AVSP also includes goals and policies (“A. The Environment” Goal 1, Policies 1 through 3; “F. Scenic Resources & Community Design” Goal 1, Goal 2, Policies 1 through 10) related to the preservation of natural scenic resources in the annexation area. The AVSP also designates “Scenic Routes” (Alhambra Valley Road and a portion of Vaca Creek Road) and “Valley Gateways” (the intersections of Alhambra Valley Road with Vaca Creek Road and Reliez Valley Road).⁷ As a component of the annexation project, the City proposes to amend the Scenic Roadways Element to designate the following roadways within the annexation area as either Scenic Roadways or Valley Gateways: portions of Vaca Creek Road and Stonehurst Drive would be designated as Scenic Roadways, and two intersections would be designated as Valley Gateways (see Appendix B). As a result, current Martinez General Plan policies in the Scenic Roadways Element that provide protection to ridgelines and scenic resources within view of designated scenic roadways (Policies 27.31 through 27.36) would apply to the annexation area.

Given no physical development is proposed as part of the annexation project, approval of the annexation would not have a substantial adverse effect on scenic resources. The proposed zoning would not increase or substantially change the allowed use, density or scale of development that would be permitted as compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City’s proposed regulations. Under either the County’s existing or the City’s proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). It is not possible to predict if and when private property owners may choose to request approval to subdivide their property. However, if additional subdivisions are requested, they will be subject to CEQA review and the policies, standards and design guidelines for the Alhambra Valley Districts.

The proposed Alhambra Valley Districts include the following purpose statements in Section 22.29.010, Purposes, related to scenic resources:

- Preserve and enhance both the natural and man-made environment in Alhambra Valley. (*Section 22.29.010.C*)
- Preserve and protect areas of identified high scenic value including scenic ridgeways, scenic routes (Alhambra Valley Road, Reliez Valley Road and a portion of Vaca Creek

⁶ Contra Costa Transportation Authority, 2004. *Countywide Comprehensive Transportation Plan*. May 19. The road was first designated as a scenic roadway in the 1973 City of Martinez General Plan.

⁷ Contra Costa County Community Development Department, 1992. op. cit.

Road), and valley gateways (intersection of Alhambra Valley Road and Vaca Creek Road and Reliez Valley Road and Alhambra Valley Road). (*Section 22.29.010.L*)

The proposed Alhambra Valley Districts include the following standards in Section 22.29.080, Hillside Development, which would help protect scenic resources:

- The construction of new structures on the top of scenic ridges or within 50 feet of the ridgeline shall be discouraged. (*Section 22.29.080.D.2.c*)
- When development is permitted to occur on hillsides, structures shall be located in a manner which is sensitive to available natural resources and constraints. (*Section 22.29.080.D.2.d*)
- Hilltops, ridges, rock outcroppings, mature stands of trees and other natural features shall be preserved to the greatest extent possible. Preservation of such features shall be considered at the time that any development applications are reviewed. (*Section 22.29.080.D.2.i*)

The proposed Alhambra Valley Districts also include the following standards in Section 22.29.070, Street and Subdivision Standards, which would help protect scenic resources:

- In order to conserve the scenic beauty of Alhambra Valley, developers shall generally be required to restore the natural contours and vegetation of the land after grading and other land disturbances. (*Section 22.29.070.C.1.a*)
- Public and private projects shall be designed to minimize damage to significant trees and other visual landmarks. (*Section 22.29.070.C.1.b*)
- Extreme topographic modification, such as filing in canyons or removing hilltops shall be avoided. Clustering and planned unit development approaches to development shall be encouraged. All future development plans, whether large-scale or small-scale, shall be based on identifying safe and suitable sites for buildings, roads and driveways. (*Section 22.29.070.C.1.c*)
- Hilltops, ridges, rock outcroppings, mature stands of trees, and other natural features shall be considered for preservation, at the time that any development applications are reviewed. (*Section 22.29.070.C.1.d*)

The purpose statements and standards above are consistent with the previously described goals and policies in the Alhambra Valley Specific Plan related to scenic resources. Therefore, current protections for scenic resources would continue to exist under the proposed project.

In addition, the Alhambra Valley Districts Design Guidelines include the several guidelines that address scenic resources, including: protection of views of ridgelines; grading; building bulk, siting, and materials; and landscaping. Implementation of these guidelines, together with the zoning standards and current Martinez General Plan Open Space Element and Scenic Roadways Element policies, would help ensure that future development within the annexation area would not result in substantial impacts to

scenic resources (e.g., trees, visual landmarks, hilltops, ridges, rock outcroppings) within the annexation area. Therefore, the project's impact to scenic resources would be less than significant.

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

The annexation area is characterized by rolling hills interspersed with oak woodlands and detached single-family homes. Given no physical development is proposed as part of the annexation project, approval of the annexation would not have a substantial adverse effect on the visual character and quality of the annexation area and its surroundings. The proposed zoning would not increase or substantially change the allowed use, density or scale of development that would be permitted as compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). It is not possible to predict if and when private property owners may choose to request approval to subdivide their property. However, if additional subdivisions are requested, they will be subject to CEQA review and the policies, standards and design guidelines for the Alhambra Valley Districts.

The proposed Alhambra Valley Districts include the following purpose statements in Section 22.29.010, Purposes, related to the visual character and quality of the annexation area and its surroundings:

- Preserve and enhance both the natural and man-made environment in Alhambra Valley. (*Section 22.29.010.C*)
- Preserve and protect areas of identified high scenic value including scenic ridgeways, scenic routes (Alhambra Valley Road, Reliez Valley Road and a portion of Vaca Creek Road), and valley gateways (intersection of Alhambra Valley Road and Vaca Creek Road and Reliez Valley Road and Alhambra Valley Road). (*Section 22.29.010.L*)

The proposed Alhambra Valley Districts include the following standards in Section 22.29.080, Hillside Development, which would help protect the visual character and quality of the annexation area and its surroundings:

- The construction of new structures on the top of scenic ridges or within 50 feet of the ridgeline shall be discouraged. (*Section 22.29.080.D.2.c*)
- When development is permitted to occur on hillsides, structures shall be located in a manner which is sensitive to available natural resources and constraints. (*Section 22.29.080.D.2.d*)

- Hilltops, ridges, rock outcroppings, mature stands of trees and other natural features shall be preserved to the greatest extent possible. Preservation of such features shall be considered at the time that any development applications are reviewed. (*Section 22.29.080.D.2.i*)

The proposed Alhambra Valley Districts also include the following standards in Section 22.29.070, Street and Subdivision Standards, which would help protect the visual character and quality of the annexation area and its surroundings:

- In order to conserve the scenic beauty of Alhambra Valley, developers shall generally be required to restore the natural contours and vegetation of the land after grading and other land disturbances. (*Section 22.29.070.C.1.a*)
- Public and private projects shall be designed to minimize damage to significant trees and other visual landmarks. (*Section 22.29.070.C.1.b*)
- Extreme topographic modification, such as filing in canyons or removing hilltops shall be avoided. Clustering and planned unit development approaches to development shall be encouraged. All future development plans, whether large-scale or small-scale, shall be based on identifying safe and suitable sites for buildings, roads and driveways. (*Section 22.29.070.C.1.c*)
- Hilltops, ridges, rock outcroppings, mature stands of trees, and other natural features shall be considered for preservation, at the time that any development applications are reviewed. (*Section 22.29.070.C.1.d*)

The purpose statements and standards above are consistent with the previously described goals and policies in the Alhambra Valley Specific Plan related to the visual character of the annexation area. Therefore, current protections related to visual character would continue to exist under the proposed project.

The Martinez General Plan Open Space Element shows the annexation area as being located within the Alhambra Valley Conservation Zone. Policies that apply to this zone encourage agriculture, recreation, and low-density residential uses (Policy 22.21) and impose restrictions upon tree removal (Policy 22.45). In addition, the Scenic Roadways Element includes policies that provide protection to visual character and quality within view of designated scenic roadways (Policies 27.31 through 27.36). As a component of the annexation project, the City proposes to amend the Scenic Roadways Element to designate the following roadways within the annexation area as either Scenic Roadways or Valley Gateways: portions of Vaca Creek Road and Stonehurst Drive would be designated as Scenic Roadways, and two intersections would be designated as Valley Gateways (see Appendix B). As a result, current Martinez General Plan policies in the Scenic Roadways Element and the Open Space Element related to visual character and quality would apply to the annexation area.

In addition, the Alhambra Valley Districts Design Guidelines include several guidelines that address the visual character of the annexation area, including: protection of views of ridgelines; grading; building bulk, siting, and materials; and landscaping.

Implementation of these guidelines, together with the zoning standards and current Martinez General Plan Open Space Element and Scenic Roadways Element policies, would help ensure that future development within the annexation area would not result in substantial impacts to the annexation area's visual character and quality, including protection of scenic resources (e.g., trees, visual landmarks, hilltops, ridges, rock outcroppings) and restrictions on development in hillside areas. Therefore, the project's impact to the visual character and quality of the annexation area and its surroundings would be less than significant.

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

Given no physical development is proposed as part of the annexation project, approval of the annexation would not have a substantial adverse effect related to a new source of substantial light or glare. The proposed zoning would not increase or substantially change the allowed use, density or scale of development that would be permitted as compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). It is not possible to predict if and when private property owners may choose to request approval to subdivide their property. However, if additional subdivisions are requested, they will be subject to CEQA review and the policies, standards and design guidelines for the Alhambra Valley Districts. The annexation project would not increase or substantially change the allowed density or scale of development when compared to existing conditions or existing County policies and regulations. Neither existing County regulations nor the City's proposed regulations for the annexation area would allow for more than ten new parcels (that could be subdivided from existing lots on the annexation area) to be established.

The proposed Alhambra Valley District includes the following requirement in Section 22.29.050, Standards for Specific Land Uses in Alhambra Valley Districts, which would help reduce impacts related to light and glare:

- Installation of free standing exterior light fixtures with a height of seven feet or more above the finished grade of the parcel requires use permit approval, as set forth in Chapter 22.40, Conditional Uses – Use Permits. The following additional finding is required: glare and annoyance to adjacent property owners shall be minimized to the greatest degree possible by sensitive fixture placement, use of shielded and downcast lighting and low wattage lamps. (*Section 22.29.050.B*)

The proposed Design Guidelines for the Alhambra Valley District include the following design principles that would help reduce impacts related to light and glare:

- Exterior Lighting – Both construction and permanent exterior lighting should be designed to eliminate glare and annoyance to adjacent property owners, passerby and vehicular traffic. Lighting should be shielded and directed downward. Lamps should be low wattage and have incandescent light color. (*Additional Design Principles, 5*)

The Martinez General Plan Scenic Roadways Element includes policies related to lighting along scenic roadways (Martinez General Plan Policy 27.35: “Where luminaries are provided they should be consistent in scale with neighborhood buildings or landscape features. The basic intent shall be to subordinate these vertical elements to surrounding conditions”). As a component of the annexation project, the City proposes to amend the Scenic Roadways Element to designate the following roadways within the annexation area as either Scenic Roadways or Valley Gateways: portions of Vaca Creek Road and Stonehurst Drive would be designated as Scenic Roadways, and two intersections would be designated as Valley Gateways (see Appendix B). As a result, current Scenic Roadways Element policies related to lighting along scenic roadways would apply to the annexation area.

Implementation of the proposed design guidelines, together with the zoning standards and current General Plan Scenic Roadways Element policies, would help ensure that future development would incorporate exterior lighting features that would be directed downward and designed to eliminate glare and spill light, and would not impact views within the annexation area. Therefore, the project’s impacts related to light and glare would be less than significant.

e) Increase the amount of shade in public and private open space on adjacent sites?

Given no physical development is proposed as part of the annexation project, approval of the annexation would not have a substantial adverse effect related to shade in public and private open space. The proposed zoning would not increase or substantially change the allowed use, density or scale of development that would be permitted as compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City’s proposed regulations. Under either the County’s existing or the City’s proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). It is not possible to predict if and when private property owners may choose to request approval to subdivide their property. However, if additional subdivisions are requested, they will be subject to CEQA review and the policies, standards and design guidelines for the Alhambra Valley District. The annexation project would not increase or substantially change the allowed density or scale of development when compared to existing conditions or existing County policies and regulations. Neither existing County regulations nor the City’s proposed regulations

ALHAMBRA VALLEY ANNEXATION PROJECT
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for the annexation area would allow for more than ten new parcels (that could be subdivided from existing lots on the annexation area) to be established.

Future development of these parcels would be subject to future City design review to address potential shade and shadow impacts, and would not likely increase the amount of shade in public and private open spaces. Therefore, impacts related to shade and shadows would be less than significant.

B. AGRICULTURE AND FOREST RESOURCES

Environmental Checklist

AGRICULTURAL AND FOREST RESOURCES ISSUES	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
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 a 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in 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) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Checklist Findings

- 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 a non-agricultural use?*

The Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency designates the annexation area as Urban and Built-Up Land.⁸ FMMP defines this category as “Land occupied by structures with a building density of at least 1 unit to 1.5

⁸ California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, 2009. *Contra Costa County Important Farmland 2008* (map). June.

acres, or approximately 6 structures to a 10-acre parcel.”⁹ This land is typically used for residential, industrial, and commercial purposes. There is no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance in the immediate vicinity of the annexation area.¹⁰

Therefore, the project would not convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Prime Agricultural Land (as defined by the CKH Act/Gov. Code Section 56064) to a non-agricultural use. No impact would occur.

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

Portions of the annexation area and surrounding areas are zoned as General Agriculture (A-2) under County zoning (see Contra Costa County Existing Zoning Figure in Appendix A). No portions of the annexation area are under a Williamson Act contract. The area directly northwest of the annexation area is zoned A-4 Agricultural Preserve; it is designated as “Williamson Act Non-Prime Agricultural Land.”¹¹

The areas within the annexation area adjacent to the county properties designated A-4, Agricultural Preserve and within the Williamson Act are proposed to be zoned as A-5/AV and PD-1. The PD-1 area is located south of the County lands and is an existing Planned Development that is built out, as previously approved by the County and includes large-lot single family residential (1-2 acres per parcel). Under the City’s jurisdiction and zoning, this property would also be zoned as PD, and be subject to the County already adopted Planned District for the property, and no additional development potential is anticipated under the City’s regulations as the area is built out. The A-5/AV area is located east of the county agricultural lands. The area is primarily developed with large lot residential and agricultural related uses. The proposed zoning would not increase or substantially change the allowed uses, density or scale of development when compared to existing conditions or existing County policies and regulations. As discussed above, there is little opportunity for new development to occur within the annexation area either under the existing County regulations or the City’s proposed regulations.

Under the County’s jurisdiction, the AVSP contains several goals and policies (“D. Agricultural Resources” Goal 1, Policies 1 through 4 and Goal 2, Policies 1 through 5) that relate to the preservation of agricultural land. In addition the AVSP identifies the area directly northwest, west, and south of the annexation area as the “Briones Hills

⁹ California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, 2010. *Important Farmland Categories*. Website: www.conservation.ca.gov/dlrp/fmmp/mccu/map_categories.htm. Accessed January 19.

¹⁰ California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, 2009. op. cit.

¹¹ California Department of Conservation, Division of Land Resource Protection, Williamson Act Program, 2007. *Contra Costa County Williamson Act Lands Land Enrolled in Williamson Act and Farmland Security Zone Contracts as of 01-01-2007* (map). March 26.

Agricultural Preservation Area,"¹² which will remain in effect and under the County's jurisdiction.

The proposed Alhambra Valley Districts includes the following purpose statements in Section 22.29.010, Purposes, related to compatibility with agricultural uses:

- Allow development that is compatible with existing agricultural, residential and open space uses. (*Section 22.29.010.B*)
- Encourage and enhance agriculture and maintain and promote a healthy and competitive agricultural economy in Alhambra Valley. (*Section 22.29.010.B*)
- Minimize and resolve conflicts between agricultural and urban uses. (*Section 22.29.010.K*)

The proposed Alhambra Valley Districts also include the following residential and agricultural compatibility standards in Section 22.20.120, Residential and Agricultural Compatibility:

B. Compatibility Standards

- Agriculture shall be protected from nuisance complaints from non-agricultural land uses. (*Section 22.29.120.B.1*)
- Where a discretionary development permit is sought within or adjacent to areas designated for agricultural use, natural or constructed buffers between the agricultural and urban use shall be required. A minimum 60-foot setback shall be required for non-agricultural structures located within or adjacent to cultivated agricultural areas. Such buffers must occur on the parcel for which the discretionary permit is sought. (*Section 22.29.120.B.2*)
- An agricultural or equestrian notification statement in the property deeds shall be required for all new residential lots created in or adjacent to planned agricultural districts. The statement shall inform owners regarding the nuisance and hazards associated with nearby agricultural practices. Such concerns may include, but are not limited to, the noise, odors, dust, chemicals, smoke, and hours of operation that may accompany agricultural operations. (*Section 22.29.120.B.3*)
- Where unmitigatable conflicts exist between agricultural and residential uses, priority shall generally be given to maintaining the agricultural use. (*Section 22.29.120.B.4*)

C. Agricultural Standards

- Grazing areas shall include fencing to contain grazing animals, keep domestic dogs out of grazing areas and deter trespassing. (*Section 22.29.120.C.1*)
- The use of toxic and nutritive chemicals by agricultural operators shall be minimized. (*Section 22.29.120.C.2*)

¹² Contra Costa County Community Development Department, 1992. op. cit.

ALHAMBRA VALLEY ANNEXATION PROJECT
INITIAL STUDY CHECKLIST

- Both public and private infrastructure that supports agriculture shall be promoted. (*Section 22.29.120.C.3*)
- Efforts to provide adequate, high quality and fairly-priced water supply for agricultural irrigation shall be supported. (*Section 22.29.120.C.4*)

The purpose statements and standards above are consistent with the previously described goals and policies in the Alhambra Valley Specific Plan related to the preservation of agricultural land. Therefore, current protections related to the preservation of agricultural land would continue to exist under the proposed project.

The annexation project would not increase or substantially change the allowed density or scale of development when compared to existing conditions or existing County policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). Neither existing County regulations nor the City's proposed regulations for the annexation area would allow for more than ten new parcels (that could be subdivided from existing lots on the annexation area) to be established. Implementation of the zoning standards described above would help ensure that future development within the annexation area would not result in incompatible uses adjacent to agricultural land, and would preserve current agricultural use of land. Therefore, the project would not conflict with existing zoning for agricultural use, and this impact would be less than significant.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in 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))?

Neither the annexation area nor any areas in the vicinity are forest land, timberland, or associated with timberland production. As a result, the annexation project would not conflict with existing zoning for forest land.

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

The annexation project would not increase or substantially change the allowed density or scale of development when compared to existing conditions or existing County policies and regulations. Therefore, implementation of the project would not result in conversion of farmland to non-agricultural use, and no impact would occur.

C. AIR QUALITY

Environmental Checklist

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

Environmental Checklist Findings

The Bay Area Air Quality Management District (BAAQMD) has developed CEQA Guidelines¹³ that direct the analysis of air quality impacts that could result from projects subject to discretionary approvals. The BAAQMD is currently considering adoption of revised CEQA Guidelines.¹⁴ The BAAQMD Draft CEQA Guidelines were published for public review and comments in December 2009, and the District anticipates adoption of the updated Guidelines in June 2010. The updated BAAQMD CEQA Guidelines are anticipated to include more stringent significance thresholds; assessment methodologies; and mitigation strategies for criteria pollutants, air toxics, odors, and GHG emissions. The following responses take into consideration both the existing and proposed BAAQMD Guidelines.

¹³ Bay Area Air Quality Management District, 1999. *BAAQMD CEQA Guidelines*. December.

¹⁴ Bay Area Air Quality Management District, 2009. *Draft CEQA Air Quality Guidelines*.

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

The Bay Area 2005 Ozone Strategy¹⁵ is the current applicable air quality plan.

A project would be judged to conflict with or obstruct implementation of the regional air quality plan if it would be inconsistent with the growth assumptions, in terms of population, employment or regional growth in vehicle miles travels (VMT). This could occur if a project requires a general plan or zoning amendment and the proposed change would result in greater vehicle traffic than would occur under current zoning.

The zoning proposed as part of the annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As a result, the annexation project would not result in greater population, employment or regional growth in VMT than anticipated in the current County conditions. For these reasons, the annexation project would not conflict with or obstruct the applicable air quality plan, and no impact would occur.

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

The San Francisco Bay Area Air Basin is currently in non-attainment for ozone (State and federal ambient standards) and particulate matter (PM_{2.5} and PM₁₀) (State ambient standard).¹⁶ The BAAQMD CEQA Guidelines include screening criteria for projects that could result in potentially significant air quality impacts, which include projects below 320 single-family units or below 510 apartment units (for operational emissions).¹⁷ The BAAQMD Draft CEQA Guidelines include updated screening criteria for projects that could result in potentially significant air quality impacts, which include projects below 325 single-family units (for operational emissions); 56 single-family units (for operational greenhouse gas emissions); and 114 single-family units (for construction related emissions).¹⁸

¹⁵ Bay Area Air Quality Management District, 2006. Bay Area 2005 Ozone Strategy, January 4.

¹⁶ Bay Area Air Quality Management District website: www.baaqmd.gov/Divisions/Planning-and-Research/Particulate-Matter.aspx, accessed April 5, 2010.

¹⁷ Bay Area Air Quality Management District, 1999. op. cit. The current guidelines screening criteria do not include screening criteria for operational greenhouse gas emissions or construction related emissions.

¹⁸ Bay Area Air Quality Management District, 2009. op cit.

Given no physical development is proposed as part of the annexation project, approval of the annexation would not contribute to the Bay Area's non-attainment conditions. The proposed zoning would not increase or substantially change the allowed use, density or scale of development that would be permitted as compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). It is not possible to predict if and when private property owners may choose to request approval to subdivide their property. However, if additional subdivisions are requested, they will be subject to CEQA review at the time they are proposed. Further, even if all ten of the lots were created now, this level of development would not exceed the BAAQMD's screening thresholds for projects that may potentially violate an air quality standard or contribute substantially to an existing or projected violation. As a result, the proposed annexation project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. This impact would be less than significant.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

As discussed above the proposed annexation project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. The San Francisco Bay Area Air Basin is currently in non-attainment for ozone (State and federal ambient standards) and particulate matter ($PM_{2.5}$ and PM_{10}) (State ambient standard). The proposed zoning would not increase or substantially change the allowed use, density or scale of development that would be permitted as compared to existing conditions or existing County zoning, policies and regulations. Potential development of these parcels, which would be subject to future City review to address potential air quality impacts, would result in a negligible increase.

Given no physical development is proposed as part of the annexation project, approval of the annexation would not contribute to the Bay Area's non-attainment conditions. The proposed zoning would not increase or substantially change the allowed use, density or scale of development that would be permitted as compared to existing conditions or existing County zoning, policies and regulations. Potential development of these parcels, which would be subject to future City review to address potential air quality impacts, would result in a negligible increase in ozone and particulate matter. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). Therefore, implementation of the project

would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment. This impact would be less than significant.

d) Expose sensitive receptors to substantial pollutant concentrations?

A project would be judged to expose sensitive receptors to pollutant concentrations by use of various diesel-powered vehicles and equipment typically used during construction and/or adjacency to high-volume freeways or other operations attracting heavy and constant diesel vehicle traffic. In 1998 the California Air Resources Board identified particulate matter from diesel-fueled engines as a Toxic Air Contaminant. CARB has completed a risk management process that identified potential cancer risks for a range of activities using diesel-fueled engines.¹⁹ High volume freeways, stationary diesel engines and facilities attracting heavy and constant diesel vehicle traffic (distribution centers, truck stop) were identified as having the highest associated risk.

Health risks from TACs are function of both concentration and duration of exposure. Unlike the above types of sources, construction diesel emissions are temporary, affecting an area for a period of days or perhaps weeks. Additionally, construction related sources are mobile and transient in nature, and the bulk of the emission occurs within the project site at a substantial distance from nearby receptors. Because no development is proposed as part of the annexation project and no potential for increase to development would result based on the General Plan and zoning regulations proposed as part of the project, the project would not result in health risks from construction emissions of diesel particulates. Additionally, the project would not expose residents, which are sensitive receptors, to stationary and mobile sources of TACs affecting the annexation project area. The current inventory of TAC stationary sources maintained by the BAAQMD lists no stationary sources of TACs near the project.²⁰ The project site is not close to any major roads that would be mobile sources of TACs. For these reasons, the annexation project would not expose sensitive receptors to substantial pollutant concentrations, and this impact would be less than significant.

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

The annexation area would be zoned for residential and agricultural uses and the allowed uses, density and scale of development would be consistent with development anticipated under the existing County polices and regulations. The existing residential development within the annexation area is anticipated to remain. The proposed amendments to the General Plan and Zoning Ordinance would allow for residential and agricultural uses, consistent with the current land use pattern of the area; therefore it is not anticipated that any significant changes relative to odor would occur. For these reasons, the annexation project would not create any new objectionable odors affecting a substantial number of people. This impact would be less than significant.

¹⁹ California Air Resources Board, 2002. *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles.*

²⁰ Bay Area Air Quality Management District, 2004. *Toxic Air Contaminant Control Program Annual Report 2003.*

D. BIOLOGICAL RESOURCES

Environmental Checklist

BIOLOGICAL RESOURCES ISSUES	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>	<input checked="" type="checkbox"/>

Environmental Checklist Findings

- a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local*

or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

According to the Alhambra Valley Estates EIR,²¹ the California Natural Diversity Database (CNDDDB) lists ten sensitive plant species and seven sensitive wildlife species within the Briones Valley 7.5-minute USGS quadrangle. This indicates that these species have the potential to occur within the annexation area and project vicinity.

The Contra Costa County General Plan Conservation Element identifies the “Briones Hills” south of the annexation area as a “Significant Ecological Resource Area” because it is home to a variety of species (i.e., Mount Diablo fairy lantern, newts, western pond turtle, northern brown skink, ornate shrew, prairie falcon, mountain lion, grasshopper sparrow, golden eagle, badger, ringtail, bobcat, and possibly Alameda whipsnake) and habitat (i.e., grasslands, oak woodland, riparian, and creek) important in the County. The Conservation Element does not identify the annexation area as a Significant Ecological Resource Area.²²

The AVSP contains several goals and policies (“A. The Environment” Goal 1, Policies 2 and 3; Goal 3, Policies 1 through 3; and Goal 4, Policies 1 through 3) intended to provide protection to biological species and habitat.²³

The proposed General Plan amendments would designate portions of the annexation area as Open Space. The portions of the annexation area to be designated Open Space include open space lands and areas of significant ecological resources or geological hazards.

The proposed Alhambra Valley General Plan amendment includes the following new land use designation, Open Space:

- This General Plan designation includes publicly owned open space lands and includes, without limitation, areas of significant ecological resources or geological hazards. The Open Space designation also includes privately owned properties for which future development rights have been deeded to a public or private agency. For example, significant open space areas within planned developments identified as being owned and maintained by a homeowners association fall under this designation. Also included are the steep, unbuildable portions of approved subdivisions which may be deeded to agencies such as the East Bay Regional Park District but which have not been developed as park facilities. (*Section 21.74 Open Space*)

The proposed Alhambra Valley Districts include the following purpose statements in Section 22.29.010, Purposes, related to effects to habitat or special status species:

²¹ Contra Costa County, 2004.

²² Contra Costa County Community Development Department, 2005. op. cit.

²³ Contra Costa County Community Development Department, 1992. op. cit.

- Preserve and enhance both the natural and man-made environment in Alhambra Valley. (*Section 22.29.010.C*)
- Restrict development in environmentally sensitive areas. (*Section 22.29.010.D*)
- Enhance watercourses and associated riparian habitat to their natural state to restore water quality, wildlife diversity, aesthetic values and recreation opportunities. (*Section 22.29.010.E*)

The purpose statements and standards above are consistent with the previously described goals and policies in the Alhambra Valley Specific Plan related to the protection of biological species and habitat. Therefore, current protections related to the protection of biological species and habitat would continue to exist under the proposed project.

The annexation area is not identified as a Significant Ecological Area, and no specific development is proposed as part of the annexation project. The annexation project would not increase or substantially change the allowed density or scale of development when compared to existing conditions or existing County policies and regulations. Neither existing County regulations nor the City's proposed regulations for the annexation area would allow for more than ten new parcels (that could be subdivided from existing lots on the annexation area) to be established. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities).

Adherence to the proposed General Plan Open Space designation, together with the zoning purpose statements, would help ensure that future development on the site would not substantially affect special species or habitat, and that development in environmentally sensitive areas would be restricted. In addition, as no direct physical change would occur as a result of the annexation project, the project would not substantially affect special status species or habitat. This impact would be less than significant.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Under the County jurisdiction, the AVSP identifies one "Protected Creekbed - Natural" within the annexation area near Stonehurst Drive in the western portion of annexation area, and also contains goals and policies ("A. The Environment" Goal 3, Policies 1 through 3) intended to preserve riparian habitat. As previously noted, the AVSP also contains other goals and policies ("A. The Environment" Goal 1, Policies 2 and 3; and Goal 4, Policies 1 through 3) intended to provide protection to biological species and habitat.

The proposed Alhambra Valley Districts include the following purpose statement in Section 22.29.010, Purposes, related to riparian habitat and sensitive natural communities:

- Enhance watercourses and associated riparian habitat to their natural state to restore water quality, wildlife diversity, aesthetic values and recreation opportunities. (*Section 22.29.010.E*)

The Alhambra Valley Districts include the following purpose statements in Section 22.29.090, Creek Protection and Enhancement, related to protection of creeks and waterways:

- Maintain the ecology and hydrology of creeks and streams and provide an amenity to the public, while at the same time preventing flooding, erosion and danger to life and property. (*Section 22.29.090.A.1*)
- Preserve and restore remaining natural waterways which have been identified as important and irreplaceable natural resources. (*Section 22.29.090.A.2*)

The proposed Alhambra Valley Districts identify protected creeks (see Appendix C). Two protected creeks are identified: a natural creekbed that runs in a northwest direction from Vaca Road to the western boundary of the annexation area; and a partially improved creekbed with an alignment that runs from the eastern edge of the annexation area to Vaca Road where it forks and the northern portion connects to the natural creekbed alignment and the southern portion terminates at the at Reliez Valley Road.

The Alhambra Valley Districts define protected creeks as follows, in Section 22.29.090, Creek Protection and Enhancement:

- Natural Creekbed. A watercourse or waterway which can support its own environment of vegetation, fowl, fish and reptiles, and which appears natural. The intent of this designation is for the retention of exiting creekbed form and riparian habitat. (*Section 22.29.090.B.1*)
- Partially-Improved Creekbed. A watercourse whose natural form has been altered. Some creekbanks have been buttressed to prevent erosion, and in some cases, drop structures have been installed in the bottom of channels. Nevertheless, many of the natural riparian features and scenic qualities associated with natural creekbeds are still intact. The intent of this designation is to retain and enhance the riparian habitat and scenic qualities of these creeks consistent with prudent drainage controls and protection of exiting residential development. (*Section 22.29.090.B.2*)

Section 22.29.090, Creek Protection and Enhancement, also includes the following standards related to protection of creeks and waterways:

- Creek Setbacks. (*Section 22.29.090.C*)
 1. Establishing Creek Setbacks. At the time of any permit application for approval to build structures or alter topography, including, but is not limited to, applications

for Design Review, Subdivision or Grading Permit approval, the creek setback shall be determined as part of the permit review. The minimum width of the creek setback shall be 50 feet from the centerline of the creek, but as a condition of permit approval, a setback greater than 50 feet may be required to protect the creek or its adjacent riparian habitat, if such is deemed necessary by the City or any other agency with review authority.

2. Creek Setback and Net Lot Area. The portion of a lot within a creek setback shall be excluded from the calculation of net lot area when determining conformance to any minimum net lot area requirement standards prescribed by this Chapter.
- Creek Preservation and Enhancement Plan. (*Section 22.29.90.D*)
 1. Submittal of Plan Required. In addition to the establishment of a creek setback as required by Section 22.29.090(C), a Creek Preservation and Enhancement Plan is required for all permit applications subject to this Section, and applicants shall provide as a part of permit application submittal, the following:
 - a) Visual materials and a narrative which describes existing creek conditions;
 - b) A description of the methods of protecting and enhancing the creek resource;
 - c) Scaled drawings which show a cross-section of the existing creekbed and creekbank; and
 - d) A creek re-vegetation plan which shall use native riparian vegetation from the local seed stock, where feasible.
 2. Plan Approval. The Creek Preservation and Enhancement Plan is subject to the approval by the City and or any other applicable agencies' reviewing authority. When alteration of streambanks or streambeds is proposed, the applicable agencies shall be notified in accordance with their authority under State law and/or when their assistance is needed.
 3. Erosion Prevention and Structural Improvements. Erosion in natural watercourses shall be controlled where creek capacity and bank stability necessitate, while maintaining consistency with the Creek Preservation and Enhancement Plan for that development. Minor structural improvements, e.g. drop structures, may be allowed if consistent with the concepts of the Creek Preservation and Enhancement Plan.

Finally, the proposed Alhambra Valley Districts include the following purpose statements in Section 22.29.010, Purposes, related to effects to the protection of biological species and habitat:

- Preserve and enhance both the natural and man-made environment in Alhambra Valley. (*Section 22.29.010.C*)
- Restrict development in environmentally sensitive areas. (*Section 22.29.010.D*)

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- Enhance watercourses and associated riparian habitat to their natural state to restore water quality, wildlife diversity, aesthetic values and recreation opportunities.
(Section 22.29.010.E)

The purpose statements and standards above are consistent with the previously described goals and policies in the Alhambra Valley Specific Plan related to the protection of riparian habitat and other sensitive natural communities. Therefore, current protections related to the protection of riparian habitat and other sensitive natural communities would continue to exist under the proposed project.

The annexation area is not identified as a Significant Ecological Area, and no specific development is proposed as part of the annexation project. The annexation project would not increase or substantially change the allowed density or scale of development when compared to existing conditions or existing County policies and regulations. Neither existing County regulations nor the City's proposed regulations for the annexation area would allow for more than ten new parcels (that could be subdivided from existing lots on the annexation area) to be established. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities).

Implementation of the proposed zoning purpose statements and standards described above would help ensure that future development on the site would not result in substantial impacts to creeks or other sensitive natural communities within the annexation area by requiring setbacks and a Creek Protection and Enhancement Plan for all proposed development subject to the Creek Protection and Enhancement section of the new zoning standards. In addition, as no direct physical change would occur as a result of the annexation project, the project would not result in a substantial adverse effect on any riparian habitat or other sensitive natural community. This impact would be less than significant.

- c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Under the County jurisdiction, neither the Contra Costa County General Plan nor the AVSP identifies wetlands within or in the vicinity of the annexation area. However, the annexation area may contain wetlands, as the area has not yet been surveyed for wetlands. The annexation area is largely developed with existing residences and agricultural uses. The annexation project would not increase or substantially change the allowed density or scale of development when compared to existing conditions or existing County policies and regulations, nor would it result in the conversion of agricultural land to urbanized uses. Neither existing County regulations nor the City's proposed regulations for the annexation area would allow for more than ten new parcels (that could be subdivided from existing lots on the annexation area) to be established. In addition, the annexation project would not result in the expansion of utilities and

infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities).

If and when any new development is proposed, consultation with appropriate agencies would be required, including the State Department of Fish and Game and/or Army Corps of Engineers should the development include removal, filling or hydrological interruption of any means. No federally protected wetlands are identified, and if/when future development occurs within the annexation area and if/when wetlands are identified at that time, the development would be subject to review by appropriate State and regulatory agencies. Without the known presence of protected wetlands and the fact that no specific development project is proposed or likely to occur due to proposed regulations restricting future development (including development in agricultural zones), implementation of the proposed annexation project would not result in adverse effects on wetlands. No impact would occur.

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?

As previously noted, the Contra Costa County General Plan Conservation Element identifies the “Briones Hills” south of the annexation area as a “Significant Ecological Resource Area.” In addition, the AVSP contains several goals and policies intended to provide protection to biological species and habitat.

As previously noted, the proposed General Plan and Zoning Districts include purpose statements and standards for the protection of biological species and habitat (see responses a and b above). The purpose statements and standards above are consistent with the current goals and policies in the Alhambra Valley Specific Plan related to the protection of biological species and habitat. Therefore, current protections related to the protection of biological species and habitat would continue to exist under the proposed project.

These purpose statements and standards, together with the fact that the annexation project does not include or permit new or increased development, ensure that the annexation project would not result in significant impacts to the movement of native resident or migratory fish wildlife species, or migratory corridors. This impact would be less than significant.

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

Under the County jurisdiction, the AVSP includes goals and policies to protect biological resources, including protected trees. Title 8, Health and Safety, of the Martinez

Municipal Code serves as the City's tree protection ordinance.²⁴ The proposed Alhambra Valley Districts also include the following standards related to the protection of trees:

- Public and private projects shall be designed to minimize damage to significant trees and other visual landmarks. *(Section 22.29.100.C.1.b)*
- Hilltops, ridges, rock outcroppings, mature stands of trees, and other natural features shall be considered for preservation, at the time that any development applications are reviewed. *(Section 22.29.100.C.1.c)*
- Scenic Tree Planting. *(Section 22.29.070.C.3)*
 1. As a way to enhance the aesthetic and scenic qualities along the Alhambra Valley/Reliez Valley Road Scenic Corridor, new subdivisions shall be required to plant new specimen trees along their road frontage according to the following:
 - I. Beginning at either end of the parcel's frontage, trees shall be planted at minimum of 50-foot intervals;
 - II. Trees shall be Live Oaks and shall be a minimum size of 24 inches; and
 - III. Shall be located approximately 10 feet from the road shoulder area.
- Hilltops, ridges, rock outcroppings, mature stands of trees and other natural features shall be preserved to the greatest extent possible. Preservation of such features shall be considered at the time that any development applications are reviewed. *(Section 22.29.080.D.2.i)*

If and when additional parcels are created within the annexation area, development on these parcels would be subject to the proposed Alhambra Valley Districts' zoning standards and the City's tree protection ordinance (including CEQA analysis). Therefore, implementation of the proposed annexation project would not result in substantial conflicts with local policies or ordinances protecting biological resources, including protected trees. This impact would be less than significant.

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?

There is no Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCP) that covers the annexation area. The boundary of the East Contra Costa County HCP is approximately 15 miles east of the City of Martinez;²⁵ therefore the annexation area is not located in the planning boundaries of the HCP. As such, implementation of the proposed annexation project would not conflict with the provisions of an adopted HCP, NCP, or other habitat conservation plan. No impact would occur.

²⁴ Available for download on the City of Martinez website: www.cityofmartinez.org. Accessed January 20, 2010.

²⁵ East Contra Costa County Habitat Conservancy, 2010. Website: www.co.contra-costa.ca.us/depart/cd/water/HCP. Accessed January 21.

E. CULTURAL RESOURCES

Environmental Checklist

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

Environmental Checklist Findings

a) *Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?*

Land uses within the annexation area include agricultural and residential uses. The annexation area has not been surveyed for historical, archaeological or paleontological resources, or human remains as no physical changes are proposed as part of the annexation project. The County's AVSP does not identify any historical or cultural resources within the annexation area. However, it does identify the "Altamarino Adobe" structure, located just outside the annexation area near the terminus of Hill Girt Ranch Road, as a "Historic Site." In addition, the AVSP contains goals and policies related to the protection of historical and archaeological resources ("A. The Environment" Goal 5, Policy 1: "Protect the Altamarino Adobe and the Stenzel family graveyard").²⁶

The proposed Alhambra Valley General Plan amendment includes the following new policy in the Open Space Element:

- Historic structures in Alhambra Valley should be protected. These structures include the Altamarino Adobe, as shown in Figure F 23.1, *Public Trails and Historic Sites*.

²⁶ Contra Costa County Community Development Department, 1992. op. cit.

Any development proposals which are processed adjacent to this facility shall be designed to provide for the enhancement and preservation of this resource. (Section 23.32 Open Space)

The purpose statements and standards above are consistent with the previously described goals and policy in the Alhambra Valley Specific Plan related to the protection of historical and archaeological resources (the Stenzel family graveyard is not located within the annexation area). Therefore, current protections related to the protection of historical and archaeological resources would continue to exist under the proposed project.

Implementation of the proposed project would only result in a jurisdictional boundary change and the approval of local land use regulations that would not increase or substantially change the allowed use, density or scale of development permitted as compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6).

It is not possible to predict if and when private property owners may choose to request approval to subdivide their property. However, if additional subdivisions are requested, they will be subject to CEQA review at the time they are proposed.

As part of the annexation project, no ground-disturbing activities would occur. Therefore, any historical resources, archaeological resources, paleontological resources, or human remains that may occur within the project site would not be adversely affected by the proposed project action. This impact would be less than significant.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

The Contra Costa County General Plan Open Space Element identifies portions of the annexation area as containing "highly sensitive areas" as well as "areas of medium sensitivity" in regards to archaeological resources. Implementation of the proposed project would only result in a jurisdictional boundary change and the approval of local land use regulations that would not increase or substantially change the allowed use, density or scale of development permitted as compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project

would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6).

It is not possible to predict if and when private property owners may choose to request approval to subdivide their property. However, if additional subdivisions are requested, they will be subject to CEQA review at the time they are proposed.

As part of the annexation project, no ground-disturbing activities would occur. Therefore, any archaeological resources that may occur within the project site would not be adversely affected by the proposed project action. This impact would be less than significant.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

A recent fossil locality search identified no recorded paleontological resources within a 10-mile radius of the annexation area.²⁷

Implementation of the proposed project would only result in a jurisdictional boundary change and the approval of local land use regulations that would not increase or substantially change the allowed use, density or scale of development permitted as compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6).

It is not possible to predict if and when private property owners may choose to request approval to subdivide their property. However, if additional subdivisions are requested, they will be subject to CEQA review at the time they are proposed. As part of the annexation project, no ground-disturbing activities would occur. Therefore, implementation of the project does not have the potential to directly or indirectly

²⁷ LSA Associates, Inc., 2010. *Paleontological Resources Assessment for the Alhambra Highlands Project, Martinez, Contra Costa County, California*. March 26.

destroy a unique paleontological resource or unique geologic feature. This impact would be less than significant.

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

No cemeteries exist within or adjacent to the annexation area. Implementation of the proposed project would only result in a jurisdictional boundary change and the approval of local land use regulations that would not increase or substantially change the allowed use, density or scale of development permitted as compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur as discussed above.

As part of the annexation project, no ground-disturbing activities would occur. Therefore, any human remains that may occur within the project site would not be adversely affected by the proposed project action. This impact would be less than significant.

F. GEOLOGY AND SOILS

Environmental Checklist

<i>GEOLOGY AND SOILS ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Checklist Findings

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

based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Surface rupture or ground faulting tends to occur along lines of previous faulting. Association of Bay Area Governments (ABAG) hazard maps indicate that the annexation area is not located within a State Earthquake Fault Hazard Zone for active faults.²⁸

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when additional lots are created in the annexation area, development of these parcels, which would occur in a residential area that is largely developed, would be subject to proposed Alhambra Valley Districts zoning standards as well as local and regional building requirements (e.g., the California Building Code), and would also require further City review, including assessment of potential impacts related to fault rupture. Therefore, implementation of the proposed annexation project would not expose people or structures to adverse effects related to rupture of a known earthquake fault. This impact would be less than significant.

ii) Strong seismic ground shaking?

With the annexation area not being within an active fault zone (see response i) above), the risk of ground rupture from active faulting is low. If and when additional parcels are created within the annexation area, development of these parcels, which would occur in a residential area that is largely developed, would be subject to further City review, including assessment of potential impacts related to seismic ground shaking, as well as local and regional building requirements (e.g., the California Building Code). Therefore, implementation of the proposed annexation project would not expose people or structures to strong seismic ground shaking. This impact would be less than significant.

iii) Seismic-related ground failure, including liquefaction?

Liquefaction is a phenomenon in which loose saturated sands undergo a loss of strength as a result of the cyclic stresses imposed by strong earthquake shaking. Various factors influence the likelihood that liquefaction will occur at a particular location, including the level and duration of earthquake shaking; density; gradation and depth of soil; and the position of the ground water level. ABAG hazard maps indicate that small portions of

²⁸ Association of Bay Area Governments (ABAG), 2010a. *ABAG Earthquakes and Hazard Maps/Info*. Website: quake.abag.ca.gov/. Accessed January 21.

annexation area have “very high” liquefaction susceptibility, while most of annexation area has “moderate” or “very low” susceptibility.²⁹

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City’s proposed regulations. Under either the County’s existing or the City’s proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when additional lots are created in the annexation area, development of these parcels, which would occur in a residential area that is largely developed, would be subject to proposed Alhambra Valley Districts’ zoning standards as well as local and regional building requirements (e.g., the California Building Code), and would also require further City review, including assessment of potential impacts related to seismic-related ground failure. Therefore, implementation of the proposed annexation project would not expose people or structures to adverse effects related to seismic-related ground failure, including liquefaction. This impact would be less than significant.

iv) Landslides?

Seismically induced landslides are triggered by earthquake ground shaking. The risk of this hazard is greatest in the late winter when ground water levels are highest and hillside colluvium is saturated. As with all slopes in the region, this risk is also present within the annexation area to varying degrees depending on the slope conditions at the time of year. Under the County jurisdiction, the AVSP contains goals and policies related to slope stability (“A. The Environment” Goal 2, Policies 2 and 3; “C. Public Services & Facilities” Goal 2, Policies 1 through 4).

The proposed Alhambra Valley Districts include an entire section on Hillside Development, the purpose of which is to avoid potential geological hazards. Section 22.29.080, Hillside Development, includes the following standard related to slope stability:

- Slope stability shall be a primary consideration in the determination to develop land. Development in landslide areas shall not be allowed unless the area is stabilized through high-quality engineering design approved by the City and peer reviewed by a qualified structural and/or geotechnical engineer as determined by the City. (Section 22.29.080.D.2.a)

²⁹ Association of Bay Area Governments (ABAG), 2010b. *ABAG Liquefaction Maps and Information*. Website: quake.abag.ca.gov/. Accessed January 22.

- Any development on slopes which exceed 30 percent is prohibited, subject to the Exemptions, Exclusion and Conditions of Section 22.33.030. (*Section 22.29.080.D.2.j*)

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when additional lots are created in the annexation area, development of these parcels, which would occur in a residential area that is largely developed, would be subject to proposed Alhambra Valley Districts' zoning standards as well as local and regional building requirements (e.g., the California Building Code), and would also require further City review, including assessment of potential impacts related to seismic-related landslides. Therefore, the proposed project would result in less-than-significant impacts related to seismic-related landslides.

b) Result in substantial soil erosion or the loss of topsoil?

In addition to the Alhambra Valley Districts' standards listed above, Section 22.29.010, Purposes, includes the following purpose statement related to erosion:

- Minimize soil erosion and runoff throughout Alhambra Valley. (*Section 22.29.010.G*)

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). The development of these lots, if and when they are created, would be required to comply with the proposed zoning standards, future City review, and local and regional building requirements (e.g., the California Building Code). As a result, the annexation project would not result in significant impacts related to soil erosion or the loss of top soil.

- 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?*

The Contra Costa County General Plan Safety Element does not identify the annexation area as being located within a geologic landslide hazard area.³⁰ Specific standards are included in Section 22.29.080, Hillside Development, of the proposed Alhambra Valley Districts, to limit development on geologically sensitive areas. As previously noted above (a(iv)), these standards include:

- Slope stability shall be a primary consideration in the determination to develop land. Development in landslide areas shall not be allowed unless the area is stabilized through high-quality engineering design approved by the City and peer reviewed by a qualified structural and/or geotechnical engineer as determined by the City. (Section 22.29.080.D.2.a)
- Any development on slopes which exceed 30 percent is prohibited, subject to the Exemptions, Exclusion and Conditions of Section 22.33.030. (Section 22.29.080.D.2.j)

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when additional lots are created in the annexation area, development of these parcels, which would occur in a residential area that is largely developed, would be subject to proposed Alhambra Valley Districts' zoning standards as well as local and regional building requirements (e.g., the California Building Code), and would also require further City review, including assessment of potential impacts related to landslides, lateral spreading, subsidence, liquefaction, and collapse. Therefore, the proposed project would result in less-than-significant impacts related to a geologic unit or soil that is unstable.

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

The Contra Costa County General Plan Conservation Element identifies the portion of the annexation area along Alhambra Valley Road as containing "Lowland Prime Soil Associations," and the rest of annexation area as containing "Upland Soil Associations."

³⁰ Contra Costa County Community Development Department, 2005. op cit.

The Conservation Element indicates that both of these soil types are “highly expansive.”³¹

Specific standards are included in Section 22.29.080, Hillside Development, of the proposed Alhambra Valley Districts, to limit development on geologically sensitive areas. As previously noted above (a(iv)), these standards include:

- Slope stability shall be a primary consideration in the determination to develop land. Development in landslide areas shall not be allowed unless the area is stabilized through high-quality engineering design approved by the City and peer reviewed by a qualified structural and/or geotechnical engineer as determined by the City. (*Section 22.29.080.D.2.a*)
- Any development on slopes which exceed 30 percent is prohibited, subject to the Exemptions, Exclusion and Conditions of Section 22.33.030. (*Section 22.29.080.D.2.j*)

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City’s proposed regulations. Under either the County’s existing or the City’s proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when additional lots are created in the annexation area, development of these parcels, which would occur in a residential area that is largely developed, would be subject to proposed Alhambra Valley Districts’ zoning standards as well as local and regional building requirements (e.g., the California Building Code), and would also require further City review, including assessment of potential impacts related to expansive soil. Therefore, the proposed project would result in less-than-significant impacts related to expansive soils.

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

Existing occupied residences in the annexation area located within the Stonehurst subdivision use on-site septic systems (though effluent receives secondary treatment at an off-site community plant). When Stonehurst residents formed the Contra Costa County Sanitary District No. 6 (SD no. 6) in 1992, the San Francisco Bay Regional Water Quality Control Board (RWQCB) Waste Discharge Requirements (Order No. 91-096) specified that SD no. 6 serve the buildout period of the Stonehurst subdivision but that Stonehurst ultimately be connected to a sanitary sewer system when services “become

³¹ Contra Costa County Community Development Department, 2005. op. cit.

available in the Alhambra Valley.”³² Because the new CCCSD main line along Alhambra Valley Road is less than a mile from the Stonehurst subdivision, the RWQCB could require Stonehurst parcels to connect to it. Residences located throughout other areas of the annexation area are already connected to (or have access to) the CCCSD sewer system.

No specific development is proposed as part of the annexation project. If and when new lots are created within the annexation area, it is reasonable to assume that this development would connect to the CCCSD sewer system, as the existing development is, or is in the process of being connected to the sewer system. In addition, the amount of new development would be small, and would not result in a substantial increase in demand for wastewater services beyond what is already available in the annexation area, or require the expansion of sewer infrastructure that would induce new urban development in the area (see Section Q, Utilities). For these reasons, the annexation project would not result in impacts related to inadequate soil for alternative wastewater disposal system. No impact would result.

³² RWQCB, 1991. California Regional Water Quality Control Board San Francisco Bay Region. Order No. 91-096. Waste Discharge Requirements for: Security Owners Corporation, Stonehurst Subdivision, Martinez, Contra Costa County.

LAFCO, 2008. Contra Costa Local Agency Formation Commission. Water and Wastewater Municipal Service Reviews. Section 5: Central Contra Costa Sanitary District Wastewater Service. April 9, 2008.

G. GREENHOUSE GAS EMISSIONS

Environmental Checklist

GREENHOUSE GAS EMISSIONS ISSUES	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Checklist Findings

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

Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHGs has been implicated as a driving force for global climate change. Definitions of climate change vary between and across regulatory authorities and the scientific community, but in general can be described as the changing of the earth's climate caused by natural fluctuations and anthropogenic activities which alter the composition of the global atmosphere.

California State law defines GHGs as:

- Carbon Dioxide (CO₂)
- Methane (CH₄)
- Nitrous Oxide (N₂O)
- Hydrofluorocarbons
- Perfluorocarbons
- Sulfur Hexafluoride

The primary contributors to GHG emissions in California are transportation, electric power production from both in State and out-of-state sources, industry, agriculture and forestry, and other sources, which include commercial and residential activities.

The City of Martinez Climate Action Plan (CAP) presents goals, principles, and strategies for reducing the City's GHG emissions, conserving energy and natural resources, and preparing the community for the expected effects of global warming. The CAP was developed through a public planning process, under the direction of the City Council. The CAP addresses GHG emissions within the City limits.

The BAAQMD has established a climate protection program to reduce pollutants that contribute to global climate change and affect air quality in the Bay Area. The climate protection program includes measures that promote energy efficiency, reduce VMT, and develop alternative sources of energy all of which assist in reducing emissions of GHG and in reducing air pollutants that affect the health of residents. BAAQMD also seeks to support current climate protection programs in the region and to stimulate additional efforts through public education and outreach, technical assistance to local governments and other interested parties, and promotion of collaborative efforts among stakeholders.

Implementation of the annexation project would not involve any physical changes to the annexation area, rather the project would allow the City to administer planning policy and zoning in the annexation area generally according to the same planning policies and regulations that the County currently uses for the annexation area.

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when these ten lots are created, development on these lots would be subject to compliance with the City of Martinez CAP and the BAAQMD climate action protection program. As a result, the annexation project would not conflict with adopted plans for the regulation of GHGs. No impact would result.

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

The current BAAQMD CEQA Guidelines (1999)³³ do not provide any significance thresholds for GHG emissions. However, the BAAQMD has published a draft update to

³³ Bay Area Air Quality Management District, 1999. *BAAQMD CEQA Guidelines*.

the CEQA Guidelines³⁴ provide that includes significance thresholds for a development project, which indicate that a project would have a significant cumulative impact unless:

- The project can be shown to be in compliance with a qualified Climate Action Plan, or
- Project emissions of CO₂ equivalent GHGs (CO₂e) is less than 1100 metric tons per year, or
- Project emissions of CO₂ equivalent GHGs is less than 4.6 metric tons per year per service population (residents plus employees)

A typical single-family residential project or more than 60 units would exceed the 1,100 MT of CO₂e/yr threshold.³⁵

As discussed above, the annexation project does not include physical changes, rather the project would allow the City to administer planning policy and zoning in the annexation area generally according to the same planning policies and regulations that the County currently uses for the annexation area.

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when these parcels are created, which is speculative at this point as no development is proposed as part of the annexation project, the addition of ten parcels would result in a negligible contribution to GHG emissions. For these reasons, the annexation project would result in a less-than-significant GHG impact.

³⁴ Bay Area Air Quality Management District, 2009. *BAAQMD Draft CEQA Air Quality Guidelines*.

³⁵ Ibid.

H. HAZARDS AND HAZARDOUS MATERIALS

Environmental Checklist

HAZARDS AND HAZARDOUS MATERIALS ISSUES	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) 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"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Impact Findings

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

The annexation area is largely developed with single-family homes and agricultural land uses. In most cases, developed parcels contain one detached single-family home, and some of these homes include adjoining small orchards, vineyards, and equestrian areas.

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). As is currently the case within the annexation area, the primary likely use of hazardous materials for new development within the area would be small quantities of commercially available materials commonly used in a home, landscape areas, or small agricultural operations. As a result, the annexation project would not result in routine transport, use or disposal of hazardous materials. For these reasons, the annexation project would have a less than significant hazardous materials impact.

- 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?*

As part of the annexation project, no physical changes to the environment are proposed. Therefore, any hazardous conditions that may exist within the project site would not be adversely affected by the proposed annexation project. This impact would be less than significant.

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

The nearest school to the annexation area is John Swett Elementary, at 4955 Alhambra Valley Road in Martinez, approximately 0.75 miles to the northeast. Also, as indicated in response a) above, the only likely use of hazardous materials would be small quantities of commercially available materials used in a home, landscape areas, or small agricultural areas. Therefore, future development of parcels that could be subdivided from existing lots in the annexation area would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, resulting in a less-than-significant impact.

- 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?*

A review of regulatory databases maintained by the State (Cortese) and the federal government (CERCLIS) indicate no recorded documentation of hazardous materials violations or discharge in the annexation area or in its vicinity.^{36,37} No impact would occur.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

The annexation area is not located within an airport land use area and is located further than 2 miles from the nearest public or public use airport, and from the nearest private air strip. Buchanan Field in the City of Concord is approximately 4 miles from the annexation area. No impact would result from implementation of the proposed annexation project.

- f) *For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

The annexation area is not located within an airport land use area and is located further than 2 miles from the nearest public or public use airport, and from the nearest private air strip. Buchanan Field in the City of Concord is approximately four miles from the annexation area. No impact would result from implementation of the proposed annexation project.

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

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). As a result, the annexation project would not involve physical changes to existing roads, and would not impair implementation of or physically interfere with an adopted emergency response

³⁶ Department of Toxics Substance Control, 2010. Website: www.envirostor.dtsc.ca.gov. Accessed January 19.

³⁷ Comprehensive Environmental Response, Compensation, and Liability Information System, 2010. Website: www.epa.gov/superfund/sites. Accessed January 19.

plan or emergency evacuation plan. No impact would result from implementation of the proposed annexation project.

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

The Safety Element of the Contra Costa County General Plan designates the annexation area as being located within a “Moderate Fire Hazard State Responsibility Area” and designates a portion of Briones Regional Park approximately 1 mile south of annexation area as a “High Fire Hazard State Responsibility Area.”³⁸

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City’s proposed regulations. Under either the County’s existing or the City’s proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when these parcels are created, development of these parcels would occur within an already developed residential area that is served by the Contra Costa County Fire Protection District. Therefore, the proposed annexation project would not expose people or structures to a significant risk of loss, injury, or death involving wildfires. This impact would be less than significant.

³⁸ Contra Costa County Community Development Department, 2005. *Contra Costa County General Plan 2005-2020*. January 18.

I. HYDROLOGY AND WATER QUALITY

Environmental Checklist

<i>HYDROLOGY AND WATER QUALITY ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>HYDROLOGY AND WATER QUALITY ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Checklist Findings

a) Violate any water quality standards or waste discharge requirements?

The annexation area’s terrain is characterized by rolling hills and natural drainages into creek beds in the southern portion of annexation area. The area is also served by stormwater drainage infrastructure, which is currently under the jurisdiction of the County. The AVSP also contains several goals and policies (“A. The Environment” Goal 3, Policy 3 and Goal 4, Policies 1 and 3; and “B. New Development” Goals 1 through 4) intended to enhance water quality, reduce flooding, reduce erosion, and preserve watercourses in the Alhambra Valley.

Under the proposed project, responsibility for maintenance of stormwater infrastructure on the annexation area would be transferred from the County to the City. Because the annexation area contains so many natural drainages, the level of maintenance would be low for the City, and the small amount of new development that could occur in the annexation area would not require the construction of new drainage infrastructure.

The proposed Alhambra Valley Districts include an entire section on Creek Protection and Enhancement (Section 22.29.090, see Appendix B), the purpose of which is to minimize impacts to local watercourses. The Creek Protection and Enhancement Section includes purpose statements, guidelines for applicability, creek setback requirements, requirements for Creek Preservation and Enhancement Plans, and criteria and guidelines for permit approval related to protecting local watercourses.

In addition, the proposed Design Guidelines for the Alhambra Valley Districts include the following design principle that would help reduce impacts related to water quality and drainage:

- Drainage – Each building site should be graded so that concentrated water caused by improvements does not flow onto an adjacent property, but instead, is directed into a natural drainage channel, street or storm drainage facility. *(Additional Design Principles, 2)*

The contents of the Creek Protection and Enhancement section of the proposed Alhambra Valley District are consistent with the previously described goals and policies

in the Alhambra Valley Specific Plan related to water quality, flooding, erosion, and watercourse preservation. Therefore, current protections related to water quality would continue to exist under the proposed project.

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when additional lots are created in the annexation area, development of these parcels, which would occur in a residential area that is largely developed, would be subject to proposed Alhambra Valley Districts' zoning standards and Design Guidelines, and would also require further City review, including assessment of potential impacts related to water quality standards and waste discharge requirements. Implementation of the zoning standards and procedures in the Creek Protection and Enhancement section, in addition to the guidelines, would restrict development adjacent to creeks and ensure that future development within the annexation area would not result in substantial water quality impacts, and would not violate water quality or discharge requirements. In addition, as no direct physical change would occur as a result of the annexation project, the project in would not in itself violate water quality or discharge requirements. This impact would be less than significant.

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

The City of Martinez currently provides potable water service to the annexation area, and would continue to do so under the proposed project. As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). Groundwater would not be utilized as a water source for future development of these parcels, and groundwater impacts would be less than significant.

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?*

The AVSP contains several goals and policies (“A. The Environment” Goal 3, Policy 3 and Goal 4, Policies 1 and 3; and “B. New Development” Goals 1 through 4) intended to enhance water quality, reduce flooding, reduce erosion, and preserve watercourses in the Alhambra Valley.

The proposed Alhambra Valley Districts include an entire section on Creek Protection and Enhancement (*Section 22.29.090*, see Appendix B), the purpose of which is to minimize impacts to local watercourses. The Creek Protection and Enhancement section includes purpose statements, guidelines for applicability, creek setback requirements, requirements for Creek Preservation and Enhancement Plans, and criteria and guidelines for permit approval related to protecting local watercourses. The contents of the Creek Protection and Enhancement section of the proposed Alhambra Valley District are consistent with the previously described goals and policies in the Alhambra Valley Specific Plan related to water quality, flooding, erosion, and watercourse preservation. Therefore, current protections for local watercourses would continue to exist under the proposed project.

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City’s proposed regulations. Under either the County’s existing or the City’s proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when additional lots are created in the annexation area, development of these parcels, which would occur in a residential area that is largely developed, would be subject to proposed Alhambra Valley Districts’ zoning standards and Design Guidelines, and would also require further City review, including assessment of potential impacts related to erosion resulting from alterations of drainage patterns that could result in erosion. Implementation of the zoning standards and procedures in the Creek Protection and Enhancement section, in addition to the guidelines, would help ensure that future development within the annexation area would restrict development adjacent to creeks and would not result in substantial alterations to drainage patterns within the annexation area in a manner which would result in substantial erosion or siltation. In addition, as no direct physical change would occur as a result of the annexation project, the project would not in itself result in substantial alterations to drainage patterns within the annexation area in a manner which would result in substantial erosion or siltation. This impact would be less than significant.

- d) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*

The AVSP also several goals and policies (“A. The Environment” Goal 3, Policy 3 and Goal 4, Policies 1 and 3; and “B. New Development” Goals 1 through 4) intended to enhance water quality, reduce flooding, reduce erosion, and preserve watercourses in the Alhambra Valley.

The proposed Alhambra Valley Districts include an entire section on Creek Protection and Enhancement (*Section 22.29.090*, see Appendix B), the purpose of which is to minimize impacts to local watercourses. The Creek Protection and Enhancement Section includes purpose statements, guidelines for applicability, creek setback requirements, requirements for Creek Preservation and Enhancement Plans, and criteria and guidelines for permit approval related to protecting local watercourses. The contents of the Creek Protection and Enhancement section of the proposed Alhambra Valley District are consistent with the previously described goals and policies in the Alhambra Valley Specific Plan related to water quality, flooding, erosion, and watercourse preservation. Therefore, current protections for local watercourses would continue to exist under the proposed project.

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City’s proposed regulations. Under either the County’s existing or the City’s proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when additional lots are created in the annexation area, development of these parcels, which would occur in a residential area that is largely developed, would be subject to proposed Alhambra Valley Districts’ zoning standards and Design Guidelines, and would also require further City review, including assessment of potential impacts related to flooding resulting from alterations of drainage patterns that could result in erosion. Implementation of the zoning standards and procedures in the Creek Protection and Enhancement section, in addition to the guidelines, would help ensure that future development in the annexation area would restrict development adjacent to creeks and would not result in substantial alterations to drainage patterns within the annexation area in a manner which would result in flooding. In addition, as no direct physical change would occur as a result of the annexation project, the project would not in itself result in substantial alterations to drainage patterns within the annexation area in a manner which would result in flooding. This impact would be less than significant.

e) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

Please see discussion in I.a, above. The proposed project would not result in new runoff that would exceed the capacity of existing stormwater drainage systems, or provide substantial additional sources of polluted runoff. This impact would be less than significant.

f) *Otherwise substantially degrade water quality?*

Please see discussion in I.a, above. The proposed project would not substantially degrade water quality, and this impact would be less than significant.

g) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

Portions of the annexation area located along creek beds are within Zone A, which is the FEMA Flood Insurance Rate Map (FIRM) designated 100-year flood area.³⁹

The proposed Alhambra Valley Districts include the following subdivision standards in Section 22.29.070, Street and Subdivision Standards, which relate to development within a 100-year flood hazard area:

- Development in flood inundation zones shall be avoided and development in Federal Emergency Management Act 100-year flood zones shall be prohibited. (*Section 22.29.070.C.1.e*)

Although some parcels that could be subdivided from existing parcels within the annexation area are located within the FEMA Flood Insurance Rate Map (FIRM) designated 100-year flood area, the Alhambra Valley Districts' zoning standard above would prohibit development within this area. Therefore, implementation of the proposed project would not place housing within a 100-year flood hazard area. No impact would occur.

h) *Place within a 100-year flood hazard area structures which would impede or redirect flood flows?*

See discussion in I.g, above. No impact would occur.

i) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam?*

The annexation area is not located within a dam failure inundation hazard area.⁴⁰ As noted in discussion in I.g) above, section 22.29.070.A.5 of the Alhambra Valley Districts

³⁹ Association of Bay Area Governments, 2010c. Bay Area Flooding Hazards; Flood Hazard Areas (based on FEMA Flood Insurance Rate Maps - FIRMs). Website: www.abag.ca.gov/bayarea/eqmaps/eqfloods/floods.html. Accessed March 30, 2010.

prohibit development within the 100-year flood zone. In addition, Section 22.29.090, Creek Protection and Enhancement, includes the following purpose statement related to the prevention of flooding:

- Maintain the ecology and hydrology of creeks and streams and provide an amenity to the public, while at the same time preventing flooding, erosion and danger to life and property. (*Section 22.29.090.A.1*)

The Creek Protection and Enhancement Section includes the following creek setback requirements related to flood control:

- Establishing Creek Setbacks. At time of any permit application for approval to build structures or alter topography, including, but is not limited to, applications for Design Review, Subdivision or Grading Permit approval, the creek setback shall be determined as part of the permit review. The minimum width of the creek setback shall be 50 feet from the centerline of the creek, but as a condition of permit approval, a setback greater than 50 feet may be required to protect the creek or its adjacent riparian habitat, if such is deemed necessary by the City or any other agency with review authority. (*Section 22.29.090.C.1*)

The Creek Protection and Enhancement Section includes the following criteria and guidelines for permit approval related to flood control:

- Existing native riparian habitat shall be preserved and enhanced by new development unless public safety concerns require removal of habitat for flood control or other public purposes. (*Section 22.29.090.E.1*)

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when additional lots are created in the annexation area, development of these parcels, which would occur in a residential area that is largely developed, would be subject to proposed Alhambra Valley Districts' zoning standards and Design Guidelines, and would also require further City review, including assessment of potential impacts related to flooding. Implementation of the zoning standards and restrictions in the Creek Protection and Enhancement section, in addition to the guidelines, would help ensure that future development in the annexation area would be prohibited in 100-year flood

⁴⁰ Association of Bay Area Governments, 2010d. *Hazard Maps; Dam Failure Inundation Areas*. Website: www.abag.ca.gov/bayarea/eqmaps/damfailure/damfail.html. Accessed March 30, 2010.

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zones, and would not expose people or structures to flooding hazards as a result of failure of a levee or dam. In addition, as no direct physical change would occur as a result of the annexation project, the project would not in itself expose people or structures to flooding hazards as a result of failure of a levee or dam. This impact would be less than significant.

j) Inundation by seiche, tsunami, or mudflow?

The City of Martinez, and more specifically the annexation area, is not at high risk for tsunami related inundation due to its geographic location within the San Francisco Bay Area, and southeast of the Carquinez Strait (approximately 5 miles to the northwest). The San Francisco Bay coastline is partially protected from tsunamis because of the restricted hydraulic access at the Golden Gate, and the Contra Costa County General Plan indicates that wave runup east of the mouth of the Carquinez Strait is considered insignificant.⁴¹ As a result, no impact would result from implementation of the proposed annexation project.

⁴¹ City of Martinez, Downtown Martinez Specific Plan Public Review Draft EIR. Hydrology and Water Quality. December 2004.

J. LAND USE AND PLANNING

Environmental Checklist

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

Environmental Checklist Findings

a) Physically divide an established community?

The physical division of an established community typically refers to the construction of a physical feature (e.g., a highway or railroad tracks) or removal of a means of access (e.g., a road or bridge) that would impair mobility within an established community, or between a community and outside areas.

The annexation project would not increase or substantially change the allowed density or scale of development when compared to existing conditions or existing County policies and regulations. Neither existing County regulations nor the City's proposed regulations for the annexation area would allow for more than 10 new parcels. Future development of these parcels would occur on land that is designated and zoned as residential, and would not result in alterations to roadways or other major physical features, or otherwise divide an established community. Therefore, the proposed annexation project would not divide an established community, and this impact would be less than significant.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific

plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed annexation project involves a series of planning actions (see the Project Description for the full list) that would allow the City to annex the area into the City limits, which is currently under the County's jurisdiction. Although the annexation area would change jurisdictions, regulations and policies that apply to the annexation area would not undergo substantial changes; existing policies in the AVSP intended to avoid or mitigate environmental effects would continue to apply to the annexation area, as the City has incorporated them into the proposed General Plan and Zoning Ordinance amendments (see the Appendices B and C). In this sense, the contents of the proposed zoning regulations and General Plan amendments would be consistent with current AVSP goals and policies intended to avoid or mitigate environmental effects.

In addition, the City proposes language in the Alhambra Valley Districts that would restrict hillside development, as well as the types of structures allowed in agricultural zones, slightly more than current County regulations for the annexation area. In this sense, the project would not conflict with current plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect, but rather it would change which municipality has jurisdiction over the annexation area and is able to enforce those plans, policies, and regulations. Implementation of the proposed zoning standards and Design Guidelines would help ensure that future development in the annexation area would not conflict with plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. This impact would be less than significant.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

There is no Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCP) that covers the annexation area. The boundary of the East Contra Costa County HCP is approximately 15 miles east of the City of Martinez; therefore, the annexation area is not located in the planning boundaries of the HCP. No impact would result.

K. MINERAL RESOURCES

Environmental Checklist

<i>MINERAL RESOURCES ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Checklist Findings

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?

The Contra Costa County General Plan Conservation Element identifies the portion of the annexation area along Alhambra Valley Road as containing “Lowland Prime Soil Associations,” and the rest of annexation area as containing “Upland Soil Associations.”⁴² Neither the Conservation Element nor the AVSP identifies known mineral resources of local, regional, or Statewide importance in the annexation area or in its vicinity.

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City’s proposed regulations. Under either the County’s existing or the City’s proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). The annexation project area is not identified as an area with mineral resources that has statewide or

⁴² Contra Costa County Community Development Department, 2005.

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regional importance. As a result, the annexation project would not result in mineral resource impacts.

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?

See finding a) above. No impact would occur.

L. NOISE

Environmental Checklist

NOISE ISSUES	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Checklist Findings

- a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

The City of Martinez establishes objectives and policies in the General Plan in support of the City's goal of maintaining or reducing noise intrusion levels in all areas of the City to levels considered acceptable by the community. The City also regulates construction-related noise in Title 8 of the Municipal Code. The following

present relevant regulatory background materials are utilized in the noise impact assessment:

The Noise Element of the City of Martinez General Plan establishes standards for noise and land use compatibility for new residential land uses. These standards consider noise levels in private outdoor areas of 60 dBA Ldn or less normally acceptable provided that buildings are of normal conventional construction, without any special noise insulation requirements. Interior noise levels of 45 dBA Ldn or less are considered normally acceptable.

The City of Martinez regulates noise within the community in Title 8 of the Municipal Code. Relevant sections of the Municipal Code are as follows:

8.34.020 Noise Standards. (Ord. 1288 C.S. § 1 (part), 2001.)

A. Acceptable standards for noise levels shall be as follows:

1. A day-night noise level (Ldn) of 45 dB is the standard for interior noise levels. An Ldn of 45 dBA is achieved by an allowable interior noise level of 35 dBA between 10 p.m. -- 7 a.m. and 45 dBA between 7 a.m. -- 10 p.m.
2. A day-night level (Ldn) of 60 dB is the standard for exterior noise. An Ldn of 60 dBA is a maximum noise level of 50 dBA between 10 p.m. -- 7 a.m. and 60 dBA between 7 a.m. -- 10 p.m.

Title 8 also includes specific noise regulations (see section 8.34.030) relating to public nuisances and limits operation of specific noise generating uses before 7:00 a.m., or after 7:00 p.m. daily (except Saturday, Sunday, and State, Federal or Local Holidays, when the prohibited time shall be before 9:00 a.m. and after 5:00 p.m.).

These standards would apply to the annexation area.

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when these lots are created, the potential increase in noise in the surrounding area would be negligible. Any future development would be subject to compliance with the City's existing noise standards, and at this point the additional development is speculative, as

no specific development is proposed as part of the annexation project. The minimal development potential, together with the noise standards summarized above, would ensure noise-related impacts would be less than significant.

b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?

Implementation of the annexation project would not involve any physical changes to the annexation area. Any future development would be subject to compliance with the City's existing noise standards, and at this point the additional development is speculative, as no specific development is proposed as part of the annexation project. The minimal development potential, together with the noise standards summarized above, would ensure ground borne vibration or ground borne noise levels would be less than significant.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Implementation of the annexation project would not involve any physical changes to the annexation area.

Please see findings in a) and b) above. Implementation of the annexation project would not result in a substantial increase in permanent ambient noise levels, and this impact would be less than significant.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Implementation of the annexation project would not involve any physical changes to the annexation area. Any future development that may occur independent of the annexation project would be subject to the City's construction noise standards.

Implementation of the annexation project would not result in a substantial increase in temporary ambient noise levels, and this impact would be less than significant.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 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?

The annexation area is not located within an airport land use plan or within 2 miles of an airport. The closest airport, Buchanan Field is approximately 4 miles from the annexation area. If and when additional lots are created within the annexation area, these lots would not be located in close proximity to an airport. As a result, the

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annexation project would not expose persons to excessive airport-related noise levels. No impact would occur.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

The annexation area is not located in the vicinity of a private airstrip. If and when additional lots are created within the annexation area, would not be located in close proximity to a private airstrip. Therefore, implementation of the annexation project would not expose the annexation area to excessive airport-related noise. No impact would occur.

M. POPULATION AND HOUSING

Environmental Checklist

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

Environmental Checklist Findings

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Implementation of the annexation project would not involve any physical changes to the annexation area, rather the project would allow the City to administer planning policy and zoning in the annexation area generally according to the same planning policies and regulations that the County currently uses for the annexation area. Existing County policies that apply to the area under the AVSP would be carried over to the proposed zoning regulations and General Plan amendment. In this sense, the contents of the proposed zoning regulations and General Plan amendments would be consistent with current AVSP goals and policies that regulate growth in the annexation area.

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City’s proposed regulations. Under either the County’s existing or the City’s proposed zoning,

the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when these parcels are created, the addition of ten parcels would not result in substantial population growth, nor would they require an expansion of utilities infrastructure that would permit new urban development. For these reasons, the annexation project would result in a less-than-significant population growth impact.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No physical changes are proposed as part of the annexation project; therefore, the annexation project would not displace existing housing. Implementation of the proposed project would not necessitate construction of replacement housing elsewhere, and no impact would result.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No physical changes are proposed as part of the annexation project; therefore, the annexation project would not displace people within or near the annexation area. Implementation of the proposed project would not necessitate construction of replacement housing elsewhere, and no impact would result.

N. PUBLIC SERVICES

Environmental Checklist

<i>PUBLIC SERVICES ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Checklist Findings

- 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:*

The potential public service impacts associated with implementation of the proposed annexation project would be primarily fiscal in nature. Fiscal impacts alone are not considered significant under CEQA as CEQA focuses on the impacts associated with physical changes to the environment. Public service impacts are considered significant when the project would contribute to the need to construct new (or physically alter) governmental facilities, the construction of which could cause significant environmental impacts. These impacts vary depending on the type of service and are discussed more fully below.

Section 22.29.010, Purposes, of the proposed Alhambra Valley Districts includes the following purpose statement related to the provision of public services:

- Provide adequate levels of public services within Alhambra Valley. Ensure new public facilities are sensitive to the natural setting. (*Section 22.29.010.I*).

Providers that currently serve the area and would continue to serve the area after it is annexed into the City of Martinez include the Contra Costa County Fire Protection District, the Martinez Unified School District, and parks. Police services would shift from the County sheriff to the City of Martinez Police Department.

No physical development is proposed as part of the annexation project. The proposed zoning would not increase or substantially change the allowed uses, density or scale of development that would be permitted as compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). It is not possible to predict if and when private property owners may choose to request approval to subdivide their property. However, if additional subdivisions are requested, they will be subject to CEQA review at the time they are proposed. Further even if all ten of the lots were to be created now, this level of development could be served by current and proposed service providers without 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.

A discussion of each service provider is provided below.

Fire Protection. The annexation area is currently under the jurisdiction of the Contra Costa County Fire Protection District (CCCFPD), which serves nine cities and unincorporated areas within the County. The CCCFPD operates 3 fire stations within the City limits that currently provide first response services to the annexation area. The nearest Fire Station is Station No. 13, located at 251 Church Street, approximately 1.6 miles northwest of the annexation area. Station No. 13 is the first station from which engines are currently dispatched to the annexation area in the event of an emergency. All stations operate at least one Paramedic Engine, each operated by a three-person company, including one paramedic.⁴³ The CCCFPD's response-time goal for fire calls is 5 minutes or less 90 percent of the time, and in 2007 its average response time at the

⁴³ Emily Hopkins, Public Relations Officer, Contra Costa County Fire Protection District. Personal communication with Urban Planning Partners, December 23, 2009.

90 percent level was 8 minutes and 30 seconds.⁴⁴ The CCCFPD would continue to serve the annexation area after it is annexed into the City of Martinez. No changes in Fire Services would occur.

Given no physical development is proposed as part of the annexation project and fire protection services would continue to be provided by CCCFPD, approval of the annexation project would not impact fire protection services. The proposed zoning would not increase or substantially change the allowed use, density or scale of development that would be permitted as compared to existing conditions or existing County zoning, policies and regulations.

The CCCFPD has indicated that it could continue to serve the annexation area with existing staffing and facilities, and that the amount of development that could be constructed on the site in the future would not impact response times.⁴⁵ Therefore, the proposed project would have a less-than-significant impact on fire services.

Police Protection. The annexation area is currently under the jurisdiction of the County Sheriff's Office. Under the proposed project, responsibility for providing police services on-site would be transferred to the City of Martinez Police Department. With 39 total officers, the Police Department divides the City into two geographic sectors: Sector 1 (north) and Sector 2 (south). The annexation area is located within Sector 2. The department maintains a minimum of two officers per sector. The largest police issues in the City relate to traffic enforcement.

Annexing the annexation area into the City would result in an increase in demand for police services. However, the Police Department has indicated that it could serve the annexation area with existing staffing and facilities. Therefore, the proposed project would have a less-than-significant impact on police services.⁴⁶

Schools. The annexation area is currently under the jurisdiction of the Martinez Unified School District. The area lies within the school boundaries for John Swett Elementary, Martinez Junior High School, and Alhambra High School. No changes in services related to schools would occur from implementation of the annexation project. Given no physical development is proposed as part of the annexation project and school services would continue to be provided by Martinez Unified School District, approval of the annexation project would not significantly impact schools. The proposed zoning would not increase or substantially change the allowed use, density or scale of development that would be permitted as compared to existing conditions or existing County zoning, policies and regulations.

⁴⁴ Grace, Rich, 2010a. Assistant Fire Chief, Contra Costa County Fire Protection District. Personal communication with Urban Planning Partners. April 13.

⁴⁵ Grace, Rich, 2010b. Assistant Fire Chief, Contra Costa County Fire Protection District. Personal communication with Urban Planning Partners. April 5 and April 14.

⁴⁶ Peterson, Gary, 2010. Commander, City of Martinez Police Department. Personal communication with Urban Planning Partners. March 30.

As discussed above, there is some potential for new development that could occur under either the County's or City's zoning. The MUSD is authorized by State law (Government Code § 65995-6) to levy a new residential construction fee of \$3.08/ square foot of residential construction for the purpose of funding the reconstruction or construction of new school facilities. Pursuant to Section 65995(3)(h) of the California Government Code, the payment of statutory fees is "deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization as defined in Section 56021 or 56073, on the provision of adequate school facilities." Any new construction that occurs within the annexation area would have to pay this fee.

The Martinez Unified School District would continue to serve the annexation area with existing staffing and facilities. Therefore, implementation of the proposed annexation project's impacts to school services would be less than significant.

Parks. The City of Martinez Public Works Department maintains 103 acres of developed parkland and 230 acres of open space throughout the City. The annexation area is also directly north of Briones Regional Park, which is located south of Reliez Valley Road and under the jurisdiction of East Bay Regional Park District. Individuals who currently live within the annexation currently use these park facilities and would continue to do so after being annexed to the City.

Implementation of the annexation project would not result in significant changes in population or a substantial amount of new development. The increase in demand for parks would be negligible in the context of existing park usage in the vicinity of the annexation area, and in the City as a whole. The proposed annexation project's impacts to parks would be less than significant.

Other Public Facilities. Given no physical change would result from implementation of the proposed annexation project, it would not significantly impact any other public facilities that may exist in the project vicinity. Impacts to utilities and infrastructure would be less than significant, as discussed in Section Q, Utilities.

O. RECREATION

Environmental Checklist

RECREATION ISSUES	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<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"/>	<input checked="" type="checkbox"/>

Environmental Checklist Findings

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?

The City of Martinez Public Works Department maintains 103 acres of developed parkland and 230 acres of open space throughout the City. The annexation area is also directly north of Briones Regional Park, which is located south of Reliez Valley Road and under the jurisdiction of East Bay Regional Park District. Individuals who currently live within the annexation currently use these park facilities and would continue to do so after being annexed to the City.

Implementation of the annexation project would not result in significant changes in population or new development. The increase in demand for parks would be negligible in the context of existing park usage in the vicinity of the annexation area, and in the City as a whole. The proposed annexation project’s impacts to parks would be less than significant.

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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?

The project does not propose the construction or expansion of any new recreational facilities that might have an adverse physical effect on the environment. No impact would result.

P. TRANSPORTATION/TRAFFIC

Environmental Checklist

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

Environmental Checklist Findings

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

intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Under County jurisdiction, the AVSP and the 2009 Countywide Comprehensive Transportation Plan (CTP) are the applicable plans and policy documents establishing measures of effectiveness for the circulation system. The AVSP contain goals and policies (“E. Traffic, Circulation and Scenic Routes” Goal 1, Policies 1 through 7 and Goal 2, Policies 1 through 8) that relate to maintaining adequate road circulation and safety in the Alhambra Valley area. The AVSP also contains a Circulation Element, which contains road improvement priorities and policies.⁴⁷

As part of the annexation project, the General Plan Transportation Element would be amended to include the following policies:

- Alhambra Valley Road: This proposed Class III bike path will connect with the Reliez Valley Road bike path westward to Bear Creek Road and Castro Ranch Road, as shown in Figure F 23.1, Public Trails and Historic Sites. (*Chapter 3, Bikeways, Bikeway Plan, Connections to Regional System*)
- Alhambra Valley Annexation Area

Alhambra Valley Road Improvements. The road width for the northern leg of Alhambra Valley Road and Reliez Road shall generally be 32 feet in width. Road improvement priority should be given to the continuous segment of Alhambra Valley Road and Alhambra Avenue from the Reliez Valley Road intersection to the Santa Fe Railroad Trestle. In areas which were already developed, it may not be feasible to acquire an 80 foot right-of-way. In these instances, the right-of-way may be as narrow as 60 feet and provide those improvements which are shown in Figure 4-3, Road Improvements, Alhambra Valley Annexation Area.

The improvements include travel lanes and shoulders, trails and drainage facilities. The right-of-way for Alhambra Valley Road (both north and west legs) shall generally be 80 feet in width. Right-of-way shall be preserved and acquired as necessary. There are many heritage quality trees along Alhambra Valley Road. All road improvements shall attempt to preserve these resources.

Reliez Valley Road Improvements. Reliez Valley Road represents the eastern section of the primary travel corridor through the planning area. The right-of-way width for the segment of Reliez Valley Road within Alhambra Valley Annexation shall be approximately 84 feet. Safety and related improvements to these roadways shall be made which preserve the rural-residential character of the corridor. Proposed improvements include construction of drainage; road shoulders; separated trail improvements; turning lanes; repaving/reconstruction of the existing roadbed as necessary; and landscape improvements. Like Alhambra Valley Road, Reliez Valley Road contains many heritage quality trees. All efforts shall be made to preserve them.

⁴⁷ Contra Costa County Community Development Department, 1992. op. cit.

In these instances, the right-of-way may be as narrow as 60 feet and provide those improvements which are shown in Figure 4-3, Road Improvements, Alhambra Valley Annexation Area. The improvements include travel lane and shoulders, trails and drainage facilities.

Construction activity associated with development projects shall be regulated as follows:

- Use of Alhambra Valley and Reliez Valley Roads by load-bearing construction trucks shall be minimized;
- Damage to Alhambra Valley and Reliez Valley Roads which is caused by construction activity shall be mitigated; and
- Noise and dust impacts generated by construction activity shall be mitigated.

Access points and driveways onto Alhambra Valley and Reliez Valley Roads shall be minimized. (*Chapter 4, Proposed Street Plan, Street Locations and Cross-Sections*)

The General Plan Transportation Element amendment above addresses the previously described road improvement priorities, goals, and policies from the AVSP related to maintaining adequate road circulation and safety in the Alhambra Valley area. Therefore, current plans and policies related to performance of the circulation system would continue to exist under the proposed project.

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when the additional parcels are created, development would be required to comply with the applicable transportation policies of the General Plan, including the policies summarized above, as well as the Countywide Transportation Plan. As a result, implementation of the annexation project would result in a less-than-significant impact.

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

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would

not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. In addition, the annexation project would not require the expansion of utilities and infrastructure that would induce new urban development in the area (see discussion in Section Q, Utilities). Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when these lots are created, the potential increase in traffic in the surrounding area would likely be negligible, and at this point the additional development is speculative, as no specific development is proposed as part of the annexation project. The minimal development potential, together with the General Plan transportation measures summarized above, would result in a less-than-significant impact.

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

The annexation area is not located at or near an airport. Buchanan Field in the City of Concord is approximately 4 miles from the annexation area. Implementation of the project would not change air traffic patterns, and no impact would result.

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

The annexation project does not include physical changes, no new or modified roadway or other transportation design features are proposed. Therefore, implementation of the project would result in less-than-significant impacts related to traffic hazards.

e) Result in inadequate emergency access?

Implementation of the annexation project would not involve any physical changes to the annexation area. In addition, as noted in P.a above, current plans and policies related to performance of the circulation system would continue to exist under the proposed project.

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when these lots are created, future development on these parcels would occur in an area that is currently served by emergency personal. The minimal development potential, together with the adjacency of existing development that is currently serviced by emergency personal, would result in a less-than-significant impact.

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

The City of Martinez General Plan and the Countywide Transportation Plan include policies and programs related to the performance of bicycle, pedestrian and public transit facilities. Implementation of the annexation project would not involve any physical changes to the annexation area. In addition, as noted in P.a above, current plans and policies related to performance of the circulation system would continue to exist under the proposed project.

The proposed annexation project would not increase or substantially change the allowed use, density or scale of development when compared to existing conditions or existing County zoning, policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels is ten (see Table 1 on page 6). If and when the additional parcels are created, the potential increase in traffic in the surrounding area would likely be negligible, and at this point is the additional development is speculative, as no specific development is proposed as part of the annexation project. Additionally, development would be required to comply with the applicable transportation policies of

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the General Plan, including the policies summarized above under response a), as well as the Countywide Transportation Plan. As a result, implementation of the annexation project would result in a less-than-significant impact.

Q. UTILITIES

Environmental Checklist

<i>UTILITIES ISSUES</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, State, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Checklist Findings

- a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

Wastewater services would remain the same as current conditions. Most of the annexation area is either under the jurisdiction of the Central Contra Costa Sanitary District (CCCSD) or Contra Costa County Sanitation District No. 6 (SD no. 6). Although a portion of the annexation area currently uses septic systems, some properties within the

annexation area are transitioning to the CCCSD sewer system independent of the City's proposed annexation (see description below). CCCSD has the capacity to serve the proposal area and no new facilities beyond the current sewer service plan would be required.^{48,49}

CCCSD annexed the eastern half of the City's proposed annexation area in 2007. CCCSD built a sanitary sewer trunk line along northern Alhambra Valley Road and is building connecting lines along Gordon Way, Millthwait Drive, and Alhambra Valley Road as far west as Quail Lane. Properties along these lines have begun to connect to these new lines. The Stonehurst subdivision, located farther to the west off Vaca Creek Road, treats wastewater differently than the rest of the proposed annexation area, and has formed the County Sanitation District No. 6 (SD no. 6). Each parcel in SD no. 6 has a septic system, but the effluent receives secondary treatment at a community plant and is discharged to a common leach field. When SD no. 6 was formed in 1992, San Francisco Bay Regional Water Quality Control Board (RWQCB) Waste Discharge Requirements (Order No. 91-096) specified that SD no. 6 serve the buildout period of the Stonehurst subdivision but that Stonehurst ultimately be connected to a sanitary sewer system when services "become available in the Alhambra Valley."⁵⁰ Stonehurst will not need to connect to the CCCSD trunk line, which is approximately one mile away, until the existing system fails or otherwise becomes non-compliant and/or the discharge no longer meets RWQCB requirements.⁵¹ The CCCSD sized the trunk sewer line below Alhambra Valley Road to serve buildout of the Alhambra Valley area, however it has no immediate plans to annex the Stonehurst subdivision.⁵²

Given no physical development is proposed as part of the annexation project and wastewater services would remain under their current jurisdiction, approval of the annexation project would not exceed wastewater treatment requirements. The proposed zoning would not increase or substantially change the allowed use, density or scale of development that would be permitted as compared to existing conditions or existing County zoning, policies and regulations. As the majority of the annexation area is built out, there are minimal opportunities for additional development to occur based on existing County regulations or the City's proposed regulations. Under either the County's existing or the City's proposed zoning, the maximum number of new agricultural or residential lots that could result from further subdividing existing parcels

⁴⁸ Central Contra Costa Sanitary District (CCCSD), 2007. Central Contra Costa Sanitary District Draft Negative Declaration, District Annexation 168B – Alhambra Valley. June 29, 2007.

⁴⁹ Swanson, Curt, 2010. Environmental Services Division Manager, Central Contra Costa Sanitary District. Personal communication with Urban Planning Partners. April 14.

⁵⁰ RWQCB, 1991. California Regional Water Quality Control Board San Francisco Bay Region. Order No. 91-096. Waste Discharge Requirements for: Security Owners Corporation, Stonehurst Subdivision, Martinez, Contra Costa County.

LAFCO, 2008. Contra Costa Local Agency Formation Commission. Water and Wastewater Municipal Service Reviews. Section 5: Central Contra Costa Sanitary District Wastewater Service. April 9, 2008.

⁵¹ Swanson, Curt, 2010. op. cit.

⁵² Ibid.

is ten (see Table 1 on page 6). It is not possible to predict if and when private property owners may choose to request approval to subdivide their property. However, if additional subdivisions are requested, they will be subject to CEQA review at the time they are proposed. Further even if all ten of the lots were to be created now, this level of development would not exceed the CCCSD's permitted treatment capacity.⁵³ CCCSD's current discharge permit allows an average dry weather flow (ADWF) rate of 53.8 million gallons per day (mgd) based on a secondary level of treatment. The actual ADWF rate in the year 2008 was 35.2 mgd. The 53.8 mgd treatment plant capacity should be adequate for the next several decades, based upon expected connection rates to CCCSD's collection system.⁵⁴

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Please see the discussion of wastewater infrastructure and treatment in Q.a above. Implementation of the proposed annexation project would not require the construction of additional wastewater treatment facilities, and would result in a less-than-significant impact.

The City of Martinez currently provides potable water service to all of the annexation area, and would continue to do so under the proposed project. The City of Martinez is providing water service to all properties in the proposal area. In 1987, the City adopted a resolution requiring that any new properties developed outside City limits that intend to receive City water service must sign a deferred annexation agreement. As a result, many properties in the proposal area have deferred annexation agreements with the City (see Figure 2). The City is proposing to annex them to fulfill the terms of these agreements. In its 2008 review of City of Martinez Water Services, Contra Costa LAFCO identified annexation as a means "to clean up boundary issues" created by the deferred annexation agreements.

Martinez provides water treatment and distribution services for residential, commercial, industrial, public and irrigation customers, as well as for fire protection uses. The City's sole source of water supply is untreated water purchased from CCWD. The City takes delivery of the water from the Martinez Reservoir, a terminal reservoir for the Contra Costa Canal. The City's water treatment facilities have a total filtration capacity of 14.7 million gallons per day (mgd). Average daily water use in 2006 was 5.2 mgd. The City's water system includes eleven treated water storage reservoirs with a capacity of 9.6 million gallons (MG).⁵⁵

⁵³ Ibid.

⁵⁴ Leavitt, Russell B., AICP. Engineering Assistant III, Contra Costa County Sanitation District. Personal communication with Urban Planning Partners, December 14, 2009.

⁵⁵ LAFCO, 2008(a). Contra Costa Local Agency Formation Commission. Water and Wastewater Municipal Service Reviews. Section 3: City of Martinez Water Services. April 9, 2008.

The annexation project would not increase or substantially change the allowed density or scale of development when compared to existing conditions or existing County policies and regulations. Neither existing County regulations nor the City's proposed regulations for the annexation area would allow for more than ten new parcels (see Table 1, page 6). Water demand associated with the development of ten parcels would be negligible in the context of demand for the entire annexation area and the City, and would not require the construction of new water treatment facilities. Therefore, impacts to water treatment infrastructure would be less than significant.

c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Please see Section I, Hydrology and Water Quality, for a discussion of the project's impacts to stormwater drainage facilities. Implementation of the proposed project would result in less-than-significant impact to stormwater drainage facilities.

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

The City's water system provides potable water to customers located within the City limits, and to some customers located just outside of the City limits. Over 90 percent of the water used by customers is for domestic uses. The remaining water is used for irrigation, industrial, commercial, and municipal users. Contra Costa Water District (CCWD) serves a portion of Martinez residents.

The City purchases raw water from the CCWD, which is drawn from the terminal reservoir at the end of the Contra Costa Canal. The CCWD operates the reservoir and the canal, though they are United States Bureau of Reclamation facilities. Raw water is pumped from the Delta at Rock Slew then flows through CCWD's Contra Costa Canal into Terminal Reservoir where it is conveyed through approximately 2,000 feet of 30-inch welded steel pipe to the City's Water Purification Plant. It is the sole source of water supply to the City. The City of Martinez Water System's main facilities are the Water Purification Plant (Water Treatment Plant), various reservoirs, pump stations, and distribution pipes.

The City currently has six pump stations supplying water to four distribution system pressure zones. All pressure zones have sufficient pumping capacity except for Zone 2. The 2005 Water Master Plan Update provided recommendations for installing pumping improvements in order to meet the existing and year 2020 demand. In localized areas where elevations are too high to be served from the surrounding pressure zone, a small pump station and a hydropneumatic tank are used to provide adequate service pressures. Four hydropneumatic systems are located within the water service area (such as the one at Webster Drive in the vicinity of the project).

The City of Martinez currently provides potable water service to the annexation area, and would continue to do so under the proposed project. As previously noted, the annexation project would not increase or substantially change the allowed uses, density

or scale of development when compared to existing conditions or existing County policies and regulations. Neither existing County regulations nor the City's proposed regulations for the annexation area would allow for more than ten new parcels. Water demand associated with the development of ten parcels would be negligible in the context of demand for the entire annexation area and the City, and would not require that the City obtain new water entitlements. Therefore, impacts to water supply would be less than significant.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

The Central Contra Costa Sanitary District's (CCCSD) current discharge permit allows an average dry weather flow (ADWF) rate of 53.8 million gallons per day (mgd) based on a secondary level of treatment. The actual ADWF rate in the year 2008 was 35.2 mgd. The 53.8 mgd treatment plant capacity should be adequate for the next several decades, based upon expected connection rates to CCCSD's collection system.

As previously noted, the annexation project would not increase or substantially change the allowed uses, density or scale of development when compared to existing conditions or existing County policies and regulations. Neither existing County regulations nor the City's proposed regulations for the annexation area would allow for more than ten new parcels. The demand for wastewater infrastructure and treatment associated with the development of ten parcels would be negligible in the context of demand for the entire annexation area and the City, and would not require the construction of new wastewater infrastructure and treatment. Therefore, impacts to wastewater infrastructure would be less than significant.⁵⁶

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Allied Waste is responsible for collection and disposal of solid waste in the City of Martinez. Allied Waste transports solid waste from Martinez to the Contra Costa Transfer and Recovery Station, then to Keller Canyon Landfill for disposal. The Keller Canyon Landfill opened on May 7, 1992 as a Class II Landfill operating under permit number 07-AA-0032. The facility accepts municipal solid waste, non-liquid industrial waste, contaminated soils, ash, grit and sludges. Keller Canyon Landfill covers 2,600 acres of land; 244 acres are permitted for disposal. The landfill currently handles 2,500 tons of waste per day, although the permit allows up to 3,500 tons of waste per day to be managed at the facility.⁵⁷ The facility has a total of 75 million cubic yards. The estimated capacity used is 11 million cubic yards and the remaining capacity through the year 2030 is approximately 63 million (85 percent).⁵⁸

⁵⁶ Swanson, Curt, 2010. op. cit.

⁵⁷ Allied Waste, 2010. Website: www.alliedwasteservicesofcontracostacounty.com/disposal_sites_kellercanyon.cfm Accessed March 25, 2010.

⁵⁸ California Integrated Waste Management Board, 2010. Website: www.ciwmb.ca.gov/

ALHAMBRA VALLEY ANNEXATION PROJECT
INITIAL STUDY CHECKLIST

The County holds the solid waste franchise that services the annexation area. Although it would not be required and would occur independent of the proposed annexation project, the City could request the transfer of the franchise from the County. This scenario is likely, because the County does not hold solid waste franchises for any other area within an incorporated City.⁵⁹ In either case, the demand for landfill capacity associated with development of ten parcels that could be subdivided from existing lots in the annexation area would be negligible in the context of demand for the entire annexation area and the City. Therefore, impacts to landfills would be less than significant.

g) Comply with federal, State, and local statutes and regulations related to solid waste?

Please see discussion in Q.f above. The proposed annexation project would be subject to all federal, State, and local statutes and regulations related to solid waste, and would result in a less-than-significant impact.

Profiles/Facility/ Landfill/LFProfile1 .asp?COID=1&FACID=07-AA-0032. Accessed March 25, 2010.

⁵⁹ Contra Costa Local Agency Formation Commission. *Proposal Justification Questionnaire for Annexations, Detachments, and Reorganizations*.

MANDATORY FINDINGS OF SIGNIFICANCE ISSUES	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Checklist Findings

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?

As described in Sections D, Biological Resources, and E, Cultural Resources, the proposed annexation project would result in less-than-significant impacts to biological resources or cultural resources. The project would not: 1) degrade the quality of the environment; 2) substantially reduce the habitat of a fish or wildlife species; 3) cause a fish or wildlife population to drop below self-sustaining levels; 4) threaten to eliminate a plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of the major periods of California history or prehistory.

- 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.)*

As previously noted, the annexation project would not increase or substantially change the allowed density or scale of development when compared to existing conditions or existing County policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). Neither existing County regulations nor the City’s proposed regulations for the annexation area would allow for more than ten new parcels (that could be subdivided from existing lots in the annexation area) to be established. In addition, existing policies in the AVSP intended to avoid or mitigate environmental effects would continue to apply to the annexation area, as the City would carry those policies over to the proposed Alhambra Valley Districts and General Plan Amendments as a component of the project. In this sense, the contents of the proposed zoning regulations and General Plan amendments would be consistent with current AVSP goals and policies intended to avoid or mitigate environmental effects. Future development that could occur would be of a small scale (on a maximum of ten new parcels), and would occur within an already developed residential neighborhood. As described throughout this document, impacts that could occur as a result of this development would be individually negligible, and thus would not contribute to a cumulatively considerable impact.

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

The proposed annexation project would not result in significant impacts related to air quality or GHG emissions. Future development that could occur on annexation area would be limited to a maximum of ten lots in an already developed residential area, and impacts from this development would not cause substantial adverse effects on human beings.

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PERSONAL COMMUNICATIONS

Emily Hopkins, Public Relations Officer, Contra Costa County Fire Protection District. Personal communication with Urban Planning Partners, December 23, 2009.

Peterson, Gary, 2010. Commander, City of Martinez Police Department. Personal communication with Urban Planning Partners. March 30.

Grace, Rich, 2010. Assistant Fire Chief, Contra Costa County Fire Protection District. Personal communication with Urban Planning Partners. April 5, 12, and 13.

Swanson, Curt, 2010. Environmental Services Division Manager, Central Contra Costa Sanitary District. Personal communication with Urban Planning Partners. April 14.

Leavitt, Russell B., AICP. Engineering Assistant III, Contra Costa County Sanitation District. Personal communication with Urban Planning Partners, December 14, 2009.

Review Regulations.

* * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 1st day of December 2010, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ