

PUBLIC NOTICE
PROPOSED GENERAL PLAN AMENDMENT AND
INTENT TO ADOPT MITIGATED NEGATIVE DECLARATION FOR
LEIGH CREEKSIDE PARK MASTER PLAN AMENDMENT PROJECT

BODY: Planning Commission • **DATE:** Monday, October 17, 2016 • **TIME:** 7:00 PM
PLACE: Lafayette Library & Learning Center, 3491 Mt. Diablo Blvd • Community Hall
RE: **GP02-16 City of Lafayette (Applicant), R-6 Zoning District:** City-initiated amendments to the Lafayette General Plan and Leigh Creekside Park Master Plan to re-designate the park from “passive” to “active” for the addition of children’s play structures to a portion of the existing neighborhood park, located at the corner of 4th Street and Moraga Boulevard. APNs 232-140-014, 232-150-028 and 177-061-027.
Consideration of adoption of a Mitigated Negative Declaration of environmental impacts.

Notice is hereby given that the City of Lafayette (City) has completed an Initial Study to evaluate the environmental impacts of the proposed Leigh Creekside Park Master Plan Amendment Project, described below, and intends to adopt a Mitigated Negative Declaration (MND) in accordance with the California Environmental Quality Act (CEQA). The Initial Study concludes that the proposed project would not have a significant adverse effect on the environment if the mitigation measures identified in the Initial Study are adopted and made conditions of approval of the project.

Project Description: The proposed project is the Leigh Creekside Park Amended Master Plan, and would include approval of the Initial Study/Mitigated Negative Declaration (IS/MND). The City would also be responsible for issuing grading and building permits as needed. Minor amendments to the General Plan, the Parks and Recreation Facilities Master Plan, and Leigh Creekside Park Master Plan would re-designate the project site from a “passive” to an “active” neighborhood park in order to maintain consistency throughout all planning documents.

The proposed project would designate the park as an active neighborhood park and divide it into two designated areas; a passive area and an active area. The passive area would include Americans with Disabilities Act (ADA) accessible pathways, picnic tables, benches, and natural surface areas. The smaller, active area would include new children’s play structures.

The Draft MND and all documents referenced therein are available for public review at www.lovelafayette.org/CEQA at the Lafayette City Offices 12-5 M-F, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA; the Parks, Trails & Recreation Office, 500 Saint Mary’s Road, Lafayette, CA. You may review the agenda and staff report, posted the Wednesday before the hearing, by visiting www.lovelafayette.org/Calendar and clicking on the meeting date.

You are invited to provide comments on the proposed project and MND. If you challenge the City’s decision on this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearings described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing. California Code of Civil Procedure §1094.6 (review of administrative decisions) is applicable to the City of Lafayette and provides for the review of any decision of the City only if the petition for writ of mandate is filed within 90 days after the decision becomes final.

Written comments may be submitted to jkatayanagi@ci.lafayette.ca.us or mailed to: City of Lafayette Parks Trails & Recreation Department • Attn. Jonathan Katayanagi • 500 Saint Mary’s Road, Lafayette, CA 94549. The starting date for public review of the Draft MND is September 7, 2016. The ending date for public review is October 7, 2016. The deadline for submitting comments for inclusion in the October 17, 2016 staff report is Friday, October 7, 2016 at 5:00 PM.

Contact: Jonathan Katayanagi at (925) 284-2232 or jkatayanagi@ci.lafayette.ca.us
Planning Commission email: planningcommission@lovelafayette.org

9/2/2016



Leigh Creekside Park Master Plan Amendment Project for the City of Lafayette

.....
Initial Study/Mitigated Negative Declaration, and Appendices
September 7, 2016

September 7, 2016

Leigh Creekside Park Master Plan Amendment Project for the City of Lafayette

Initial Study/Mitigated Negative Declaration, and Appendices

Prepared By:



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City of Lafayette
Initial Study Checklist
Leigh Creekside Park Master Plan Amendment Project

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**City of Lafayette
Initial Study Checklist
Leigh Creekside Park Master Plan Amendment Project**

INTRODUCTION

The proposed Leigh Creekside Park Master Plan Amendment Project is a “project” under the California Environmental Quality Act (CEQA). This Initial Study was prepared by PlaceWorks for the City of Lafayette (City) Parks, Trails & Recreation Department. This Initial Study was prepared pursuant to the CEQA (Public Resources Code Sections 21000 et seq.), CEQA Guidelines (Title 14, Section 15000 et seq. of the California Code of Regulations).

1. **Title:** Leigh Creekside Park Master Plan Amendment Project
2. **Lead Agency Name and Address:** City of Lafayette
Parks, Trails & Recreation Department
3675 Mount Diablo Boulevard, Suite 210
Lafayette, CA 94549
3. **Contact Person and Phone Number:** Jonathan Katayanagi, Director
(925) 284-2232
4. **Location:** Leigh Creekside Park
Corner of 4th Street and Moraga Boulevard
Lafayette, CA 94549
5. **Applicant’s Name and Address:** City of Lafayette Parks, Trails & Recreation
500 Saint Mary’s Road
Lafayette, CA 94549
(925) 284-2232
6. **General Plan Land Use Designations:** Parkland
7. **Zoning:** R-6 (Single-family Residential District - 6)
8. **Description of Project:** See page 7 of this Initial Study.
9. **Surrounding Land Uses and Setting:** See page 3 of this Initial Study.
10. **Other Required Approvals:** See page 7 of this Initial Study.
11. **Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?:** The City of Lafayette has not received any request from any Tribes in the geographic area with which it is traditionally and culturally affiliated with or otherwise to be notified about projects in the City of Lafayette.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Tribal 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 | <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"/> Transportation/Traffic | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

Determination:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that, 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 City. 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 (EIR) will be prepared.
- 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.



Signature

Jennifer Russell

Printed Name

August 19, 2016

Date

Director

Title

OVERVIEW AND BACKGROUND

This Initial Study checklist was prepared to assess the environmental effects of adopting and implementing the Leigh Creekside Park Master Plan Amendment, herein referred to as the “proposed project” or “project.” This Initial Study consists of a depiction of the existing environmental setting and the project description followed by a description of various environmental effects that may result from construction and operation of the proposed project.

LOCATION AND SETTING

A. REGIONAL LOCATION

The project site is located in the City of Lafayette in Contra Costa County. Figure 1 shows the relationship of the project site to the City and Contra Costa County. The City of Lafayette is located 18 miles northeast of San Francisco and bordered by Briones Regional Park to the north, City of Walnut Creek to the east, City of Moraga to the south, and City of Orinda to the west.

Regional access to the project site is provided via State Route 24 (SR-24), Interstate 680 (I-680), County Connection bus service, and by Bay Area Rapid Transit (BART) via the Lafayette Station. Local access to the project site is provided by Mount Diablo Boulevard, 2nd Street, Moraga Boulevard, and Foye Drive.

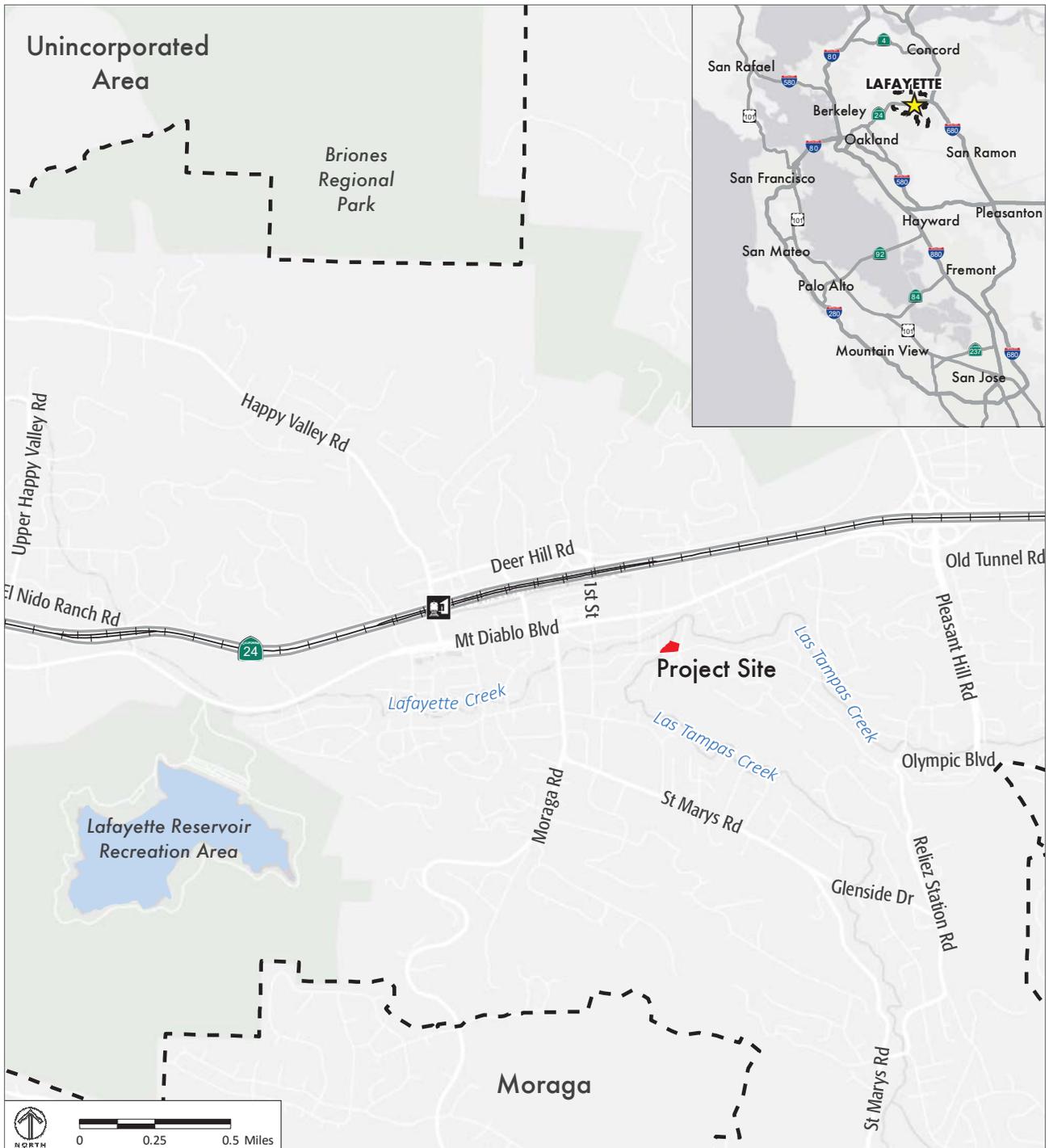
B. LOCAL SETTING

The project site is located on the corner of Moraga Boulevard and 4th Street within a single-family residential neighborhood. As shown on Figure 2, the site is bounded by Las Trampas Creek to the west, 4th Street to the east, Moraga Boulevard to the south, and residential housing to the north. The park is within walking distance to the Lafayette-Moraga Regional Trail which is operated by the East Bay Regional Parks District.

C. SITE CHARACTER

The 0.6-acre site is assigned Assessor’s Parcel Numbers (APNs) 233-051-36, -37, -38, -39, and -40. The project site is a neighborhood park and does not contain any lighting sources. The site is generally flat and developed with informal pervious pathways, two picnic tables, a drinking fountain, doggie pots,¹ and a split rail fence along the perimeter.

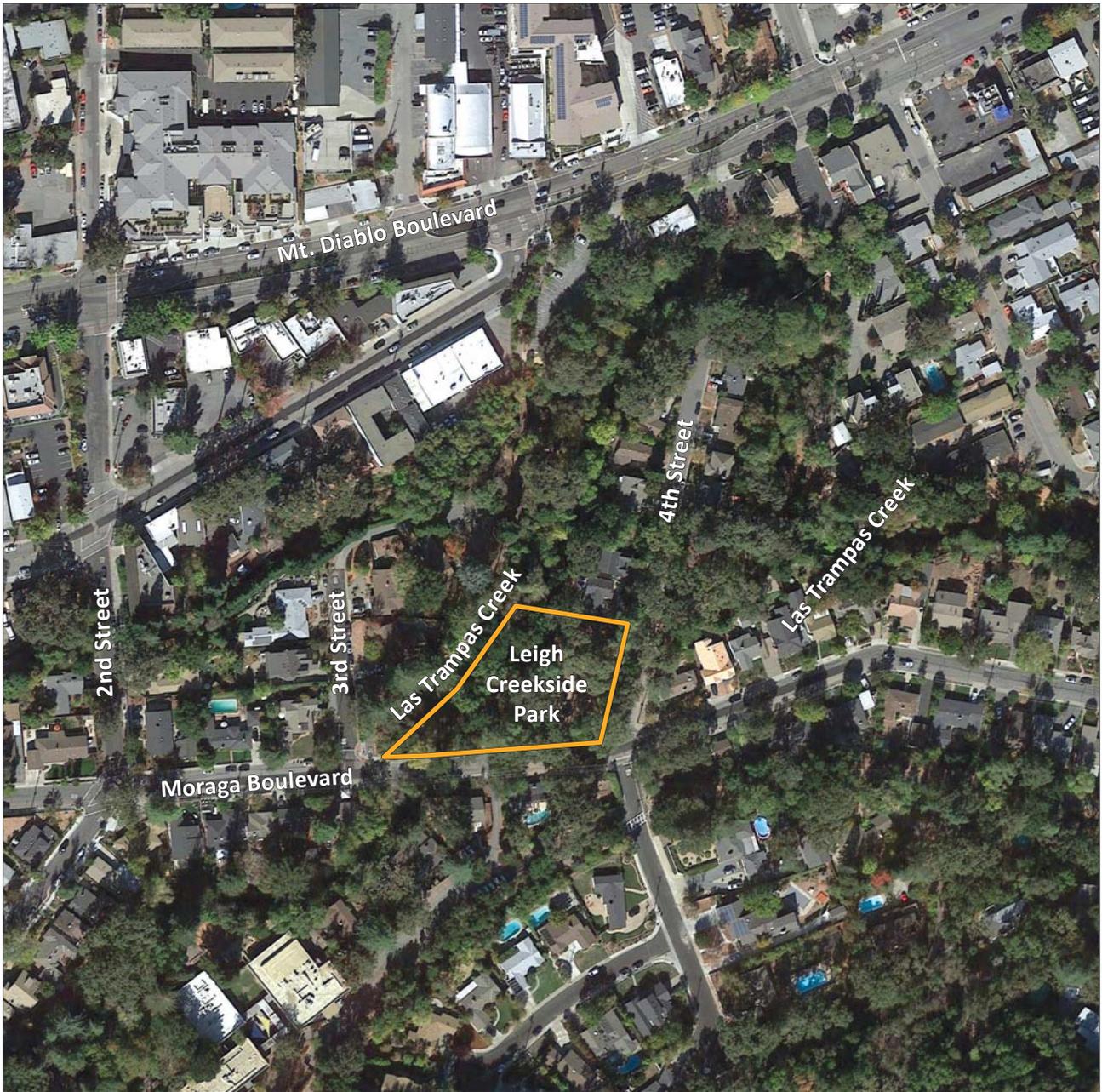
¹ Doggie pots are places to get and dispose of plastic bags.



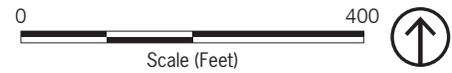
Source: PlaceWorks, 2016; ESRI 2015.

- Project Site
- 1 BART Station
- +— Railway
- ⎓ City Limit

Figure 1
 Regional and Local Context



Source: PlaceWorks, 2016. Google Earth Pro., 2016.



 Approximate Project Site

Figure 2
Aerial of Project Site and Surrounding Area

Vegetation on the project site includes native and non-native shrubs, trees, and riparian plants. The Las Trampas Creek can be viewed from the western portion of the site; however, access to the creek is prevented via signage and a split rail fence with wire mesh. There is a large Valley Oak tree (*Quercus lobata*) located in the northeast corner of the park which is considered a “protected” tree per Chapter 6-17, Tree Protection, of the Lafayette Municipal Code (LMC).² A tree report prepared in 2000 by Advance Tree Service Incorporated indicated that although the root system of the Valley Oak tree showed signs of superficial fungal decay it is relatively sound and healthy.³ Additionally, the tree report concluded that the area surrounding the Valley Oak tree be kept as natural as possible with limited human activity under the tree canopy.⁴

D. GENERAL PLAN AND ZONING DESIGNATIONS

The project site is designated as Parkland on the City’s 2002 General Plan Use Map. The Parkland land use designation is primarily intended for existing and proposed active and passive parks, such as Lafayette Community Park, Brook Street Park, Leigh Creekside Park and Mildred Lane Park.^{5,6} Chapter IV, Parks, Trails & Recreation, of the Lafayette General Plan, generally describes the project site as a neighborhood park offering passive recreational uses that include the type of recreation or activity that does not require the use of organized play areas. In 2009, the City adopted a Parks and Recreation Facilities Master Plan that included an Addendum to the General Plan EIR. The Parks and Recreation Facilities Master Plan further defines passive recreational uses to include surfacing pathways, turf, ornamental and/or natural landscape, picnic tables, and quiet recreation such as chess. Existing conditions at the project site are based on the adopted Leigh Creekside Park Master Plan, included in this Initial Study as Appendix A, which define the project site as a passive neighborhood park.

The project site is zoned R-6 (Single-family Residential District - 6). Per Section 6-703 of the LMC,⁷ the R-6 zoning district is reserved for detached single-family dwelling units on each lot and the accessory structure and uses normally auxiliary to it; crop and tree farming not including the raising or keeping of any animals other than ordinary household pets; publicly owned parks and playgrounds; a home occupation; and animal farming consistent with Chapter 6-5, Article 6, “Small Farm Animals,” and supportive care pursuant to Section 6-534 of the LMC.⁸

² Title 6, Planning and Land Use, Part 6, Subdivisions, Chapter 6-17, Tree Protection.

³ City of Lafayette Staff Report, August 28, 2000, Leigh Creekside Park Master Plan, http://lafayette.granicus.com/MetaViewer.php?view_id=&clip_id=1701&meta_id=24098, page 13.

⁴ City of Lafayette Staff Report, August 28, 2000, Leigh Creekside Park Master Plan, http://lafayette.granicus.com/MetaViewer.php?view_id=&clip_id=1701&meta_id=24098, page 13.

⁵ The City of Lafayette General Plan, 2009, Chapter I, Land Use, page I-7.

⁶ The City of Lafayette General Plan, 2009, Chapter IV, Parks, Trails and Recreation, page IV-3.

⁷ Title 6, Planning and Land Use, Part 3, Land Use Districts, Chapter 6-7, Single Family Residential Districts, Article 1, Single Family Residential District-6, Section 6-703, Uses Permitted.

⁸ Title 6, Planning and Land Use, Part 2, General Regulations, Chapter 6-5 General Provisions, Article 1, Miscellaneous, Section 6-534, Supportive Care Criteria.

E. REQUIRED PERMITS AND APPROVALS

The proposed project would require adoption of the Leigh Creekside Park Amended Master Plan, and approval of the Initial Study/Mitigated Negative Declaration (IS/MND). The City would also be responsible for issuing grading, building, and tree permits as needed. Minor amendments to the General Plan, the Parks and Recreation Facilities Master Plan, and Leigh Creekside Park Master Plan would also be required to re-designate the project site from a “passive” to an “active” neighborhood park in order to maintain consistency throughout all planning documents.

PROJECT DESCRIPTION

Under the proposed project, the City of Lafayette Parks, Trails & Recreation Department is proposing to adopt and implement the proposed Leigh Creekside Park Amended Master Plan, which includes construction of new children’s educational play structures at Leigh Creekside Park. The key project components are described in detail below.

A. PROJECT COMPONENTS

1. Leigh Creekside Park Amended Master Plan

The Leigh Creekside Park Master Plan, adopted on August 28, 2000, described the project site as a passive neighborhood park and included passive features such as picnic tables, a drinking fountain, and doggie pots.⁹ In 2015, the City Council hired James Dixon to prepare the Leigh Creekside Park Amended Master Plan, per recommendations from members of the public and the Lafayette Parks, Trails, & Recreation Commission, to introduce active play structures to the project site. As described above, the proposed project would re-define the project site as an active neighborhood park and divide the park into two designated areas; a passive area and active area. The passive area would include Americans with Disabilities Act (ADA) accessible pathways, picnic tables, benches, and natural surface areas. The proposed park’s active area would include construction of new children’s educational play structures; including boulders, paleontological themed climbing structures, and log benches, and other historically themed play elements. The proposed project outlines the following goals to ensure that the passive and active uses within the project site are appropriately balanced:

- Provide a new park experience for all ages and abilities, with a focus on young children that reflects and interprets Lafayette’s history.
- Make the park more accessible, more educational, more of a neighborhood park, and more enjoyable for all ages.
- Enhance the feeling of Lafayette as a community that is proud of its past and, because of that pride, is forward-thinking with a deep respect for nature, history, education, and knowledge.

⁹ Doggie pots are places to get and dispose of plastic bags.

- Preserve the passive, local use of the park while creating a more inviting space that focuses on Lafayette history.
- Address the change in demographics that has occurred over the past 15 years since the original master plan was adopted in 2000. The neighborhood now has more young families who seek opportunities to socialize in a neighborhood park and to have a place where their children are fully engaged in memorable recreation activities.
- Provide a park where people with mobility issues as well as developmental disabilities can enjoy a variety of park amenities that appropriately match their capabilities and interests.
- Include a phased development plan that can guide incremental development with available funding and recreational/ educational desires expressed by the neighbors.
- Create a model park that showcases sustainability and no/low environmental impacts.

2. Park Improvement Elements

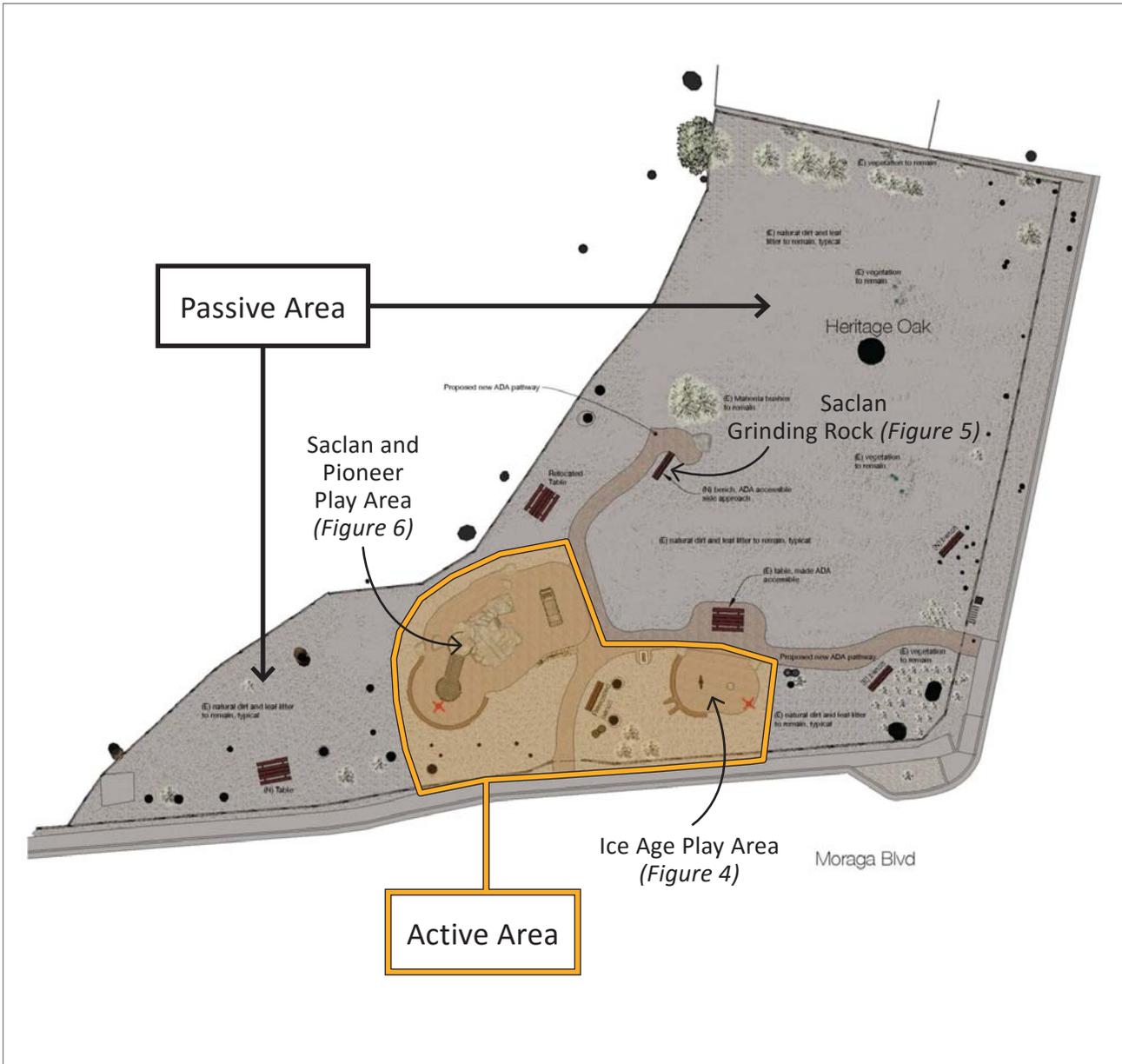
A. Site Preparation and Construction

There are no existing structures on the project site, thus, no demolition activities would occur. Overall, site preparation activities would generally be minimal and would not require extensive grading or excavation; however site preparation would require some leveling of the site to ensure flat surfaces and proper drainage in areas where the proposed structures would be located. The existing fence along the perimeter of the project site would be repaired to replace rotted posts, broken rails, and missing sections. Other site preparation activities would include the clearing, cutting, and removal of non-native vegetation in areas where construction would occur. The proposed project would not require trenching to connect to existing utility infrastructure, such as electricity and potable water. Two existing trees would be removed to accommodate the proposed play structures. Site preparation and construction of the proposed project could occur in phases depending on the availability of funding.

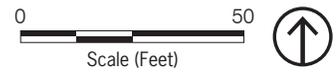
B. Pathways

The proposed project would include a total of 1,136 square feet (0.037 miles)¹⁰ of impervious concrete pathway connecting the two active play areas located in the southern portion of the project site to the passive sitting areas in the center of the park and the main entrance. The impervious concrete pathways would be ADA accessible and the width would range from 4 feet to 6 feet.

¹⁰ It should be noted that due to conceptual nature, irregular curves and natural materials, square footage and linear measurements throughout this document are close but still approximate.



Source: Leigh Creekside Park Amended Master Plan, 2016.



Active Area

Figure 3
Conceptual Site Plan

C. Landscaping

The proposed project would necessitate the removal of two existing native Incense Cedar (*Calocedrus decurrens*) trees.¹¹ However, if a City approved arborist determines that additional existing trees are in poor health, exhibit structural deficiencies or poor growth habits, they may be trimmed or removed in accordance with Chapter 6-17, Tree Protection, of the LMC. Non-native vegetation within the proposed construction areas would be removed and any native vegetation necessitating removal would be relocated to another area within the project site. The existing lawn and lawn irrigation system would remain but would require modification to accommodate the new ADA path. However, if drought conditions persist, the City would allow the lawn to revert to natural dirt and leaf litter. The hose bibb, located on the adjacent creek bank, outside the project area, would be retained.

D. Proposed New Structures and Site Furnishings

As shown on Figure 3, the passive area would be located at the northeast corner of the project site, surrounding the heritage oak, and the southwest corner along Las Trampas Creek. These areas would remain relatively undisturbed with only the addition of two new benches, one new picnic table, a relocated picnic table, and the pedestrian pathway, which would begin at the main entrance of the project site providing access to the active and passive areas. The active area would contain educational play structures that incorporate elements that characterize different historical time periods. In total, the proposed new play structures and site furnishings would introduce 450 square feet of impervious surface. Each active play area and associated play structures are summarized below.

i. Ice Age Play Area

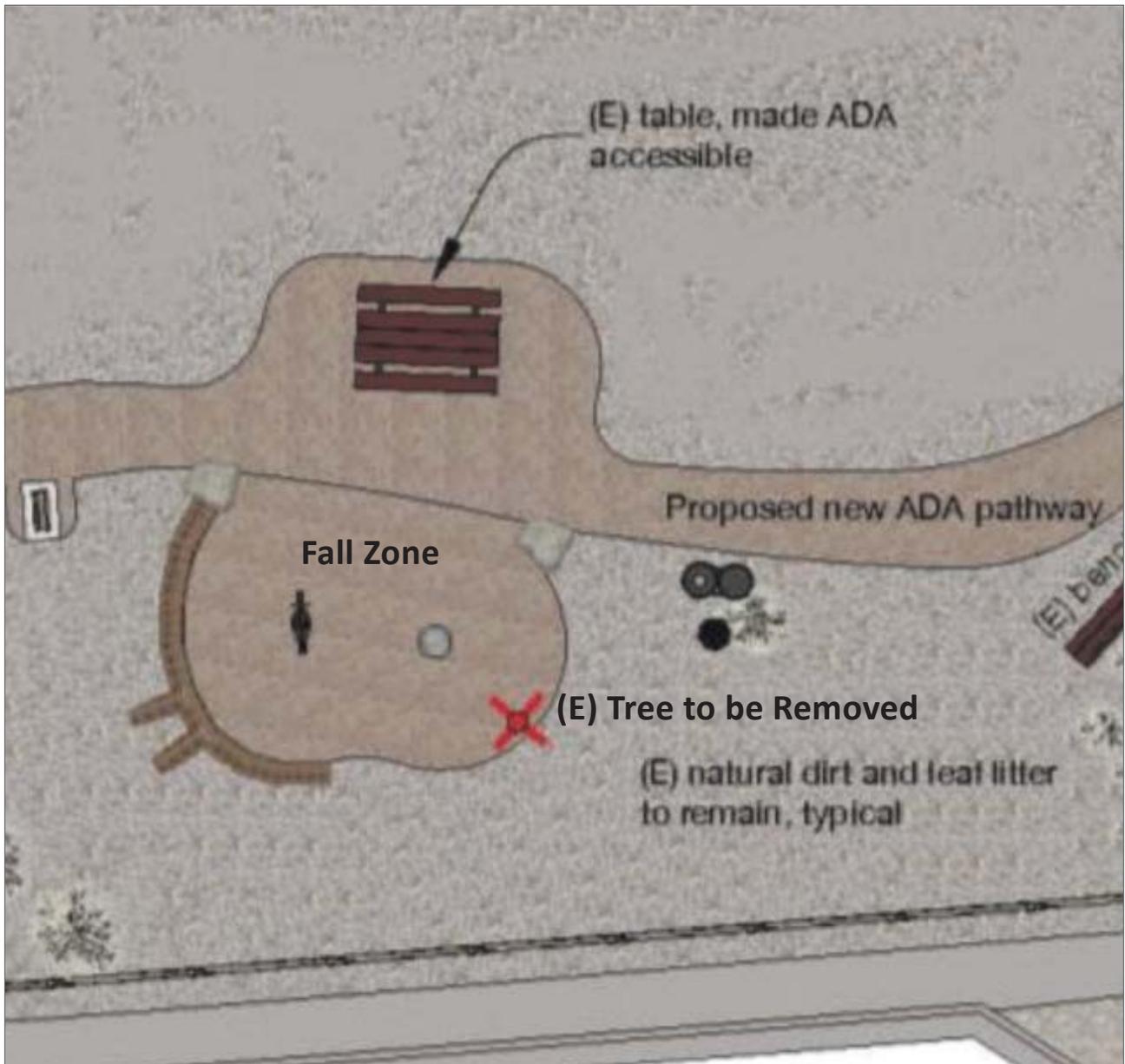
As shown on Figure 4: the Ice Age Play Area, would include educational play structures that embody images associated with the ice age, a period of time in ancient history characterized by megafauna¹² and colder temperatures. This portion of the active play area would contain an animal spring rocker, a spinning cup, and logs that can be used for seating, balancing and climbing. The educational play structures would be geared for children ages 9 months to 5 years old. The ground surface surrounding the play structures would be 301 square feet and coated with a 3 to 4 inch thick recreational pervious rubber safety surface to provide a safe play environment for visitors. The log border within this portion of the active play area would introduce a total of 30 square feet of impervious surface to the project site. Total square footage of the Ice Age play area and its fall zone is 331 square feet.

ii. Saclan Grinding Rock

As shown in Figure 5, this passive area includes a natural boulder with depressions so park visitors can experience a Native American grinding stone. A nearby accessible bench offers views of the park and the grinding rock. The total area is 95 square feet of impervious surface.

¹¹ InsideOut Design, 2015, Tree Inventory & Assessment at Leigh Creekside Park Improvement Plan.

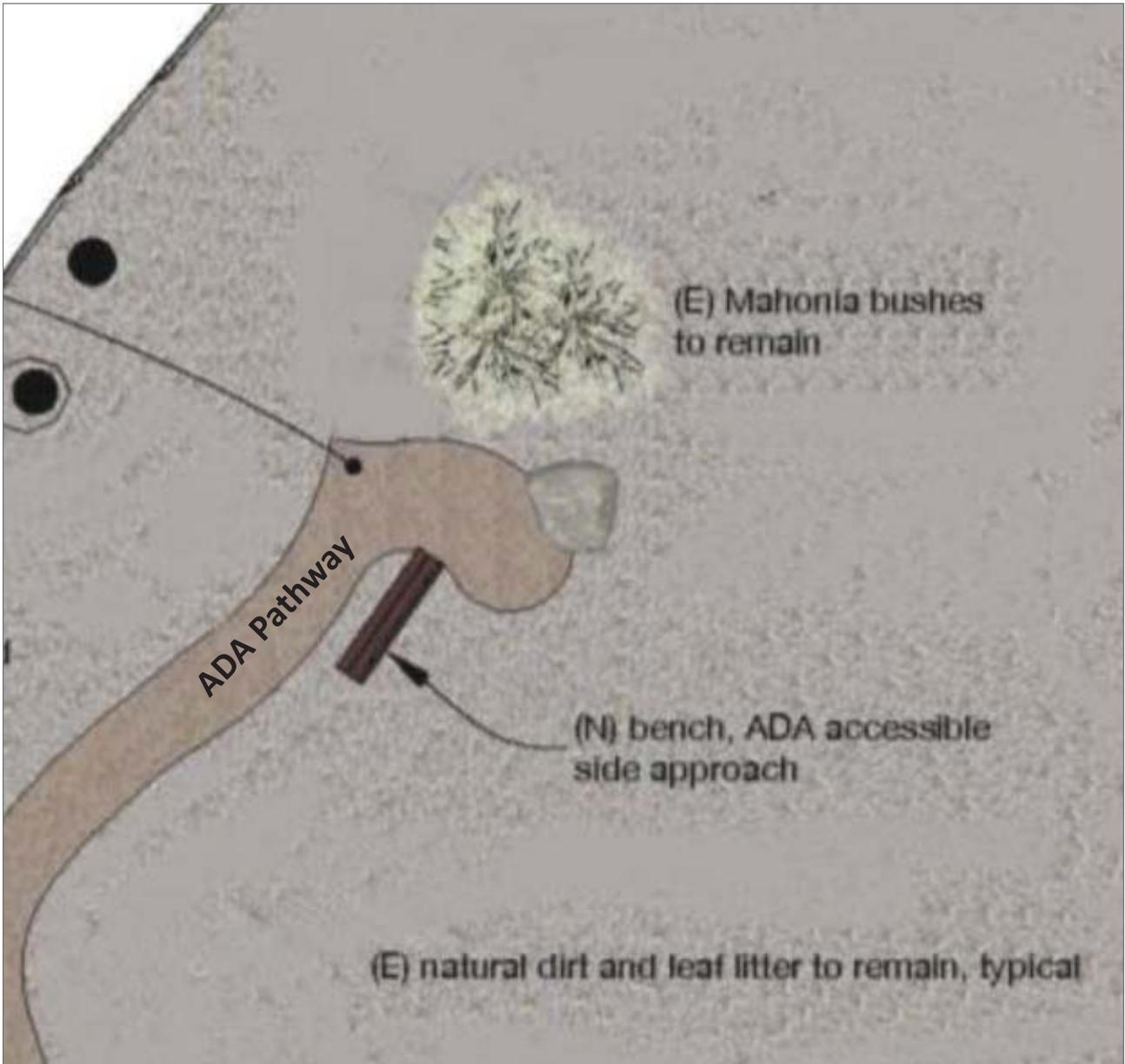
¹² Megafauna are giant or large animals such Mastodon's and Saber Tooth Cats.



Source: Leigh Creekside Park Amended Master Plan, 2016.



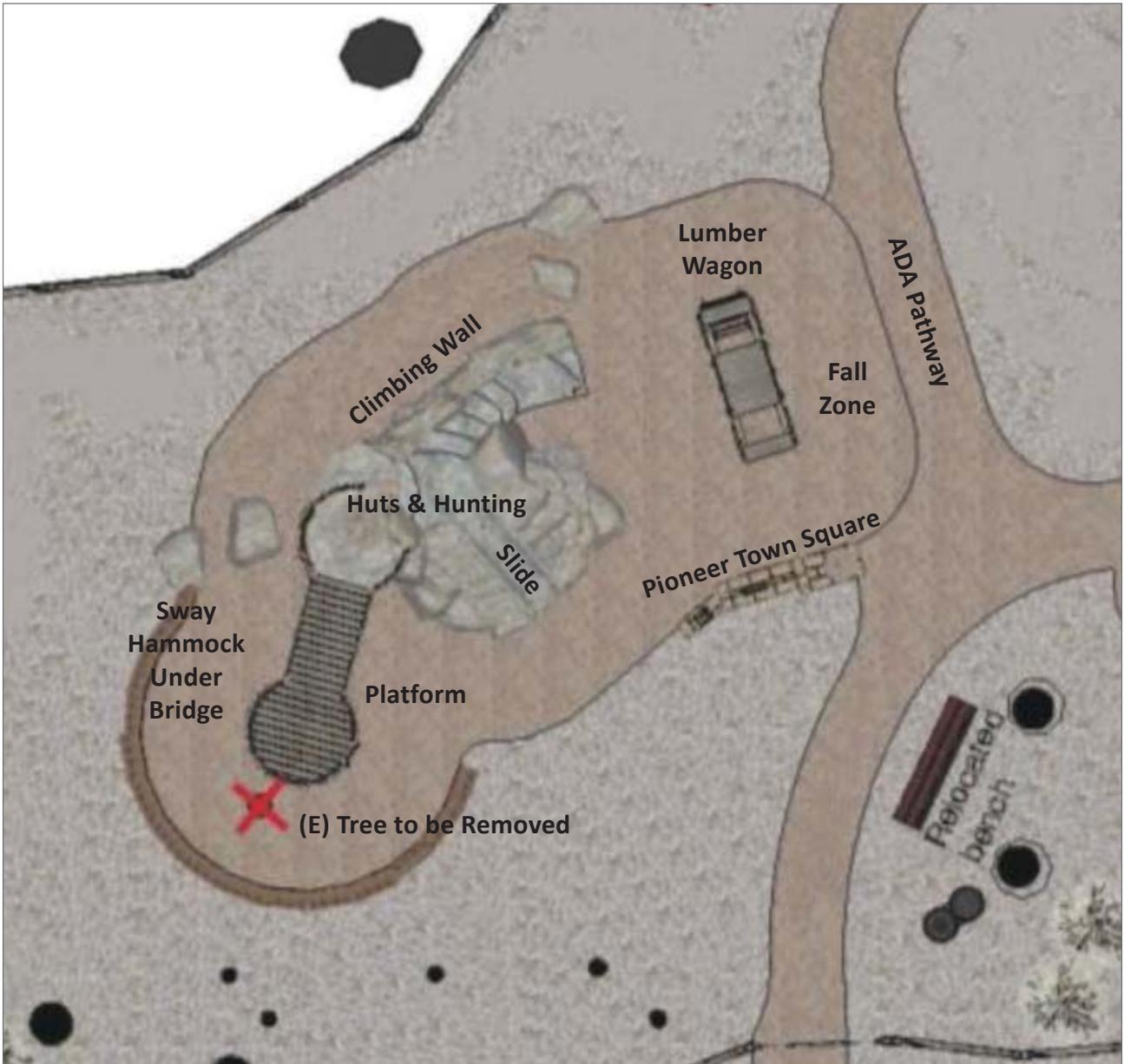
Figure 4
Ice Age Play Area



Source: Leigh Creekside Park Amended Master Plan, 2016.



Figure 5
Saclan Grinding Rock



Source: Leigh Creekside Park Amended Master Plan, 2016.



Figure 6
Saclan and Pioneer Play Area

iii. Saclan and Pioneer Play Area

As shown on Figure 6, this area would include educational play structures that embody the City of Lafayette's rich Native American and pioneer history. This portion of the active play area would contain three designated play areas; Saclan Time: Huts and Hunting, Pioneer Time: Lumber Wagon, and Pioneer Time: Town Square. The Saclan Time: Huts and Hunting play area would contain a slide, a boulder for climbing with a bridge that would connect to a hunting observation platform, cargo net hammock for swaying, a rock wall with climbing nodules, and a log border. The Pioneer Time: Lumber Wagon is a multi-passenger see-saw on springs that would be customized to look like a pioneer lumber wagon. The Pioneer Time: Town Square play area would contain low cementitious walls adorned with period objects such as anvils, horseshoes, sacks of grain, and wooden boxes for imaginative play. The educational play structures would be suitable for children ages 5 to 12 years old. The ground surface surrounding the play structures would be coated with a 3 to 4 inch thick recreational pervious rubber safety surface to provide a safe play environment for visitors. The educational play structures within this portion of the active play area would introduce a total of 325 square feet of impervious surface to the project site. Total square footage for the Saclan and Pioneer Play Area is 1,236 which includes 1,020 of pervious fall zone surface.

E. Parking and Traffic

The project site is situated within a residential neighborhood and is defined as a neighborhood park per the General Plan and Lafayette Parks and Recreation Facilities Master Plan. Neighborhood parks primarily serve a local residential area within 0.5 mile to 1 mile distance and do not include parking.¹³ Leigh Creekside Park averages about 10 visitors per day.¹⁴ Daily visitors primarily access the site by foot, bicycle, and wheelchair. The area surrounding the project site along Moraga Boulevard and 4th Street does contain enough curb space to accommodate about 22 cars. Based on vehicle counts at the project site, Brooks Street Park, and Lafayette Elementary School Playgrounds, an estimated 8 to 10 cars could access the project site per day after the proposed renovations,¹⁵ however, the lack of restrooms and the small size of the project site would likely limit the length of time visitors spend on the project site.

F. Utilities

The project would retain existing connections to utilities already at the site including sewer and water. There are currently no sources of light at the project site and none are proposed as part of the project. Section XVII Utilities and Service Systems of the Environmental Checklist below provides a description of the regulatory setting and impacts to the service providers that serve the project site.

¹³ City of Lafayette, 2009, Lafayette Park and Recreation Facilities Master Plan, page 5 and 7.

¹⁴ City of Lafayette, 2009, Lafayette Park and Recreation Facilities Master Plan, Attachment 1, Background Report, page 35.

¹⁵ City of Lafayette, The Parks, Trails and Recreation Commission, Staff Report Minutes, October 14, 2015.

i. Water

The proposed project would be served by East Bay Municipal Utility District (EBMUD), which supplies water to the City of Lafayette. The project proposes to retain an ADA water fountain and existing hose bibb located on the creek bank, outside the project area. The existing lawn and lawn irrigation system would remain but would require modification to accommodate the new ADA path. However, if drought conditions persist, the City would allow the lawn to revert to natural dirt and leaf litter. The hose bibb, located on the adjacent creek bank, outside the project area, would be retained.

ii. Electricity

The project site does not contain any lighting sources and does not propose to introduce any sources of light or connect to electrical service meters.

iii. Stormwater Management

The proposed project would result in a net increase of 1,586 square feet of impervious surface to the project site. The project would be required to comply with the Contra Costa Clean Water Program (CCCWP) C.3 requirements, which include the minimization of impervious surfaces, measures to detain or infiltrate runoff from peak flows to match pre-development conditions, and agreements to ensure that the stormwater treatment and flow control facilities are maintained in perpetuity.

iv. Solid Waste

The Central Costa Solid Waste Authority (CCSWA), a joint Powers Authority, oversees solid waste collection, disposal, and recycling in the City of Lafayette. Solid waste generated by the proposed project would be adequately handled by the current disposal schedule.

ENVIRONMENTAL CHECKLIST

I. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

- a) The project site and surrounding area is not considered an entryway,¹⁶ character area,¹⁷ or scenic viewing corridor¹⁸ under the City of Lafayette General Plan. Additionally, the project does not propose any structures that would be of a height that would obstruct or limit any views of surrounding land uses, scenic or otherwise. Therefore, *no impact* would occur and no mitigation measures are required.
- b) The project site is located 0.5 miles south of SR 24, a State designated scenic highway.¹⁹ Due to the flat topography of the project site and its surroundings, the project site is not visible from this State scenic highway. Therefore, *no impact* would result in this respect and no mitigation measures are required.
- c) As described above, the project site is developed with informal pervious pathways/trails, two picnic tables, a drinking fountain, and a split rail fence along the perimeter. The project proposes construction of play structures that would constitute active play, such as slides, climbing walls, and spring rockers. While the proposed project would represent a change to the existing visual character of the site, this type of development is consistent with the permitted uses and development standards outlined in Section 6-703, R-6 zoning district, of the LMC,²⁰ which allows for playgrounds. Therefore, adoption and implementation of the proposed project would result in a *less-than-significant* impact and no mitigation measures are required.
- d) Development of the proposed project would not result in substantial sources of light or glare that would adversely affect day or nighttime views in the area, as no lighting is proposed. Therefore, *no impact* would occur and no mitigation measures are required.

¹⁶ City of Lafayette General Plan, Map I-2, Entryway.

¹⁷ City of Lafayette General Plan, Map I-6, Character Area.

¹⁸ City of Lafayette General Plan, Map I-5, Scenic View Corridor.

¹⁹ California Scenic Highway Program, California Department of Transportation (Caltrans) website, http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/, accessed on August 9, 2016.

²⁰ Title 6, Planning and Land Use, Part 3, Land Use Districts, Article 1, Single Family Residential District-6, Chapter 6, Section 6-703, Uses Permitted.

II. AGRICULTURE AND FORESTRY RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined 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) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or of conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a) The project site is currently designated for park land uses in the Lafayette General Plan and is currently developed with a neighborhood park. The project site is classified as Rural Residential Land by the Department of Conservation’s Farmland Mapping and Monitoring Program.²¹ This means that the proposed project would not convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance to non-agricultural use. Therefore, there would be *no impact*, and no mitigation measures are required.

²¹ State of California Department of Conservation, Important Farmland Finder, <http://maps.conservation.ca.gov/ciff/ciff.html>, accessed on August 9, 2016.

- b) Neither the project site, adjoining parcels, nor the immediately surrounding areas feature agricultural zoning designations or properties subject to Williamson Act contracts.²² Therefore, the proposed project would not conflict with existing zoning for agricultural use or Williamson Act contracts. Accordingly, there would be *no impact* and no mitigation measures are required.
- c) Neither the project site, adjoining parcels, nor the immediately surrounding areas feature zoning designations for forest land, timberland, or timber production. Additionally, there are currently no lands within the City of Lafayette zoned for or currently featuring timberland or timber production. The proposed project would therefore not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland. Accordingly, there would be *no impact* and no mitigation measures are required.
- d) There is no forest land on the project site or in close proximity to the project site.²³ The project site and surrounding areas currently feature developed, park land uses. Therefore, the project would not result in the loss of forest land or conversion of forest land to non-forest use. Accordingly, there would be *no impact* and no mitigation measures are required.
- e) As detailed above, the project site and surrounding areas do not include any zoning, land use designations, or existing land uses relating to forest land, timber production, or agriculture. The project would not impact any outlying agricultural or forest lands and would not involve changes to the existing environment that would result in the conversion of forest or agricultural lands. Accordingly, there would be *no impact* and no mitigation measures are required.

III. AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

²² Contra Costa County, 2012 Agricultural Preserves Map, <http://www.co.contra-costa.ca.us/DocumentCenter/View/882>, accessed August 9, 2016.

²³ California Department of Forestry and Fire Protection, Fire and Resource Assessment Program, The Management Landscape, <http://frap.fire.ca.gov/data/frapgis/maps/pdfs/landscapesmap.pdf>, accessed August 9, 2016.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project area is in non-attainment under applicable federal or State ambient air quality standards (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"/>

DISCUSSION:

- a) The Bay Area Air Quality Management District (BAAQMD) is the regional air quality management agency for the San Francisco Bay Area Air Basin (SFBAAB), which comprises all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties; the southern portion of Sonoma County; and the southwestern portion of Solano County. Air quality in this area is determined by such natural factors as topography, meteorology, and climate, in addition to the presence of existing air pollution sources and ambient conditions.²⁴

Large projects that exceed regional employment, population, and housing planning projections have the potential to be inconsistent with the regional inventory compiled as part of the BAAQMD 2010 Bay Area Clean Air Plan. The project proposes construction of two play areas within a 0.6 acre passive neighborhood park location in the City of Lafayette, California and would not generate new operational vehicle trips within the area. In addition, the proposed project would not have the potential to substantially affect housing, employment, and population projections within the region, which is the basis of the Bay Area Clean Air Plan projections. Therefore, the proposed project is not considered a regionally significant project under CEQA Guidelines Section 15206 that would affect regional vehicle miles traveled (VMT) and warrant intergovernmental review by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC). Furthermore, the project would fall under BAAQMD’s screening criteria, which is used to determine projects that have the potential to generate emissions that exceed BAAQMD’s operational emissions thresholds (see Section III (b)). These thresholds are established to identify projects that have the potential to generate a substantial amount of criteria air pollutants. Because the project would not exceed these thresholds during project operations, the project would not be considered by BAAQMD to be a substantial emitter

²⁴ Bay Area Air Quality Management District, 2011, California Environmental Quality Act Air Quality Guidelines.

of criterial air pollutants. Therefore, the project would not conflict with or obstruct implementation of the 2010 Bay Area Clean Air Plan and impacts would be considered *less than significant*. No mitigation measures are required.

- b) BAAQMD has identified thresholds of significance for criteria pollutant emissions and criteria air pollutant precursors, including reactive organic gases (ROG), oxides of nitrogen (NOx), coarse inhalable particulate matter (PM10), and fine inhalable particulate matter (PM2.5). Developments below the significant thresholds are not expected to generate sufficient criteria pollutant emissions to violate any air quality standard or contribute substantially to an existing or projected air quality violation.

Construction Emissions

Construction activities produce combustion emissions from various sources, such as on-site heavy-duty construction vehicles, vehicles hauling materials to and from the project site, and motor vehicles transporting the construction crew. Site preparation activities produce fugitive dust emissions (PM10 and PM2.5) from soil-disturbing activities, such as grading and excavation. Air pollutant emissions from construction activities on site would vary daily as construction activity levels change. BAAQMD's CEQA Guidelines identifies screening criteria for construction-related criteria air pollutant emissions. Since BAAQMD's CEQA Guidelines does not have specific screening criteria for recreational trails, the screening criteria for city parks were used as the best fit. Based on BAAQMD's screening criteria, city parks of 67 acres or larger have the potential to generate a substantial increase in criteria air pollutant emissions and would need further analysis. The project is substantially below the BAAQMD screening threshold and construction would generate nominal criteria air pollutant emissions. Additionally, the small scale of the proposed project does not have the potential to result in overlapping construction activities. Therefore, a quantified analysis of the project's construction emissions is not necessary and the impact is *less than significant*.

Operational Emissions

The existing 0.6 acres of passive park do not generate long-term air pollutant emissions from the burning of fossil fuels in vehicles (mobile sources), energy use for cooling, heating, and cooking (energy), or landscape equipment use and consumer products (area sources). The proposed project involves construction of two children's educational play structures. BAAQMD's CEQA Guidelines identifies screening criteria for operation-related criteria air pollutant emissions. Based on BAAQMD's screening criteria, city parks of 2613 acres or larger have the potential to generate a substantial increase in criteria air pollutant emissions and would need further analysis. The project is substantially below the BAAQMD screening threshold and would generate nominal criteria air pollutant emissions. Furthermore, the proposed project would not generate new vehicle trips within the area; therefore, it is not anticipated to result in a net increase of mobile source emissions. Criteria air pollutant emissions generated by the project are a *less than significant* impact.

- c) The SFBAAB is currently designated as a nonattainment area for California and National ambient air quality standards (AAQS) for ozone (O₃) and for PM_{2.5}, and a nonattainment area under the California AAQS for PM₁₀. Any project that does not exceed or can be mitigated to less than the BAAQMD significance levels, used as the threshold for determining major projects, does not add significantly to a cumulative impact. As explained in response to Section III.b above, operation of the project would fall under the BAAQMD screening criteria and would not result in regional emissions in excess of these threshold values. Likewise, the project would not generate an increase in criteria air pollutant emissions during construction activities. A quantified analysis of the project's construction emissions is not considered necessary, and this impact is considered *less than significant*.
- d) The project site is located adjacent to Moraga Boulevard. The volume of vehicular traffic on this roadway would not result, under existing conditions or with the addition of trips from the proposed project result, in the creation of substantial pollutant concentrations to which future users of the proposed project could potentially be exposed. Localized concentrations refer to the amount of pollutants in a volume of air (ppm or µg/m³) that can be correlated to potential health effects on sensitive populations. The closest sensitive receptors to the project are the residences located approximately 95 feet north of the project along 4th Street and to the South and East across Moraga Boulevard and 4th Street. Exposure of sensitive receptors (future park users) to substantial pollutant concentrations would not occur as a result of the proposed project.

Construction Off-Site Community Risk and Hazards

Project construction would temporarily elevate concentrations of toxic air contaminants (TACs) and PM_{2.5} in the vicinity of sensitive land uses during construction activities. However, development of a multi-modal trail would not generate an intensive construction schedule or a substantial off-road equipment fleet that would result in significant construction impacts to off-site sensitive receptors. Overall, construction emissions associated with the proposed project would not exceed BAAQMD's project level and cumulative significance thresholds for community risk and hazards, and the impact is *less than significant*.

Operational Phase On-Site Community Risk and Hazards

Once completed, the project will not be a source of emissions; therefore operational on-site emissions pose no risk to the community and a *less-than-significant* impact would result.

- e) The type of facilities that are considered to have objectionable odors include wastewater treatment plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. As described above, the project proposes construction of play structures that would constitute active play, such as slides, climbing walls, and spring rockers. Construction and operation of a city park would not generate substantial odors or be subject to odors that would affect a substantial number of people. Any construction-

related odor emissions would be temporary and intermittent in nature. Additionally, noxious odors would be confined to the immediate vicinity of the construction equipment. By the time such emissions reach any sensitive receptor sites, they would be diluted to well below any level of air quality concern. Impacts would be *less than significant*.

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US 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"/>

DISCUSSION:

- a) The project site is located in an urbanized setting within a residential neighborhood. Vegetation on the project site includes native and non-native shrubs, trees, and riparian plants. The Las Trampas Creek can be viewed from the western portion of the site; however, access to the creek is prevented via signage and a fence. There are two existing native Incense Cedar (*Calocedrus decurrens*) trees identified for removal. These trees are considered “protected” per Chapter 6-17, Tree Protection, of the Lafayette Municipal Code (LMC).²⁵ Special-status species are plants and animals that are legally protected under the State and/or federal Endangered Species Acts or other regulations, as well as other species that are considered rare enough by the scientific community and trustee agencies to warrant special consideration, particularly with regard to protection of isolated populations, nesting or denning locations, communal roosts and other essential habitat. Suitable habitat for most of the special-status species known or suspected to occur in the Lafayette vicinity is absent from the site.²⁶ However, there is a remote possibility that one or more species of birds protected under the federal Migratory Bird Treaty Act could nest in the scattered trees on the site. However, with implementation of Mitigation Measure BIO-1, the impact to nesting birds would be *less than significant*.

Mitigation Measure BIO-1: Adequate measures shall be taken to avoid inadvertent take of species of birds protected under the migratory Bird Treaty Act and the California Department of Fish and Game Code when in active use. This shall be accomplished by taking the following steps:

- If vegetation removal and initial construction (i.e., landscape grubbing/grading) is proposed during the nesting season (February 1 to August 31), a focused preconstruction survey for nesting raptors and migratory birds shall be conducted by a qualified biologist 7 days prior to the onset of vegetation removal or construction, in order to identify any active nests on the proposed project site.
- If no active nests are identified during the construction survey period, or if development is initiated during the non-breeding season (September 1 to January 31), vegetation removal and construction may proceed with no restrictions.
- If bird nests are found, an adequate setback shall be established around the nest location and vegetation removal and construction activities shall be restricted within this no-disturbance zone until the qualified biologist has confirmed that any young birds have fledged and are able to function outside the nest location. In general, no-disturbance zones shall be a minimum of 300 feet for raptors and 75 feet for other birds. Orange construction fencing, flagging, or other marking system shall be installed to delineate the buffer zone around the nest location(s) within which no construction-related equipment

²⁵ Title 6, Planning and Land Use, Part 6, Subdivisions, Chapter 6-17, Tree Protection.

²⁶ California Department of Fish and Wildlife, *California Natural Diversity Database in Shape File Format*, Dated April 2016.

or operations shall be permitted. Continued use of existing facilities such as surface parking and site maintenance may continue within this buffer zone. Required setback distances for the no-disturbance zone shall be based on input received from the California Department of Fish and Wildlife, and may vary depending on species and sensitivity to disturbance.

- A report of findings shall be prepared by the qualified biologist and submitted to the City for review and approval prior to initiation of construction within the no-disturbance zone during the nesting season (February 1 to August 31). The report shall either confirm absence of any active nests or confirm that any young are located within a designated no-disturbance zone and construction can proceed.
- b) As described above, the project site is located within a residential neighborhood and bordered by residential housing to the north, south, and east of the property lines. The Las Trampas Creek runs along the western portion of the site; however, access to the creek is prevented via signage and a fence. Although riparian habitats are typically found in close proximity to creeks, the Classification and Assessment with Landsat of Visible Ecological Groupings²⁷ characterizes the project site as urban or developed.²⁸ Thus, the impact on sensitive natural communities would be *less than significant* and no mitigation measures are required.
- c) The project site is an existing neighborhood park located within an urbanized area. There are no wetlands or jurisdictional waters present on the project site, therefore, no impact would occur directly. Potential indirect impacts to wetlands and other jurisdictional waters include: 1) an increase in the potential for sedimentation due to construction grading and ground disturbance, 2) an increase in the potential for erosion due to increased runoff volumes generated by impervious surfaces, and 3) an increase in the potential for water quality degradation due to increased pollutant levels in non-point pollutants. However, best management practices described in Section X, Hydrology and Water Quality, would be utilized to prevent any construction-generated sediments or pollutants from entering the storm drain system and entering downgradient regulated waters. Therefore, there would be *no impact* on jurisdictional wetlands and waters, and no mitigation measures are required.
- d) As described above, the project site is located within a residential neighborhood and bordered by residential housing to the north, south, and east of the property lines. The Las Trampas Creek runs along the western portion of the site; however, access to the creek is prevented via signage and a fence. Surrounding residential development restricts potential movement of any native resident or

²⁷ The CALVEG system was initiated in January 1978 by the Region 5 Ecology Group of the US Forest Service to classify California's existing vegetation communities for use in statewide resource planning. CALVEG maps use a hierarchical classification on the following categories: forest; woodland; chaparral; shrubs; and herbaceous.

²⁸ The Urban or Developed category applies to landscapes that are dominated by urban structures, residential units, or other developed land use elements such as highways, city parks, cemeteries, and the like. In those cases in which the managed landscapes may have a considerable vegetation component, other land use categories may be more appropriate, such as Ornamental Conifer and Hardwood mixtures within city parks.

migratory fish or wildlife species across the project site under existing conditions. The potential for movement of wildlife species along the Las Trampas Creek corridor would not change with implementation of the proposed project as the existing fence along the creek would remain. In addition the proposed project would be required to comply with Section 6-1841, Structure Setback, which specifies creek setback requirements for new structures. Therefore, the proposed project would not 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, and impact would be *less than significant*.

- e) As discussed in Section XI, Land Use and Planning, the proposed project would be consistent with the General Plan goals and policies for the preservation of biological resources. The City of Lafayette includes provisions regulating development when it may affect “protected trees.” The City’s Tree Protection regulations (LMC Chapter 6-17)²⁹, Tree Protection, of the LMC serves to regulate the protection, installation, removal, and long-term management of significantly sized trees on private and public property within the city. Trees identified for protection under LMC Section 6-1072, are native coast live oak, canyon oak, blue oak, white oak, back oak, valley oak, interior live oak, California Bay, California buckeye, and madrone with a trunk diameter of 12 inches or more. Native riparian trees such as bigleaf maple, California buckeye, white alder, black walnut, cottonwood, red willow, arroyo willow, coast live oak, valley oak or California bay tree with a trunk diameter of 6 inches or has a multi-trunk with a diameter of 4 inches or more are also identified for protection. In addition, trees of any size or species and designated to be protected and preserved as part of an approved development application, trees of any species with a diameter of six inches or more and located on an undeveloped property, a replacement tree planted as restitution for a violation of Chapter 6-17 of the LMC, a native tree of any size or species within a restricted ridgeline area, and trees of any size or species location within a commercial zoning district or within a public right-of-way are protected. Under Section 6-1704³⁰ of the LMC, it is a violation for any person³⁰ to remove or destroy a protected tree without a Category I or Category II permit.

As mentioned above in the Project Description, the project proposes removal of two existing native Incense Cedar (*Calocedrus decurrens*) trees and would therefore be required to comply with the requirements outlined in Section 6-1704 of the LMC. Thus, impacts would be *less than significant* and no mitigation measures are required.

- f) The proposed project site is located in the urbanized area of Lafayette. There are no adopted habitat conservation plans or natural community conservation plans which would apply to the proposed project. Accordingly, there would be *no impact* and no mitigation measures are required.

²⁹ Title 6, Planning and Land Use, Part 6, Subdivisions, Chapter 6-17, Tree Protection.

³⁰ Title 6, Planning and Land Use, Part 6, Subdivisions, Chapter 6-17, Tree Protection, Section 6-1704, Permit required to remove a protected tree.

V. CULTURAL RESOURCES

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

DISCUSSION:

- a) There are no existing structures on the project site. Accordingly, there would be *no impact* and no mitigation measures are required.

- b) While the project site is not identified as a Cultural Resource under the Lafayette General Plan and no known archeological resources are located on the project site, numerous prehistoric archaeological sites have been identified along the City of Lafayette’s creeks.³¹ Project construction would include minor surface grading of up to one foot, resulting in the potential to expose undiscovered buried archeological resources on the project site. Therefore, activities associated with the construction of the proposed project have the potential to adversely affect unknown resources. Accordingly, impacts to known or unknown archeological resources that may be found in the course of construction activities under the proposed project would *less than significant with the incorporation of Mitigation Measure CULT-1*.

Mitigation Measure CULT-1: If any prehistoric or historic subsurface cultural resources are discovered during ground-disturbing activities, all work within 50 feet of the resources shall be halted and a qualified archaeologist shall be consulted to assess the significance of the find according to CEQA Guidelines Section 15064.5. If any find is determined to be significant, representatives from the City and the archaeologist would meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be, as necessary and at the discretion of the consulting archaeologist, subject to sci-

³¹ Lafayette General Plan, Chapter I, Land Use Chapter, Cultural Resources, page I-33.

entific analysis, professional museum curation, and documentation according to current professional standards. In considering any suggested mitigation proposed by the consulting archaeologist to mitigate impacts to historical resources or unique archaeological resources, the City shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, proposed project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery) would be instituted. Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is being carried out.

- c) As described above, the project site is an existing neighborhood park bounded by Las Trampas Creek to the west. Although the project site contains no unique geological features, numerous prehistoric archaeological sites have been identified along the City of Lafayette’s creeks.³² While fossils are not expected to be discovered during project construction, it is possible that similar to unknown archeological resources described in criterion (b) above, significant fossils could be discovered during the minor grading activities. Accordingly, impacts to known or unknown paleontological resources that may be found in the course of construction activities under the proposed project would *less than significant with the incorporation of Mitigation Measure CULT-2*.

Mitigation Measure CULT-2: In the event that fossils or fossil-bearing deposits are discovered during construction, grading within 50 feet of the find shall be temporarily halted or diverted. The contractor shall notify a qualified paleontologist to examine the discovery. The paleontologist shall document the discovery as needed, in accordance with Society of Vertebrate Paleontology standards (Society of Vertebrate Paleontology 1995), evaluate the potential resource, and assess the significance of the finding under the criteria set forth in CEQA Guidelines Section 15064.5. The paleontologist shall notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the project proponent determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project based on the qualities that make the resource important. The plan shall be submitted to the City for review and approval prior to implementation.

- d) Human remains associated with pre-contact archaeological deposits could exist on the project site, and could be encountered at the time potential future development occurs. The associated ground-disturbing activities, such as site grading, have the potential to disturb human remains interred outside of formal cemeteries. Descendant communities may ascribe religious or cultural significance to such remains, and may view their disturbance as an unmitigable impact. Impacts to or disturbance of unknown human remains would be reduced to a *less-than-significant* level with implementation of Mitigation Measure CULT-3.

³² Lafayette General Plan, Chapter I, Land Use Chapter, Cultural Resources, page I-33.

Mitigation Measure CULT-3: Any human remains encountered during ground-disturbing activities shall be treated in accordance with California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98 and the California Code of Regulations Section 15064.5(e) (CEQA), which state the mandated procedures of conduct following the discovery of human remains. According to the provisions in CEQA, if human remains are encountered at the site, all work in the immediate vicinity of the discovery shall cease and necessary steps to ensure the integrity of the immediate area shall be taken. The Contra Costa County Coroner shall be notified immediately. The Coroner shall then determine whether the remains are Native American. If the Coroner determines the remains are Native American, the Coroner shall notify the NAHC within 24 hours, who will, in turn, notify the person the Native American Heritage Commission (NAHC) identifies as the Most Likely Descendant (MLD)³³ of any human remains. Further actions shall be determined, in part, by the desires of the MLD. The MLD has 48 hours to make recommendations regarding the disposition of the remains following notification from the NAHC of the discovery. If the MLD does not make recommendations within 48 hours, the owner shall, with appropriate dignity, reinter the remains in an area of the property secure from further disturbance. Alternatively, if the owner does not accept the MLD’s recommendations, the owner or the descendent may request mediation by the NAHC.

VI. TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is: <ul style="list-style-type: none"> i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or ii) A resource determined by the lead agency, in its discretion and supported by substantial ev- 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

³³ “Native American Most Likely Descendant” is a term used in an official capacity in CEQA Guidelines Section 15064.5(e), and other places, to refer to Native American individuals assigned the responsibility/opportunity by NAHC to review and make recommendations for the treatment of Native American human remains discovered during project implementation. Section 5097.98 of the Public Resources Code and Section 7050.5 of the Health and Safety Code also reference Most Likely Descendants.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
idence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resource Code Section 5024.1. In applying the criteria set forth in subdivision (c) of the Public Resource Code Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance to a California Native American tribe.				

DISCUSSION:

- a) A Tribal Cultural Resource (TCR) is defined under Public Resources Code section 21074 as a site, feature, place, cultural landscape that is geographically defined in terms of size and scope, sacred place, and object with cultural value to a California Native American tribe that are either included and that is listed or eligible for inclusion in the California Register of Historic Resources or in a local register of historical resources, or if the City of Lafayette, acting as the lead agency, supported by substantial evidence, chooses at its discretion to treat the resource as a TCR.

As discussed above, under Section V, Cultural Resources, criteria (b) and (d), no known archeological resources, ethnographic sites or Native American remains are located on the project site. As discussed under criterion (b) implementation of Mitigation Measure CULT-1 would reduce impacts to unknown archaeological deposits, including TCRs, to a less-than-significant level. As discussed under criterion (d) compliance with Mitigation Measure CULT 3 would reduce the likelihood of disturbing or discovering human remains, including those of Native Americans. Therefore, implementation of Mitigation Measure CULT-1 and CULT-3 would reduce impacts to TCRs to a *less-than-significant* level.

VII. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: i) Strong seismic ground shaking? ii) Seismic-related ground failure, including liquefaction? iii) Landslides, mudslides or other similar haz-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
ards?				
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 type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a) It should be noted that exposure of people or structures to seismic hazards as a result of project implementation is no longer a CEQA impact. According to the California Supreme Court, CEQA applies to a project’s impact on the environment, not the environment’s impact on the project, unless the project would exacerbate a particular environmental hazard.³⁴ From the standpoint of geology and soils, proposed project implementation would not cause or worsen seismic hazards. Although further evaluation of potential impacts a)(i), a)(ii), a)(iii), and a)(iv) is not strictly required under CEQA, the impacts are discussed below for informational purposes.

The project site is situated in a region characterized by numerous active and potentially active faults, many of which have exhibited recurring seismic activity. None of the faults mapped within the City of Lafayette meet the requisite of being active or potentially active, defined by the City’s General Plan as having recorded earth movement or displacement within the last 10,000 years.³⁵ No active or potentially active faults have been mapped within the City of Lafayette.

³⁴ California Supreme Court, 2015, California Building Industry v Bay Area Air Quality Management District, Opinion No. S213478, date filed: December 17, 2015.

³⁵ Lafayette General Plan, Chapter VI, Safety Chapter, Seismic Hazards, page VI-4.

The site is located within a State-designated Alquist-Priolo Earthquake Fault Zone, however, no mapped faults are known to traverse the site.³⁶ Additionally, the California Geological Survey (CGS) does not include Lafayette on its lists of cities that are affected by Alquist-Priolo Zones.³⁷ The project site is mapped as a flat-lying area away from the path of slides³⁸ and there are no mapped earthquake faults that pass through or lie adjacent to the project site, therefore, the potential for earthquake-related ground shaking, failure (including liquefaction), landslides, mudslides or other similar hazards is considered low at the project site. The project would introduce a park related activity (e.g., active play structures) to an existing park and would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death from a seismic event. Accordingly, there would be *no impact* and no mitigation measures are required.

- b) Construction of the proposed project would entail minimal grading to accommodate the proposed ADA accessible impervious pathways and educational play structures. Construction activities and the project site's close proximity to the Las Trampas Creek may contribute to soil erosion and/or loss of topsoil. However, the proposed project would be required to comply with Section 716-2.604, Prohibited action – Grading, of the LMC which prohibits any person from grading, whether or not a permit is required, so that dirt, soil, rock, debris, or other material washed, eroded, or moved from the property by natural or artificial means does not create a public nuisance or hazard.³⁹ In addition, the project would be subject to Chapter 5-4, Stormwater Management and Discharge Control, of the LMC which requires the development and implementation of Stormwater Pollution Prevention Plans (SWPPP) and Best Management Practices (BMPs) in order to control erosion at construction sites.⁴⁰ Compliance with these existing regulatory requirements would ensure that impacts to the soil erosion or the loss of topsoil would be *less than significant* and no mitigation measures are required.
- c) As described above under criterion (a) the topography of the project site is mapped as a flat-lying area away from the path of slides.⁴¹ In addition, the CGS has not identified any seismically induced landslide hazard zones at the project site or in its vicinity. Accordingly, there would be *no impact* and no mitigation measures are required.
- d) The underlying soil on the project site is largely composed of Clear Lake clay soil⁴² which are known to be poor foundation material because they swell when wet and shrink when dry producing extensive

³⁶ California Department of Conservation, Geologic Hazards and Mapping program, Walnut Creek Quadrangle, http://gmw.consrv.ca.gov/shmp/download/quad/WALNUT_CREEK/maps/WALNUT_CREEK.PDF, accessed on August 9, 2016.

³⁷ California Department of Conservation, Regional Geologic Hazards and Mapping Program, Fault-Rupture Hazard Zones in California, 2010, <http://www.conservation.ca.gov/cgs/rghm/ap/Pages/affected.aspx>, accessed on August 9, 2016.

³⁸ City of Lafayette General Plan, Geologic and Seismic Safety Element, Landslide Hazard, Map VI-2.

³⁹ Title 3, Building Regulations, Chapter 3-7, Grading, Section 716-2.604, Prohibited action – Grading.

⁴⁰ Title 5, Health and Sanitation, Chapter 5-4, Stormwater Management and Discharge Control.

⁴¹ City of Lafayette General Plan, Geologic and Seismic Safety Element, Landslide Hazard, Map VI-2.

⁴² United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey, <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>, accessed on August 12, 2016.

cracks.⁴³ However, given of that proposed project would not involve new housing, employment centers, or roads for vehicles or parking, it is unlikely that siting the proposed project on expansive soils would create substantial risks to life or property. Therefore, impacts with respect to expansive soils would be *less than significant*.

- e) The development of the proposed project would not require the construction or use of septic tanks or alternative wastewater disposal systems. As such, there will be *no impact* from the proposed project associated with soils that are inadequate for the use of septic tanks or alternative wastewater disposal systems and no mitigation measures are required.

VIII. GREENHOUSE GAS EMISSIONS

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

DISCUSSION:

- a) The project does not generate enough greenhouse gas (GHG) emissions on its own to influence global climate change; therefore, this GHG analysis measures the project’s contribution to the cumulative environmental impact. The existing 0.6 acres of passive park space does not generate GHG emissions from the burning of fossil fuels in trucks and other vehicles (mobile sources), energy use for cooling, heating, and cooking (energy), landscape equipment use and consumer products (area sources, or indirect emissions from water use, wastewater generation, and solid was disposal. Likewise, the proposed project would not contribute to global climate change through the increase in air emissions from heating and cooling associated with a building.

The proposed project involves construction of children’s educational play structures. BAAQMD does not have thresholds of significance for construction-related GHG emissions. GHG emissions from construction activities are short term and therefore not assumed to significantly contribute to cumulative GHG emissions impacts of the proposed project. Based on BAAQMD’s screening criteria, city parks of 2,613 acres or larger have the potential to generate a substantial increase in GHG emissions and would need further analysis. The proposed park changes would be below the BAAQMD screening

⁴³ United States Department of Agriculture, Natural Resources Conservation Service, Clear Lake Series, https://soilseries.sc.egov.usda.gov/OSD_Docs/C/CLEAR_LAKE.html, accessed on August 12, 2016.

threshold and would generate nominal GHG emissions. Therefore, GHG emissions generated by the proposed project are a *less than significant* impact.

- b) Applicable plans adopted for the purpose of reducing GHG emissions include CARB's Scoping Plan and the Metropolitan Transportation Commission's (MTC)/Association of Bay Area Governments' (ABAG) Plan Bay Area. A consistency analysis with these plans is presented below.

CARB's Scoping Plan

In accordance with Assembly Bill 32 (AB 32), the California Air Resources Board (CARB) developed the 2008 Scoping Plan to outline the State's strategy to achieve 1990 level emissions by year 2020. To estimate the reductions necessary, CARB projected Statewide 2020 business as usual (BAU) GHG emissions (i.e. GHG emissions in the absence of statewide emission reduction measures). CARB identified that the State as a whole would be required to reduce GHG emissions by 28.5 percent from year 2020 BAU to achieve the targets of AB 32. A revised BAU 2020 forecast conducted after publication of the 2008 Scoping Plan by CARB shows that the state would have to reduce GHG emissions by 21.6 percent from BAU without Pavley and the 33 percent Renewable Portfolio Standard (RPS) or 15.7 percent from the adjusted baseline (i.e. with Pavley and 33 percent RPS).

Statewide strategies to reduce GHG emissions include the Low Carbon Fuel Standard (LCFS), California Appliance Energy Efficiency regulations; California Building Standards (i.e. CALGreen and the 2008 Building and Energy Efficiency Standards); California Renewable Energy Portfolio standard (33 percent RPS); changes in the corporate average fuel economy standards (e.g. Pavley I and Pavley II); and other measures that would ensure the State is on target to achieve the GHG emissions reduction goals of AB 32. Statewide GHG emissions reduction measures that are being implemented over the next six years would reduce the project's GHG emissions. The proposed project does not fall into any of these categories, and does not need to mitigate according to these standards. Impacts would be *less than significant*.

MTC's/ABAG's Plan Bay Area

To achieve MTC's/ABAG's sustainable vision for the Bay Area, the *Plan Bay Area* land use concept plan for the region concentrates the majority of new population and employment growth in the region in Priority Development Areas (PDAs). PDAs are transit-oriented, infill development opportunity areas within existing communities. Consequently, an overarching goal of the regional plan is to concentrate development in areas where there are existing services and infrastructure rather than allocate new growth to outlying areas where substantial transportation investments would be necessary to achieve the per capita passenger vehicle, vehicle miles traveled, and associated GHG emissions reductions. The proposed project is not within a PDA. Growth associated with the project is consistent with ABAG projections and would not exceed regional population and employment projects. The proposed project would be consistent with the overall goals of Plan Bay Area. Therefore, the proposed

project would not conflict with the land use concept plan for the City of Lafayette identified in the *Plan Bay Area*. The impact would be *less than significant* and no mitigation measures are required.

Contra Costa County's Climate Action Plan

The County of Contra Costa adopted the CAP in December, 2015. The CAP is intended to streamline future environmental review of development projects in the Contra Costa County by following the CEQA Guidelines and meeting the BAAQMD expectations for a Qualified GHG Reduction Strategy. The CAP provides a set of GHG reduction measures to achieve the statewide AB 32 target of a 15 percent reduction below baseline emissions by 2020. Additionally, the CAP identifies reduction strategies including improvements in energy efficiency and conservation, renewable energy, land use and transportation, solid waste, water conservation, and government operations. The proposed project would not generate additional vehicle trips, would consume little energy and water, and would not generate substantial solid waste. The project would be consistent with the goals and measures identified in the County of Contra Costa's CAP. Therefore, the impacts would be *less than significant*.

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

DISCUSSION:

a),b) Small amounts of potentially hazardous materials associated with heavy mechanical equipment, for example diesel, gasoline, or other automotive fluids, may be used during construction of the proposed project, or during routine maintenance. However, standard precautions and best management practices to prevent spills would be used to minimize exposure to people and the environment. Further, due to the small scale of the proposed project, in the event of a spill the amount of such products would be in small quantities. Thus, the impacts to the public and environment from hazardous materials would be limited. Accordingly, impacts would be *less than significant* and no mitigation measures are required.

c) The nearest educational facilities to the project site are Lafayette Elementary School and M.H. Stanley Middle School, which are located 0.5 mile southwest of the project site. The proposed project would not involve the storage, handling, or disposal of hazardous materials in sufficient quantities to pose a significant risk to the public. Thus, there would be *no impact* related to hazardous emissions or hazardous material handling within one-quarter mile of a school and no mitigation measures are required.

- d) The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.⁴⁴ Development of proposed project, therefore, would not create a significant hazard to the public or the environment by virtue of location in proximity to a known hazardous materials site. Accordingly, impacts would be *less than significant* and no mitigation measures are required.
- e),f) The project site is located 7 miles southeast of the Sandhill Heliport, 5.5 miles southwest of the John Muir Memorial Hospital Heliport, and 9 miles southwest of the Buchanan Field Airport. Given the distance from these airports and the project's proposal to construct active educational play areas within an existing neighborhood park, the project would not be subject to any airport safety hazards. The project would also not have an adverse effect on aviation safety or flight patterns. Thus, there would be *no impact* related to public airport hazards and no mitigation measures are required.
- g) California Code of Regulations, Title 24, also known as the California Building Standards Code, contains the California Fire Code (CFC), included as Title 24, Part 9. Updated every three years, the CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. The CFC has been adopted by the LMC as Title 3, Building Regulations, Chapter 3-5, Fire Safety.

The proposed project would not change any existing access points for emergency vehicles during both the construction and operational phases of the project. Compliance with the provisions of the CFC and the CBC (described above), would ensure that development of the proposed project would have *no impact* and would not interfere with an adopted emergency response plan or emergency evacuation plan. No mitigation measures are required.

- h) The California Department of Forestry and Fire Protection (CalFire) has mapped the relative fire risk in areas of significant population, based on development density and proximate fire threat. Levels of risk are indicated as "Little or No Threat," "Moderate," "High," "Very High" and "Extreme." The project site is not located in an area designated by CalFire as Extreme or Very High threat to people from wildland fire.⁴⁵ The project site is located within a residential neighborhood and is not surrounded by woodlands or vegetation, other than what is present in the park itself. Thus, the proposed project would not result in significant risk of loss, injury, or death resulting from wildland fire. Accordingly, *no impact* would occur and no mitigation measures are required.

⁴⁴ Department of Toxic Substances Control, <http://www.envirostor.dtsc.ca.gov/public>, accessed August 9, 2016. The nearest listed hazardous materials site is the Allied-Signal, Incorporated site located on Moffet Park Drive, roughly 600 feet southwest of the project site. This site identified as an inactive site with a needs-evaluation status.

⁴⁵ California Department of Forestry and Fire Protection, 2008, Very High Fire Hazard Severity Zones in LRA, http://frap.fire.ca.gov/webdata/maps/contra_costa/fhszl_map.7.pdf, accessed on August 9, 2016.

X. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<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 significant lowering of the local groundwater table level?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<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?	<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 as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a),f) Clearing, grading, and construction activities associated with the proposed project have the potential to impact water quality through soil erosion, which can increase the amount of silt and debris carried in runoff. The project would result in 1,586 square feet of impervious surface, distributed throughout the 0.6-acre site, as described above in the Project Description. The proposed project would be required to comply with Section 716-2.604, Prohibited action – Grading, of the LMC which prohibits any person from grading, whether or not a permit is required, so that dirt, soil, rock, debris, or other material washed, eroded, or moved from the property by natural or artificial means does not create a public nuisance or hazard.⁴⁶ In addition, the project would be subject to Chapter 5-4, Stormwater Management and Discharge Control, of the LMC which requires the development and implementation of Stormwater Pollution Prevention Plans (SWPPP) and Best Management Practices (BMPs) in order to control erosion at construction sites.⁴⁷ With implementation of these measures, water quality impacts during construction would be *less than significant*.

Similarly, the project would not be subject to the C.3 provisions of the MS4 permit, since it will not create or replace 2,500 square feet or more of impervious surface. Therefore, preparation of a Stormwater Management Plan and installation of stormwater treatment measures would not be required. However, the City of Lafayette has the discretionary power to require BMPs as a condition of approval, which may include minimization of impervious surfaces, treatment of stormwater runoff by collection, detention, or infiltration, efficient irrigation of landscaped areas, and source control measures. With implementation of applicable BMPs and the minimal amount of proposed impervious surfaces, the proposed project would not violate storm discharge standards and the impact would be *less than significant*.

Given the small size of the project it would not be required to comply with federal, State, and local regulations. Thus, the operation and maintenance activities associated with the project would result in minimal impacts on water quality. Accordingly, water quality impacts associated with construction and operational aspects of the project would be *less than significant* and no mitigation measures are required.

b) The project would be connected to municipal water supplies and does not propose any wells or use of on-site groundwater supplies. Although the City does obtain a portion of its municipal supply from City groundwater wells, the water demand for this project would be minimal and the 2015 Urban Water Management Plan (URMP) indicates that there are sufficient water supplies for normal, single-dry, and multiple-dry years through 2035. While the project would include construction of impervious surfaces on the project site which could limit groundwater recharge in the area, the small size of the project and limited impervious surfaces would preclude the potential for a net deficit in aquifer volume

⁴⁶ Title 3, Building Regulations, Chapter 3-7, Grading, Section 716-2.604, Prohibited action – Grading.

⁴⁷ Title 5, Health and Sanitation, Chapter 5-4, Stormwater Management and Discharge Control.

or a significant lowering of the local groundwater table level. Accordingly, *no impacts* to groundwater supplies or groundwater recharge would occur and no mitigation measures are required.

- c)-e) The proposed project would not alter the course of a stream or river. Although the project would result in an increase in impervious surfaces 1,586 square feet, the site would remain with 95% pervious surfaces. The project is not subject to the C.3 provisions of the MS4 permit that require stormwater treatment or control measures, because of the small amount of impervious surfaces that would be created. However, erosion and sedimentation would be controlled during construction by the implementation of construction BMPs. Because most of the project site would remain with pervious surfaces, stormwater runoff from the trails and buildings would drain via sheetflow to adjacent vegetated or undeveloped areas where it would infiltrate into the soil. Therefore, post-development stormwater flow rates are not expected to be significantly different from pre-development flow rates and the potential for flooding is less than significant. Similarly, the introduction of 1,586 square feet of impervious surface, would not generate amounts of stormwater runoff that would exceed the capacity of existing stormwater drainage systems. Accordingly, the potential for erosion, siltation, flooding, or exceedance of the storm drain system's capacity would be *less than significant* and no mitigation measures are required.
- g),h) The Las Trampas Creek which runs along the western portion of the project site is located within a 100-year floodplain as mapped by FEMA, however, the project site is not and does not include housing.⁴⁸ Therefore, housing will not be constructed within a 100-year floodplain. Similarly, given the small nature of the proposed play structures, the proposed project would not impede or redirect flood flows. As a result, *no impact* would occur and no mitigation measures are required.
- i) According to dam inundation maps compiled by the California Office of Emergency Services (CalOES), the project site is located in a dam inundation zone,⁴⁹ however, a two-phase safety review conducted between 2005 and 2008 demonstrated that the dam is stable and safe for both long-term static and short-term seismic conditions, including the Maximum Credible Earthquake (MCE).^{50,51} The risk of dam failure is therefore very low, and as a result, impacts from buildout the proposed Project would be *less than significant*.
- j) The project site is located 10 miles inland from the San Francisco Bay and therefore outside of the tsunami inundation zone as mapped by ABAG.⁵² Additionally, there are no slopes with gradients of

⁴⁸ City of Lafayette General Plan, Chapter IV, Safety, Map IV-4, Flood Zones.

⁴⁹ California Office of Emergency Services, 2009. *Dam Inundation Registered Images and Boundary Files in Shape File Format. Version DVD 3*. Dated April 2009.

⁵⁰ Geotechnical Environmental and Water Resources Engineering, Dynamic Stability Review of Lafayette Dam Report, 2005.

⁵¹ East Bay Municipal Utility District, Engineering & Construction Department, Supplemental Geotechnical Investigation Report, Lafayette Reservoir Dam, 2008.

⁵² Association of Bay Area Governments, Earthquakes and Hazards Program, Tsunami Evacuation Area Map, <http://gis.abag.ca.gov/website/Hazards/?hlyr=tsunami>, accessed on August 15, 2016.

15 percent or more adjacent to the site and the site is not in a debris flow source area.⁵³ Therefore, *no impact* related to inundation by seiche, tsunami, or mudflows would occur and no mitigation measures are required.

XI. LAND USE AND PLANNING

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

DISCUSSION:

- a) An example of a project that would divide an existing community would be a project that involved a continuous right-of-way, such as a roadway that would divide a community and impede access between parts of the community. The proposed project would involve construction of active play structures within an existing neighborhood park and would not divide any existing established community. Accordingly, *no impact* with respect to the division of an established community would occur and no mitigation measures are required.
- b) Construction of the project would have a significant impact if it would conflict with community goals as expressed in adopted plans, policies, or regulations. The proposed project complies with the General Plan land use designation requirement as well as the Zoning district requirements, however, adoption and implementation of the project would require minor amendments to the General Plan, the Parks and Recreation Facilities Master Plan, and Leigh Creekside Park Master Plan in order to re-designate the project site from a “passive” to an “active” neighborhood park in order to maintain consistency throughout all planning documents. The proposed project would be consistent with the following goals and polices in Chapter 1, Land Use (LU), Chapter III, Open Space and Conservation (OS), and Chapter IV, Parks, Trails and Recreation (P), and of the Lafayette General Plan and referenced in the Parks and Recreation Facilities Master Plan :

⁵³ Association of Bay Area Governments, Earthquakes and Hazards Program, Landslide and Debris Flow Hazard Map, <http://gis.abag.ca.gov/website/Hazards/?hlyr=northSanAndreas&co=6081>, accessed on August 15, 2016.

- **Goal LU-2:** Ensure that development respects the natural environment of Lafayette. Preserve the scenic quality of ridgelines, hills, creek areas, and trees.
- **Goal OS-1:** Preserve areas of visual prominence and special ecological significance as Open Space.
- **Goal OS-5:** Preserve and protect creeks, streams, and other watercourses in their natural state.
- **Goal P-1:** Provide an attractive system of parks, trails and recreation facilities throughout the City to meet the needs and interests of all ages and capabilities.
 - **Policy P-1.2:** Park Planning and Design - Develop a system of high quality, well designed parks and recreation facilities that take advantage of the City’s semi-rural character.
 - **Policy P-1.3:** Parkland Standard: Provide parks and recreation facilities in accordance with standards and practices appropriate to a semi-rural and largely built-out residential community.

As discussed above, the proposed project is in compliance with the Lafayette General Plan land use designation and the Lafayette Zoning Code regulations. In addition, the project would be consistent with the aforementioned General Plan goals and policies. Therefore, the proposed project would not conflict with community goals as expressed in adopted plans, policies, or regulations and impacts would be *less than significant*. No mitigation measures are required.

- c) There are no adopted habitat conservation plans or natural community conservation plans that would apply to the proposed project, and therefore, there would be *no impact* with regard to conservation plan conflicts and no mitigation measures are required.

XII. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<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"/>

DISCUSSION:

- a),b) The California Department of Conservation, Geological Survey (CGS) classifies lands into Aggregate and Mineral Resource Zones (MRZs) based on guidelines adopted by the California State Mining and Geology Board, as mandated by the Surface Mining and Reclamation Act of 1974. These MRZs identi-

fy whether known or inferred significant mineral resources are present in areas. Lead agencies are required to incorporate identified MRZs resource areas delineated by the State into their General Plans.⁵⁴ The City of Lafayette has no General Plan Land Use designation for mineral resources. Therefore, there would be *no impact* with regard to the loss of a valuable mineral resource and no mitigation measures are required.

XIII. NOISE

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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 groundborne 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project 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"/>

DISCUSSION:

- a) Operation of the completed proposed project would not generate loud noises or expose people to noise levels in excess of standards in the general plan, local ordinance, or agency standards. The pro-

⁵⁴ Public Resources Code Section 2762(a)(1).

posed project would not increase traffic noise or contain any stationary noise sources. No long-term significant increase in ambient noise levels is expected as a result of proposed project operation.

The County of Contra Costa does not have noise standards applicable to the proposed project. Therefore, the General Plan of Lafayette is referenced in order to determine what can be characterized as acceptable noise compatibility. The City of Lafayette’s General Plan Noise Element Goal N-1 requires that all new development is consistent with established noise standards. At relatively low levels, noise can interfere with speech, sleep and mental concentration. At higher levels and for extended periods of time, noise can cause stress, headaches and a variety of physiological effects, including permanent hearing loss. The General Plan Noise Element provides land use compatibility and interior and exterior noise standards to guide development within the City. These exterior noise standards are based on the State of California’s Noise Compatibility Guidelines. For reference, the State’s Noise Compatibility Guidelines denote the following for uses categorized as ‘Playgrounds, Neighborhood Parks’:

- “normally acceptable” would have environmental noise levels between 50 and 70 dBA CNEL
- “conditionally acceptable” would have environmental noise levels between 67.5 and 75 dBA CNEL
- “normally unacceptable” (no guidelines provided)
- “clearly unacceptable” would have environmental noise levels between 72.5 and 85+ dBA CNEL

These land use standards are designed to ensure that proposed land uses are compatible with the predicted future noise environment. For example, a “conditionally acceptable” designation implies new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements for each land use is made and needed noise insulation features are incorporated in the design. By comparison, a “normally acceptable” designation indicates that standard construction can occur with no special noise reduction requirements.

The above discussion notwithstanding, it is important to note that with the recent Supreme Court decision regarding the assessment of the environment’s impacts on proposed projects (*CBIA v BAAQMD*, issued December 17, 2015),⁵⁵ it is generally no longer the purview of the CEQA process to evaluate the impact of existing environmental conditions on any given project. For noise, the application of this ruling means that the analysis of traffic, rail, and aircraft noise effects at the project site—regarding land use compatibility issues—is no longer part of CEQA. Therefore, exterior noise effects from nearby roadways relative to land use compatibility of the project is no longer a topic for impact evaluation under CEQA, and no statement of impact significance is germane.

- b) As mentioned above, there are single-family homes surrounding the project site’s boundary. Construction activities associated with the proposed project are not likely to result in significant vibration

⁵⁵ California Supreme Court. *California Building Industry Association v. Bay Area Air Quality Management District* (2015) [Case No. S213478]

attributed to equipment that could be used. The nearest sensitive uses are single-family residences approximately 95 feet to the north of the center of the project site. There are additional single-family residences approximately 115 feet from the center of the project site, across Moraga Boulevard and 4th Street to the south and east. Because vibration waves decrease in energy as they propagate from a source, vibration levels at 95 feet from the construction site would be expected to have diminished to below detectability from the envisioned equipment set. Therefore, impacts related to groundborne vibration and groundborne noise levels during construction activities are expected to be *less than significant*.

Operation of the active park would not involve any mechanical equipment that would induce notable levels of groundborne vibration. Likewise, users of the park would not produce measureable levels of groundborne vibration. Thus, vibration impacts during project operations would be *less than significant*.

In summary, both construction and operations activities would not create substantial groundborne vibration or groundborne noise. This impact would be *less than significant* and no mitigation measures are needed.

- c) Traffic flows are the primary source of ambient noise in the vicinity of the project site. The main vehicular noise source is traffic on Moraga Boulevard and 4th Street, immediately to the south and east of the project park. The project's proposed park is not expected to create a significant noise impact, since its primary use is walking and recreation. Outdoor activities that occur in parks throughout the city may generate noticeable levels of noise. Noise generated on both weekdays and weekends can elevate noise levels somewhat during the timeframe of each particular usage. Based on study noise level measurements taken by PlaceWorks at an elementary school play area, noise levels from a play area averaged 59.6 dBA Leq at 100 feet away. The nearest sensitive receptors would be located approximately 95 feet way from the center of the proposed project. Additionally, the proposed project would create a much smaller park than the one sampled by PlaceWorks, making this estimate very conservative. Because traffic noise will overshadow playground noise, and noise attenuation will diminish noise levels at nearby residences, this impact would be *less than significant*.

- d) Construction noise represents a short-term impact on ambient noise levels. Short-term construction activities for the proposed pathways would result in a temporary increase in noise levels associated with building equipment, truck hauling, excavation or ground-leveling, and associated activities. Noise generated by construction equipment, including trucks, graders, back-hoes, concrete mixers, and similar equipment can reach high levels. Based on information from the Environmental Protection Agency (EPA), noise levels at 50 feet from most types of this equipment is in excess of 80 dBA, and as high as 97dBA, approaching the noise level of a rock concert. Because of the effects of noise attenuation due to distance, the number and type of equipment, and the load and power requirements to accomplish tasks at each construction phase, construction activities would result in different noise lev-

els at a given sensitive receptor. Construction equipment noise would diminish at a rate of at least 6 dB per doubling distance as it propagated to off-site receptor locations. This distance attenuation, coupled with the fact that construction equipment noise is intermittent, means that the average noise levels at off-site, noise-sensitive receptors would be lower than the potential maximum levels because mobile construction equipment would move around the site with different load settings and power requirements. Implementation of Mitigation Measure NOISE-1 would ensure that impacts related to construction related noise would be *less than significant*.

Mitigation Measure NOISE-1: The applicant shall minimize construction-related noise impacts by complying with Section 5-207 and Section 5-208, LMC, which states that noise generating activities should not occur before 8:00 a.m. or after 8:00 p.m. on weekdays (taken to mean Monday through Saturday) or before 10:00 a.m. or after 6:00 p.m. on Sundays and federal holidays. Additionally, either noise levels produced by individual pieces of equipment shall not exceed 83 dBA at a distance of 50 feet, or the noise level at the nearest affected property shall not exceed 80 dBA. Provided that construction activities would comply with the hours stated in the LMC, they would occur during the least noise sensitive portions of the day.

- e) There are no public airstrips in the vicinity of the proposed project. The project does not propose any land uses that would expose people (i.e., park visitors) to excessive noise from aircraft using a public use airport. Accordingly, there would be *no impact* and no mitigation measures are required.

- f) There are two private heliports within the vicinity of the proposed project. The project site is located 7 miles southeast of the Sandhill Heliport, 5.5 miles southwest of the John Muir Memorial Hospital Heliport, and 9 miles southwest of the Buchanan Field Airport. Therefore, there would be *no impact* with regard to exposing people residing or working in the vicinity of the project site to excessive noise levels related to private airstrips.

XIV. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" 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"/>

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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"/>

DISCUSSION:

a)-c) The proposed project would involve the construction and operation of active play structures within an existing neighborhood park. The proposed project would not involve new housing or employment centers; thus, the project would not induce substantial population growth in the area. Therefore, implementation of the proposed project would result in no impact related to population growth. The project site does not contain any existing housing; thus, no housing or residents would be displaced. Accordingly, *no impact* would occur and no mitigation measures are required.

XV. PUBLIC SERVICES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services including, fire and police protection, schools, parks and libraries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a) The primary purpose of a public services impact analysis is to examine the impacts associated with physical improvements to public service facilities required to maintain acceptable service ratios, response times or other performance objectives. Generally, public service facilities need improvements (i.e., construction, renovation or expansion) as demand for services increase. Increased demand is typically driven by increases in population. The proposed project would have a significant environmental impact if it would exceed the ability of public service providers to adequately serve residents, thereby requiring construction of new facilities or modification of existing facilities. As discussed in Section XII, Population and Housing, above, the proposed project would not result in a net increase of

residents at the project site or elsewhere in the region because it does not propose housing and is not major regional employer. Accordingly, the proposed project would not warrant new construction of or expansion of an existing fire, police, school, park or library facility that would serve the project site; thus, *no impact* would occur and no mitigation measures are required.

XVI. RECREATION

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

DISCUSSION:

a),b) The proposed project involves the construction and operation of active play structures within an existing neighborhood park. This amenity would increase the quality of recreational options in the area, and thus would not result in the physical deterioration of or require the expansion of an existing facility, nor would it require the addition of new parks in Lafayette or the surrounding area. Accordingly, *no impact* would occur and no mitigation measures are required.

XVII. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No 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 for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards 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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

a),b) Overall vehicle trips within the city would not increase substantially in the long term due to the proposed project. Project operation would have minimal impacts on congestion management programs for Contra Costa County roads. In the short-term, during proposed project construction, construction employees and equipment would be brought to the site, and truck trips to construction material to the project site would occur; however, vehicle trips related to delivery of construction equipment would be considered short-term activities that would not significantly increase traffic congestion. Therefore, *no impact* would occur and no mitigation measures are required.

c) The project site is located 7 miles southeast of the Sandhill Heliport, 5.5 miles southwest of the John Muir Memorial Hospital Heliport, and 9 miles southwest of the Buchanan Field Airport. The proposed project would be below the tree canopy at its highest point; thus, would not be of sufficient height to interfere with typical aircraft operations, the project would not result in changes to aircraft patterns in terms of location. The project would not itself generate air traffic; therefore, *no impact* would occur and no mitigation measures are required.

d)-f) The proposed project would not include any hazardous design features, such as sharp curves or intersections with inadequate signalization, nor would it increase incompatible uses on local roads re-

sulting in hazards. No emergency access routes would be affected, nor does the project create obstructions to such routes. Accordingly, *no impact* would occur and no mitigation measures are required.

XVIII. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Result in a substantial increase in natural gas and electric service demands requiring new energy supply facilities and distribution infrastructure or capacity enhancing alternations to existing facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

- a),b),d),e) The project's land use type is parkland. The proposed project does not require water supply beyond what is currently used on the project site and would not produce or create wastewater given that it will not introduce any restroom facilities and would not need to connect to existing wastewater infrastructure; therefore, the proposed project would not exceed wastewater treatment requirements or require new or expanded wastewater treatment facilities. Accordingly, *no impact* would occur and no mitigation measures are required.
- c) The storm drain system in Lafayette is operated by the City of Lafayette. The system is designed to control flooding and does not treat the storm water runoff. The storm sewer system drains into Lafayette Creek, and ultimately into Las Trampas Creek. The City targets creeks and storm drain facilities for regular inspection. Priority locations are inspected before and after each major storm event.⁵⁶ No new construction or physical changes to the property are proposed as part of the proposed project that would significantly impact storm water drainage, and thus, no new or expanded storm water facilities would be needed. Accordingly, *no impact* would occur and no mitigation measures are required.
- f),g) The Central Contra Costa Solid Waste Authority (CCCSWA), a Joint Powers Authority, oversees solid waste collection, disposal, and recycling services in Walnut Creek, Danville, Moraga, Lafayette, and Orinda, and the unincorporated areas of Contra Costa County. The CCCSWA has agreements with Allied Waste for the collection, transfer, and disposal of residential and commercial solid waste, and with Valley Waste Management for the collection of residential recycling, green waste, and food scraps. Allied Industries transports the collected solid waste to the Contra Costa Solid Waste Transfer and Recovery Station (CCSWTRS) in Martinez. From there, non-recyclable material is taken to the Keller Canyon Landfill in Contra Costa County for ultimate disposal. Keller Canyon Landfill is permitted to receive up to 3,500 tons of waste per day and has a remaining capacity of over 63.408 million cubic yards.⁵⁷ The proposed project would result in minimal, if any, solid waste that would require service by a landfill. Accordingly, *no impact* would occur and no mitigation measures are required.
- h) The project site does not contain any lighting sources and the project does not propose to introduce any sources of light or connect to electrical service meters. Accordingly, *no impact* would occur and no mitigation measures are required.

⁵⁶ Contra Costa Clean Water Program, 2015, Annual Report, <http://www.cccleanwater.org/surveys-studies.html>, accessed on August 15, 2016.

⁵⁷ CalRecycle, Keller Canyon Landfill (07-AA-0032), <http://www.calrecycle.ca.gov/SWFacilities/Directory/07-AA-0032/Detail/>, accessed on August 15, 2016.

3. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION:

- a) As described above, the project site is located within a residential neighborhood and bordered by residential housing. There are no sensitive natural communities, no areas of sensitive habitat, and no areas of critical habitat occurring at the project site. Additionally, there are no buildings, recorded archaeological sites, and no known paleontological resources located on the project site. Therefore, implementation of the proposed project would result in a *less-than-significant* impact to the environment and wildlife on the project site.

- b) As described in the environmental checklist, the impacts of the proposed project would be mitigated to *less-than-significant* levels. Therefore, the proposed project would not be expected to contribute to significant cumulative impacts when considered along with in connection with current projects and probable future projects included in the City’s existing General Plan.

- c) The proposed project would not create environmental effects that would cause physical changes to property that would result in adverse effects on humans, either directly or indirectly. The increased recreational opportunities proposed by the proposed project would be considered a beneficial impact. Therefore, implementation of the proposed project would have a *less-than-significant* impact on human beings.



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