INTRODUCTION
The proposed Landing at Walnut Creek Apartments is a project under the California Environmental Quality Act (CEQA). This Initial Study was prepared by The Planning Center | DC&E for the City of Walnut Creek (City), Community Development Department, Planning Division. 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:** The Landing at Walnut Creek Apartment Project

2. **Lead Agency Name and Address:**
   City of Walnut Creek
   Community Development Department
   Planning Division
   1666 North Main Street
   Walnut Creek, CA 94596

3. **Contact Person and Phone Number:**
   Chip Griffin, AICP
   Associate Planner
   (925) 943-5899

4. **Location:**
   207-235 Ygnacio Valley Road
   Walnut Creek, CA 94596

5. **Applicant’s Name and Address:**
   BHV CenterStreet Properties, LLC
   500 La Gonda Way, Suite 295
   Danville, CA 94526

6. **General Plan Land Use Designations:**
   Multi-Family Very High (MFVH)

7. **Zoning:**
   Multi-Family Residential District (M-1)
   Ygnacio Valley Road & Lacassie Avenue Overlay Zone (O-3)

8. **Description of Project:**
   see page 3 of this Initial Study

9. **Surrounding Land Uses and Setting:**
   see page 3 of this Initial Study

10. **Other Required Approvals:**
    City of Walnut Creek requires discretionary permits and approvals for the proposed Project. See page 5 of this Initial Study.
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially 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.

- [x] Aesthetics
- [x] Biological Resources
- [x] Greenhouse Gas Emissions
- [x] Land Use
- [x] Population & Housing
- [x] Transportation/Traffic
- [ ] Agriculture & Forestry Resources
- [x] Cultural Resources
- [x] Hazards & Hazardous Materials
- [ ] Mineral Resources
- [x] Public Services
- [x] Utilities & Service Systems
- [x] Air Quality
- [ ] Geology & Soils
- [x] Hydrology & Water Quality
- [x] Noise
- [x] Recreation
- [ ] 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.
- [x] 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.

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Signature: Chip Griffin  
Printed Name: Chip Griffin  
Date:  
Title: Associate Planner
OVERVIEW AND BACKGROUND

This Initial Study checklist was prepared to assess the environmental effects of The Landing at Walnut Creek Apartments Project, 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. A detailed project description and environmental setting is provided below.

LOCATION AND SETTING

A. REGIONAL LOCATION

As shown on Figure 1, the Project site is located in the City of Walnut Creek (City), in central Contra Costa County. Walnut Creek is located approximately 23 miles east of San Francisco, at the foot of Mt. Diablo. The City is located east of the City of Lafayette, south of the City of Concord and north of the City of Danville. Regional access to the Project site is provided by Interstate 680 (I-680), State Highway 24 (SR-24), and by Bay Area Rapid Transit District (BART) commuter train service.

B. LOCAL SETTING

The Project site is located at 207-235 Ygnacio Valley Road in the Core Area of Walnut Creek. The site is bound by Ygnacio Valley Road to the north, existing commercial office off of Ygnacio Valley Road to the east, Lacassie Avenue to the south and Oakland Boulevard (i.e. Highway 24/Interstate 680 [I-680] Off Ramp) to the west. The Project site is in close proximity to the Walnut Creek BART Station, which is located to the north across Ygnacio Valley Road, and within 0.5-mile of the City’s Pedestrian Retail District (PRD). The Project site is located within the boundary of the West Downtown Specific Plan, which is currently being prepared.

C. EXISTING SITE CHARACTER

The Project site is located on Assessor’s Parcel Numbers 174-220-049-4, 174-220-050, and 174-220-042. Totalling 1.78 acres in area, the Project site is currently developed with nine residential buildings with a total of 21 units, all of which are currently occupied. The site is generally flat with ornamental landscaping and several large trees between the on-site buildings and around the property perimeter.

D. PROJECT DESCRIPTION

CenterStreet Development, LLC and Blake Hunt Ventures, LLC, the Project Applicant (Applicant), proposes to redevelop the Project site with a multiple-family residential complex. Development of the proposed Project would involve demolition of existing structures and clearing all existing vegetation, and construction of the principal Project components described below.
THE LANDING AT WALNUT CREEK APARTMENT PROJECT
CITY OF WALNUT CREEK

PROJECT SITE

Source: City of Walnut Creek; The Planning Center | DC&E, 2013; ESRI 2013.

FIGURE 1
REGIONAL LOCATION MAP
The proposed Project would involve construction of 178 market-rate rental apartment units in one building as shown on Figure 2. The residential area would comprise approximately 155,804 square feet of space. The Project would include 35 studio, 110 one-bedroom and 33 two-bedroom apartment units ranging in size from 524 square feet (smallest studio unit) to 1,068 square feet (largest two-bedroom unit). Based on an average household size of 2.14 persons,\(^1\) it is assumed the proposed Project would have approximately 381 residents. As the majority of the proposed apartment units would be one-bedroom units occupied by single residents and not by families with children, it is likely that a resident population of 381 is high, thereby allowing for a conservative analysis of potential environmental impacts. It is anticipated that residents of the Project would be drawn largely from Walnut Creek and other communities in the San Francisco Bay Area.

The proposed Project includes 155,804 square feet of residential area, 40,003 square feet of common/shared area, and 102,474 square feet of parking area, for a total of 298,281 square feet. Common areas would include patios, a rooftop patio, lounge, and fitness room. The parking area noted above includes loading, storage, and trash space. While the details of the anticipated improvements are not finalized at this time, improvements to the landscaping would be done, including improvements with consideration for storm water runoff and other factors.

The proposed Project would include construction of two levels of parking with a total of 223 parking stalls. The ground level would include 136 stalls and the subterranean level would include 87 stalls. The Project would include a total of 7 parking stalls that meet the Americans with Disability Act (ADA) standards. The Project would also provide 24 bicycle parking stalls. The City’s BART Proximate parking standards apply to development on the site. All vehicular access would be from Lacassie Avenue.

**E. FUTURE YGNACIO VALLEY ROAD PEDESTRIAN OVERCROSSING**

A location is indicated on the preliminary Project plans to accommodate a future public pedestrian bridge, crossing over Ygnacio Valley Road from Lacassie Avenue to the BART Station. However, the development of this overcrossing is not part of the proposed Project and no such development is proposed at this time. In the future, if and when, the overcrossing is proposed it would be subject to separate environmental review per CEQA, as needed.

**F. REQUIRED PERMITS AND APPROVALS**

The City of Walnut Creek’s General Plan 2025 designates the parcels as MFVH (Multi-Family Very High, 30.1-50 dwelling units per acre). Implementation of the proposed Project would require a General Plan Amendment to change in the designation to MFSH (Multi-Family Special High, 50.1-100 du/ac) in order to accommodate the projects 100 du/ac.

The proposed Project includes an amendment to the General Plan to increase the maximum building height identified on the General Plan 2025 Core Area Height Limits Map from 50 feet to approximately 60 feet, which would be consistent with the Measure A height limit of 89 feet established for the site.

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\(^1\) This analysis is based on the Association of Bay Area Governments (ABAG) projections of the average household size of 2.14 persons for Walnut Creek in 2025.
This residential structure is sufficiently close to an exterior noise source potentially greater than 60 db which will require acoustical analysis showing that the proposed design will limit exterior noise to the prescribed interior level.

Project to comply with 2016 CBC Section 1207.11.1, 1207.11.2 and 1207.11.4

SITE INFORMATION

MAXIMUM BUILDING HEIGHTS:
- 60’ Maximum Building Height Measured from Avg. Grade Plane (CBC Section 504.2 & Table 503)
- 89’ Maximum Building Height Measured from Base Elevation (existing or proposed grade, whichever is lower) to Top of Parapet per Measure A
- 50’ Maximum Building Height Measured from Base Elevation (existing or proposed grade, whichever is lower) to Top of Parapet per Measure A for Parcel #4 & 15 only

REQUIRED BUILDING SETBACKS:
- Lacassie Avenue: 15’ Average Setback
- Caltrans Off-Ramp: 15’ Average Setback*
  *Setback accommodates 25’ Setback from Caltrans R.O.W.
- Ygnacio Valley Road: 15’ Average Setback
- East Elevation: 17’-6” Calculated Setback

SIDEWALK REQUIREMENT:
- Core Area sidewalk requirement: 10’ minimum
- All frontages in compliance with Walnut Creek General Plan 2025 sidewalk requirements

GROSS SQUARE FOOTAGES

**THESE ARE SCHEMATIC TABULATIONS ONLY**

<table>
<thead>
<tr>
<th>LEVEL</th>
<th>Residential Units</th>
<th>Corridor/Vertical Circulation</th>
<th>Storage</th>
<th>Amenities</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>B1</td>
<td>9,014 SF</td>
<td>2,444 SF</td>
<td>594 SF</td>
<td>3,383 SF</td>
<td>15,245 SF</td>
</tr>
<tr>
<td>GROUND</td>
<td>Residential Units</td>
<td>35,747 SF</td>
<td>7,005 SF</td>
<td>594 SF</td>
<td>43,346 SF</td>
</tr>
<tr>
<td>2</td>
<td>Residential Units</td>
<td>40,728 SF</td>
<td>6,822 SF</td>
<td>156 SF</td>
<td>48,906 SF</td>
</tr>
<tr>
<td>3</td>
<td>Residential Units</td>
<td>40,728 SF</td>
<td>6,822 SF</td>
<td>156 SF</td>
<td>48,906 SF</td>
</tr>
<tr>
<td>4</td>
<td>Residential Units</td>
<td>40,728 SF</td>
<td>6,822 SF</td>
<td>156 SF</td>
<td>48,906 SF</td>
</tr>
<tr>
<td>5</td>
<td>Residential Units</td>
<td>30,565 SF</td>
<td>5,034 SF</td>
<td>156 SF</td>
<td>36,755 SF</td>
</tr>
</tbody>
</table>

GROSS BUILDING SF SUBTOTALS:
- Residential Units: 155,804 SF
- Corridor/Vertical Circulation: 28,893 SF
- Storage: 156 SF
- Amenities: 6,654 SF
- Garage: 102,474 SF
- Total: 298,281 SF
Implementation of the proposed Project will also require a Zoning Ordinance Amendment from Multi-Family Residential (M-1) to Planned Development (PD) to accommodate the higher density.

The City of Walnut Creek requires the following discretionary permits and approvals for the proposed Project:

- Conditional Use Permit for Multiple-family residential use, density, set-backs, and parking supply in the Multi-Family Special High, 50.1-100 du/ac (MFSH);
- Design Review Approval for a new four-story multiple-family building, parking structure, site development improvements, and landscape;
- Tree Removal Permit to remove the existing trees from the Project site;
- Stormwater Pollution Prevention Plan; and
- Certification of this EIR.
ENVIROMENTAL CHECKLIST

I. AESTHETICS

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Have a substantial adverse effect on a scenic vista?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway?</td>
<td></td>
<td>✔</td>
<td></td>
<td>✔</td>
</tr>
<tr>
<td>c) Substantially degrade the existing visual character or quality of the site and its surroundings?</td>
<td>✔</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?</td>
<td></td>
<td>✔</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

DISCUSSION:

a) The proposed Project is located within panoramic viewsheds in the vicinity of Walnut View Place, Montecillo Drive, Rancho View Road, and Mount Diablo viewsheds in the vicinity of Alcalanes Ridge and Montecito Crescent, as identified by the Walnut Creek General Plan 2025. Additionally, the northern boundary of the Project site is located along Ygnacio Valley Road, and the western boundary of the Project site is located across from the Pittsburg-Baypoint BART line, both of which are identified as a Scenic Corridors by the Walnut Creek General Plan 2025. The proposed Project would have a significant impact if it would have a substantial adverse effect on any of these Significant Views or Scenic Corridors identified in General Plan 2025.

The maximum elevation of the Project site is approximately 177 feet, with the highest point of the proposed structure reaching an elevation of 223 feet. The panoramic and Mt. Diablo views described above are from locations at elevations of 300 feet or higher; therefore these views are from elevations that are at least 75 feet above the tallest portion of the proposed structure. Moreover, at a proposed building height of 60 feet the Project would not exceed the Measure A building height limit of 89 feet (6 stories).

In order to preserve and enhance notable view corridors in the city, General Plan 2025 and the Walnut Creek Municipal Code establish a requirement for a Moderate Setback of 10 to 20 feet for properties with frontage on Ygnacio Valley Road. Project plans indicate that the Project would comply with the established setback requirements, and therefore development of the proposed structures would not adversely affect the Ygnacio Valley Road scenic corridor.

Therefore, development of the proposed Project would not likely have a substantial adverse effect on established scenic vistas. However, due to the increased height of the propose Project over existing conditions, any potentially significant impacts will be addressed in the EIR.

b) There is only one designated State scenic highway in the vicinity of the proposed Project. Interstate 680 (I-680) is designated as a State scenic highway from the Alameda County line up to its juncture with Highway 24. The proposed Project would be located just over one-half mile north of the designated scenic portion of I-680 and would not be located within the viewshed of Mount Diablo for this segment of I-680. Moreover, views toward the Project site from this segment of I-680 are all but entirely obscured by a combination of vegetation, existing structures, sound walls, and highway overpasses. Therefore, development of the Project would not adversely affect views from a designated State scenic highway, and there would therefore be no impact.

c) The existing visual character of the site is consistent with conventional single-family, suburban residential uses, and the visual character of the surrounding areas is additionally defined by a mix of suburban office, medium-
density multi-family, parking lots, and BART aerial structures. The existing single-family uses contain modest landscaping and are planted with a number of ornamental trees. The property to the east of the proposed Project are two commercial buildings, one with access from Lacasse Avenue and one with access from Ygnacio Valley Road, with minimal landscaping and some ornamental trees. Properties to the south of the proposed Project across Lacasse Avenue feature a mix of institutional and single- and multi-family residential uses. The buildings associated with these uses tend to be low- to medium-intensity, generally no more than three stories tall, and are adjoined by tuck-under or medium-sized surface parking areas. Similar to the properties that make up the proposed Project site, these properties also feature a limited number of ornamental trees. Areas across Ygnacio Valley Road, to the north of the Project site, include landscaped and parking areas associated with the Walnut Creek BART station.

The proposed Project would include a four-story residential building oriented around an interior landscaped courtyard. The residential building would be visible from limited vantage points immediately to the west of the Project site; however, the principal views of the site would be from Lacasse Avenue and from Ygnacio Valley Road, to the north and south of the Project site, respectively. The residential building would be constructed using a variety of building materials, including wood, glass, and metal. The building would be articulated and would include architectural elements, such as balconies, to break up the massing. The interior courtyard and the perimeter of the site would be landscaped, using a variety of trees, plants, and paving textures.

Overall, the existing single-family homes would be replaced with the Project components described above, and development of the Project would add elements of visual interest to the site. Development as proposed would represent a change to the existing visual character of the site, which would appear more densely developed; however, the proposed Project would not be out of context with the existing and developing aesthetic character of the surrounding Core Area. The design of the Project would also be subject to review by the City’s Design Review Commission to ensure consistency with the City’s design guidelines. Therefore, development of the Project would not likely not substantially degrade the visual quality of the site or its surroundings, any potentially significant impacts would be addressed in the EIR.

d) With development of the proposed Project, existing sources of light associated with the existing homes would be replaced with new sources of interior and exterior lighting. Exterior lighting provided on and around the residential building would include wall-mounted recessed louvre lighting, pendant lighting, festival lighting, and pole and bollard lighting. These sources of lighting would largely be contained under the roofs of the two proposed structures. In the walkways and common areas, lighting would meet or exceed levels needed to assure adequate orientation and safety. Bollard lights near the property line of the Project site would be directed so as to minimize any spill-over lighting to the maximum extent practicable. Overall, interior and exterior lighting provided by the Project would be consistent with the urbanized context of the Project site and would not be considered substantial. Therefore, associated impacts would be less than significant.

Compliance with the City’s Design Review Guidelines, highly reflective materials would not be used on the exterior of the proposed structures. The perimeter of the Project site would be planted with trees which would further screen the buildings and reduce glare. Overall the proposed Project would not contribute to substantially increased glare and the impact would be less than significant.

II. AGRICULTURE AND FORESTRY RESOURCES

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>
Would the Project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less-Than-Significant Impact | No Impact |
--- | --- | --- | --- | --- |
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))? | | | | ✓ |
d) Result in the loss of forest land or conversion of forest land to non-forest use? | | | | ✓ |
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? | | | | ✓ |

DISCUSSION:

a) The Project site and all surrounding properties are currently designated for urban, non-agricultural land uses and are currently developed with urbanized land uses. Therefore the proposed Project would not convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance to non-agricultural use and there would be no impact.

b) Neither the Project site, adjoining parcels, nor the immediately surrounding areas feature agricultural zoning designations or properties subject to Williamson Act contracts. The nearest lands that are zoned for agriculture and/or under Williamson Act contract are located over 4 miles from the Project site. Therefore the proposed Project would not conflict with existing zoning for agricultural use or Williamson Act contracts, and there would be no impact.

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 Walnut Creek 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, and there would be no impact.

d) There is no forest land on the Project site or in close proximity to the Project site. The Project site and surrounding areas currently feature developed, urbanized land uses, with the nearest open space land uses of any sort located over one quarter mile from the Project site. Therefore, the Project would not result in the loss of forest land or conversion of forest land to non-forest use, and there would be no impact.

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 is to construct a multi-family residential structure in the core of a highly urbanized area, and it would not impact distant, any outlying agricultural or forest lands. Therefore, the proposed Project would not involve changes to the existing environment that would result in the conversion of forest or agricultural lands, and there would be no impact.
III. AIR QUALITY

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td>√</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
<td>√</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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)?</td>
<td>√</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>d) Expose sensitive receptors to substantial pollutant concentrations?</td>
<td>√</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>e) Create objectionable odors affecting a substantial number of people?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>√</td>
</tr>
</tbody>
</table>

DISCUSSION:

a)-c) The proposed Project would involve the construction and subsequent occupancy of 178 new housing units. The maintenance and occupancy of residential uses do not typically directly result in the generation of criteria or other pollutants in such manner as to conflict with a regional air quality plan, violate air quality standards, or otherwise create an air quality impact. Nevertheless, vehicle trips associated with the construction of the project and with the vehicle trips of eventual residents could result in the generation of criteria or other pollutants in excess of pertinent federal and/or regional air quality standards. It is therefore necessary to perform a complete screening, as well as any subsequent analysis of Project air quality impacts. The impacts under criteria a) through c) could therefore be potentially significant and the EIR will perform a full analysis of these and other potential air quality impacts.

d) The Project site is located within 550 feet of the centerline of I-680. The high volume of vehicular traffic on this major roadway would result in the creation of substantial pollutant concentrations to which future residents of the proposed Project could potentially be exposed. Exposure of sensitive receptors to substantial pollutant concentrations could thus result in a potentially significant impact, and it is therefore necessary to perform a full environmental evaluation and Health Risk Assessment to determine what if any mitigation measures would be necessary to protect residents from risks associated with the levels of pollution that would be experienced at the Project site.

e) The proposed residential Project is not a type of project that has the potential to generate substantial odors or be subject to odors that would affect a substantial number of people. Therefore, no impact would occur.

IV. BIOLOGICAL RESOURCES

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>√</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>
Would the Project:

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

a) The Project site is located in an urbanized area, has been completely altered by past residential development, and essentially no longer supports any natural habitat. 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 Walnut Creek vicinity is absent from the site. However, there is a remote possibility that one more species of birds protected under the federal Migratory Bird Treaty Act could nest in the scattered trees on the site, or that one more species of special-status bat species could roost in the trees or attic structures of the existing buildings on the site. Further assessment of the potential for presence of these special-status bird and bat species on the site will be conducted as part of the EIR, together with an assessment of potential impacts and recommended mitigation, if necessary. Therefore, this remains a potentially significant impact until the need and nature of any required mitigation has been identified as part of the EIR.

b) The Project site is developed with residences and landscaping, and riparian habitat and other sensitive natural community types are absent. Therefore, there would be no impact on sensitive natural communities.

c) Jurisdictional wetlands and other regulated waters are absent from the site, which is developed with residences and landscaping. The closest source of fresh water to the Project site is Walnut Creek which is located less than one-half of a mile to the east. Typical best management practices 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.

d) The Project site is located in an urbanized area, bordered by existing roadways and other urban uses which preclude the presence of any important wildlife movement corridors across the site. The site contains no creeks or aquatic habitat that would support fish, and proposed development 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 nurseries. Wildlife species common in urban
habitat would continue to move through the area, both during and after construction. Some species common in suburban habitat would most likely be displaced with the elimination of much of the existing landscape trees and shrubs on the site, but these are species that are relatively abundant in urban areas, and their loss or displacement would not be considered a significant impact. Therefore, this would be considered a less-than-significant impact on wildlife movement.

e) The proposed Project in general would not conflict with any relevant goals and policies in the City of Walnut Creek General Plan related to protection of biological and wetland resources. No sensitive natural communities, wetlands or important wildlife resources would be affected by the proposed Project.

The City of Walnut Creek Tree Preservation Ordinance prohibits the removal of any tree without a Tree Removal Permit and provides special consideration to certain native “Highly Protected Trees”. The Ordinance applies to any tree (dead or alive, public or private) that measures 9 inches or larger in diameter or 28 inches or larger in circumference, when measured at 4.5 feet above natural grade. Highly Protected Trees include: valley oak, blue oak (Quercus douglasii), coast live oak (Q. agrifolia), California black oak (Q. kelloggii), canyon live oak (Q. chrysolepis), interior live oak (Q. wislizenii var. wislizenii), madrone (Arbutus menziesii), California buckeye (Aesculus californica), California black walnut (Juglans hindsii), and grey pine (Pinus sabiniana). The removal of a Highly Protected Tree can be authorized only if the burden to the applicant in preserving the tree would severely reduce the scale or feasibility of the development. The City Arborist evaluates tree removal requests, considering such issues as disease, danger of falling, species, proximity of existing structures, form, utility interference, health, sidewalk or driveway damage, vectors, public nuisance, and other trees on the site. The Tree Preservation Ordinance also sets forth procedures and evaluation criteria for consideration of Tree Removal Permits, and requires actions to preserve existing on-site trees during construction.

The site contains a number of existing landscape trees, many of which appear to qualify as regulated trees. Two Tree Inventory and Assessments were prepared for the Project site in November 2012 and in May 2013. Per the City standards outlined above, the 34 trees identified as being 9 inches or larger in diameter do not qualify as highly protected trees.2 As all trees on site would be removed as part of Project development, compliance with the City’s Tree Preservation Ordinance and a Tree Removal Permit would ensure impacts to regulated trees would be less than significant.

f) The proposed Project site is located in the Core Area of Walnut Creek and both the Project site and the surrounding area are highly developed. There are no habitat conservation plans or natural community conservation plans in force which would apply to the proposed Project,3 and therefore, there would be no impact with regard to conservation plan conflicts.

V. CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
<tr>
<td>d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
<td>☑</td>
</tr>
</tbody>
</table>

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2 Projected Tree Inventory Map, dated November 26, 2012, and the Addendum to Tree Inventory & Assessment for “The Landing at Walnut Creek, dated May 22, 2013 prepared by John Traverso, BMCA #0206-b.

3 City of Walnut Creek, 2005, Walnut Creek General Plan 2025 Draft Environmental Impact Report, page 49.
DISCUSSION:

a) Archival research included examination of the library and project files at Tom Origer & Associates. A review (Northwest Information Center [NWIC] File No. 13-0358) was completed of the archaeological site base maps and records, survey reports, and other materials on file at the NWIC, Sonoma State University, Rohnert Park. Sources of information included, but were not limited to, the current listings of properties on the National Register of Historic Places (National Register), California Historical Landmarks, California Register of Historical Resources (California Register), and California Points of Historical Interest as listed in the Office of Historic Preservation’s (OHP) Historic Property Directory.4

The OHP has determined that structures in excess of 45 years of age should be considered potentially important historical resources, and former building and structure locations could be potentially important historic archaeological sites. Archival research included an examination of historical maps to gain insight into the nature and extent of historical development in the general vicinity, and especially within the Project site. Maps ranged from hand-drawn maps of the 1800s to topographic maps issued by the United States Geological Survey (USGS).

The records search has revealed that there are no listed National Register properties, California Historical Landmarks, or locally-designated historical landmarks on or adjacent to the Project site and that no ethnographic villages or camps are reported within or near the site. In addition, the Contra Costa County maintains a draft Historic Resources Inventory, which includes Walnut Creek. None of the buildings on the Project site are on the County’s list.5 However, the City of Walnut Creek’s historic built environment has been only partially inventoried, and the existing single-family homes on the Project site were built in the late 1940s and early 1950s, which could allow them to be considered for potential historical significance, based on the age criteria of the OHP or the National Register of Historic Places. Similarly, development surrounding the Project site is generally 50-60 years old and could potentially be eligible for inclusion on the national or State registers. A preliminary search indicated that at least one building on APN 174-090-042 dates to 1963, that at least one of the buildings on APN 174-090-042 date to 1952, and that the building on APN 174-090-050 dates to 1952. The potential for impacts to historic resources will be evaluated in detail in the EIR.

b) The closest source of fresh water to the Project site is Walnut Creek which is located less than one-half of a mile to the east. The Project area would have been moderately well situated for prehistoric occupants of the region to live or gather resources. As the Project site has already been significantly disturbed, the likelihood that as-yet-undiscovered archaeological resources are present on-site is low. As discussed in Section IV.a, archival research indicated that there are no recorded cultural resources within the Project vicinity. Cultural resources studies have been performed for the BART station and for the San Ramon Valley Water Master Plan EIR. These studies did not result in the finding of any archaeological resources within one-quarter of a mile of the current Project site. However, the Project site itself was not the subject of prior cultural resources investigation. Therefore, if an unknown archeological resource is discovered during the excavation and grading phase for the subterranean parking garage, construction of the proposed Project could result in a potentially significant impact. Accordingly, impacts to unknown archeological resources that may be found in the course of construction activities under the proposed Project will be evaluated in detail in the EIR.

c) The Project site is already almost entirely developed and contains no unique geological features. A geotechnical report prepared for the Project indicates that the site is underlain by Quaternary alluvial deposits with sandstone bedrock of the Monterey formation dating to the middle to lower Miocene.6 The site contains no outcappings or other exposure of the underlying bedrock or other geological strata.

A search of the University of California Museum of Paleontology Specimen Search database indicated that there are two known paleontological resources from within the City of Walnut Creek, but there is no indication

that either of these is from the Project site. While fossils are not expected to be discovered during Project construction, it is possible nonetheless that significant fossils could be discovered during excavation activities, even in areas with a low likelihood of occurrence. The federal Paleontological Resources Preservation Act of 2002 limits the collection of vertebrate fossils and other rare and scientifically significant fossils to qualified researchers who have obtained a permit from the appropriate state or federal agency. Additionally, it specifies these researchers must agree to donate any materials recovered to recognized public institutions, where they will remain accessible to the public and to other researchers. Therefore, if an unknown unique paleontological resource is discovered during the excavation and grading phase for the subterranean parking garage, construction of the proposed Project could result in a potentially significant impact. Accordingly, impacts to unknown paleontological resources that may be found in the course of construction activities under the proposed Project will be evaluated in detail in the EIR.

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 and trenching for utilities, 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. Disturbance of unknown human remains would be a significant impact.

However, any human remains encountered during ground-disturbing activities are required to 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 Native American Most Likely Descendant (MLD) 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. Through mandatory regulatory procedures described above impacts to human remains would be less than significant.

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8 “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.
VI. GEOLOGY AND SOILS

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>ii) Strong seismic ground shaking?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>iii) Seismic-related ground failure, including liquefaction?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>iv) Landslides, mudslides or other similar hazards?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>b) Result in substantial soil erosion or the loss of topsoil?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>d) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2010), creating substantial risks to life or property?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☒</td>
<td>☐</td>
</tr>
</tbody>
</table>

DISCUSSION:

a) The Project site is situated in a region characterized by numerous active and potentially active faults, many of which have exhibited recurring seismic activity.

The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to provide a statewide mechanism for reducing the hazard of surface fault rupture to structures used for human occupancy. The main purpose of this Act is to prevent the siting of buildings used for human occupancy across the traces of active faults. The site is not located within a State-designated Alquist-Priolo Earthquake Fault Zone and no mapped faults are known to traverse the site.9 As a consequence, the potential for earthquake-related ground rupture is considered low at the Project site. Nevertheless, the site could be subjected to strong ground shaking during an earthquake on a nearby fault such as the Hayward Fault to the west, the Concord Fault to the east, the Calaveras Fault to the south, or another active fault in the San Francisco Bay Area.

Compliance with the current California Building Code (CBC) requirements would help ensure that the proposed structures would be able to: (1) resist minor earthquakes without damage; (2) resist moderate earthquakes without structural damage, but with some non-structural damage; and (3) resist major earthquakes without collapse, but with some structural as well as non-structural damage. The 2010 CBC has been adopted by the City of Walnut Creek in Title 9 (Building and Regulation), Chapter 1 (Building Code) of the Walnut Creek Municipal Code. Through the CBC, the State provides a minimum standard for building design and construction. In addition, the Safety and Noise chapter of General Plan 2025 contains numerous policies and actions pertaining to geologic and seismic hazards. The following policies and actions are intended to minimize the potential for loss of life, physical injury, and property damage resulting from seismic shaking and other geologic hazards.

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9 City of Walnut Creek General Plan 2025, Chapter 6, Safety and Noise Element, Figure 2, Area Faults, page 6-3.
Policy 1.1. Reduce the potential effects of seismic and other geologic hazards, including slope instability.

Action 1.1.1 Identify areas prone to seismic and other geologic hazards, including slope instability.

Action 1.1.2 Establish minimum road widths and clearances around structures at risk from known geologic hazards.

Action 1.1.3 Review and update the existing maps of geologic hazards.

Action 1.1.4 Require appropriate mitigations for new development or redevelopment in areas prone to seismic and other geologic hazards.

Policy 1.2. Limit development within high-risk geologic areas to a maximum density of one dwelling unit per 20 acres.

Action 1.2.1 Identify high risk areas after taking into account soil stability, history of soil slippage, proximity to earthquake faults, slope grade, accessibility, and drainage conditions, and continue to assign low intensity uses, not exceeding a density of one dwelling unit per 20 acres, to such areas.

Action 1.2.2 As updated seismic hazard zone maps become available, incorporate them into the General Plan.

Action 1.2.3 Identify areas where surface ruptures are most likely to occur and cause damage to human-made structures, such as dams.

Action 1.2.4 For development proposals submitted in areas near earthquake fault zones listed under the Alquist-Priolo Act, require a geotechnical evaluation to identify hazard mitigation measures needed to reduce the risk to life and property from earthquake-induced hazards.

Action 1.2.5 For development proposals submitted in areas near high or very high liquefaction susceptibility areas, require a geotechnical evaluation to identify hazard mitigation measures needed to reduce the risk to life and property from earthquake-induced hazards.

Title 9 (Building and Regulation), Chapter 9 (Site Development), Article 1 (Grading, Excavation and Filling) of the Walnut Creek Municipal Code establishes procedures, permits, and other requirements for grading, excavation, and filling activities within the city. An important goal of these procedures and requirements is to protect public health and safety through the reduction or elimination of the hazards associated with “earth slides, mud flows, rock falls, undue settlement, erosion, silation and flooding, or other special conditions.” This part of the Municipal Code also specifies Best Management Practices (BMPs) for soil stabilization and erosion control.

Compliance with existing federal, State, and local regulations and the policies listed above would ensure that the impacts associated with seismic hazards are minimized to the maximum extent practicable. Consequently, associated seismic hazards impacts would be less than significant.

b) In principle, development of the Project site could result in significant erosion and/or loss of topsoil. During construction, compliance with regulatory requirements such as Title 9 (Building and Regulation), Chapter 9 (Site Development), Article 1 (Grading, Excavation and Filling) of the Walnut Creek Municipal Code would help reduce impacts from erosion or the loss of topsoil through the implementation of Best Management Practices (BMPs). Examples of these BMPs include hydroseeding, biodegradable erosion control blankets, silt fences at downstream storm drain inlets, and post-construction clearing of accumulated debris and sediment in drainage structures. Therefore, the implementation of City required BMP’s such as those stated above, would
ensure that the impacts associated with soil erosion are minimized to the maximum extent practicable and impacts would be less than significant.

c) A site-specific, focused geotechnical investigation was recently performed at the Project site.\textsuperscript{10} The investigation reviewed previously collected geological/geotechnical data for the site and collected additional information by drilling, logging, and testing three exploratory borings. In general, the shallow geology at the site consists of a roughly 5- to 10-foot-thick interval of unconsolidated clay and sand, beneath which, variably weathered sedimentary bedrock was encountered. The investigation concluded that the potential for seismic-induced liquefaction as well as lateral spreading is very low at the Project site. Therefore, impacts would be less than significant.

d) As identified in the site-specific geotechnical investigation, soils with a “medium to high” expansion potential are known to be present at the Project site.\textsuperscript{11} Alternate wetting and drying of such expansive soils can result in significant changes in soil volume. In turn, soil volume changes can cause heaving and cracking of overlying pavement and building foundations. While exact grading plans are not currently available, it is expected grading would require excavations of up to about 20 feet in depth to reach planned finished floor elevations for the lowest parking level, which would remove most of the expansive soils on site. Furthermore, per industry standards, non-expansive soils or Class 2 aggregate base would be used where fill is required depending on the loading requirements for the various Project components (i.e. driveways or buildings) and special earthwork procedures, such as moisture conditioning, would be applied during Project construction. Building and Grading Permits would be required for the Project as outlined in the Walnut Creek Municipal Code Title 9 (Building Regulations), Chapter 9 (Site Development) Article 1 (Grading, Excavation and Filling), which requires that upon completion of the grading, the soils engineer shall certify that the site was graded and filled with material in accordance with the approved specifications. The soils engineer shall also give his professional opinion regarding remaining shrinkage or settlement, expansive characteristics, slope stability, load-bearing qualities, saline or alkaline conditions, and of any other conditions pertinent to construction upon the completed cut or fill. process described in the City approved Geotechnical Report. Accordingly, impacts related 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. Wastewater generated by the proposed Project would be conveyed to the existing municipal sanitary sewer system in Walnut Creek that is maintained by the Central Contra Costa Sanitary District. 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.

VII. GREENHOUSE GAS EMISSIONS

<table>
<thead>
<tr>
<th>Would the Project:</th>
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<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
<td>✓</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?</td>
<td>✓</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

DISCUSSION:

a), b) Future development under the proposed Project would allow for 178 new multi-family units in the city, and would create new vehicle trips, which would generate GHG emissions. Potential impacts will be evaluated in detail in the EIR.

\textsuperscript{10} Geotechnical Investigation Report, prepared by Klienfelder on July 2, 2013.
\textsuperscript{11} Geotechnical Investigation Report, prepared by Klienfelder on July 2, 2013.
VIII. HAZARDS AND HAZARDOUS MATERIALS

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
</tr>
<tr>
<td>g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
</tbody>
</table>

DISCUSSION:

a) State-level agencies, in conjunction with the U.S. Environmental Protection Agency (U.S. EPA) and Occupational Safety and Health Administration (OSHA) regulate removal, abatement, and transport procedures for asbestos-containing materials. Asbestos-containing materials ("ACM") are materials that contain asbestos, a naturally-occurring fibrous mineral that has been mined for its useful thermal properties and tensile strength. Releases of asbestos from industrial, demolition, or construction activities are prohibited by these regulations and medical evaluation and monitoring is required for employees performing activities that could expose them to asbestos. Additionally, the regulations include warnings that must be heeded and practices that must be followed to reduce the risk of asbestos emissions and exposure. Finally, federal, State, and local agencies must be notified prior to the onset of demolition or construction activities with the potential to release asbestos.

Lead-based paint ("LBP"), which can result in lead poisoning when consumed or inhaled, was widely used in the past to coat and decorate buildings. Lead poisoning can cause anemia and damage to the brain and nervous system, particularly in children. Like ACM, LBP generally does not pose a health risk to building occupants when left undisturbed; however, deterioration, damage, or disturbance will result in hazardous exposure. In 1978, the use of LBP was federally banned by the Consumer Product Safety Commission. Therefore, only buildings built before 1978 are presumed to contain LBP, as well as buildings built shortly thereafter, as the phase-out of LBP was gradual.
The U.S. EPA prohibited the use of Polychlorinated Biphenyls (PCBs) in the majority new electrical equipment starting in 1979, and initiated a phase-out for much of the existing PCB-containing equipment. The inclusion of PCBs in electrical equipment and the handling of those PCBs are regulated by the provisions of the Toxic Substances Control Act, 15 U.S.C. Section 2601 et seq. (TSCA). Relevant regulations include labeling and periodic inspection requirements for certain types of PCB-containing equipment and outline highly specific safety procedures for their disposal. The State of California likewise regulates PCB-laden electrical equipment and materials contaminated above a certain threshold as hazardous waste; these regulations require that such materials be treated, transported, and disposed of accordingly. At lower concentrations for non-liquids, regional water quality control boards may exercise discretion over the classification of such wastes.

The California Division of Occupational Safety and Health’s (Cal OSHA) Lead in Construction Standard is contained in Title 8, Section 1532.1 of the California Code of Regulations. The regulations address all of the following areas: permissible exposure limits (PELs); exposure assessment; compliance methods; respiratory protection; protective clothing and equipment; housekeeping; medical surveillance; medical removal protection (MRP); employee information, training, and certification; signage; record keeping; monitoring; and agency notification.

The Safety and Noise Chapter of General Plan 2025 contains the following policies and actions related to hazardous materials and emergency response.

Policy 3.1. Facilitate the proper disposal of hazardous materials.

Policy 3.2. Prioritize safety needs of non-industrial land uses.

Policy 3.3. Incorporate hazardous materials abatement provisions in zoning and subdivision decisions and entitlement permits.

Policy 3.4. Work with federal and State authorities to ensure that any transport of hazardous materials through Walnut Creek is at the highest standard of safety.

Action 3.4.1. Designate hazardous material carrier routes that direct hazardous materials away from populated and other sensitive areas.

Policy 3.5. Require that soils, groundwater, and buildings affected by hazardous material releases from prior land uses, and lead and asbestos potentially present in building materials, will not have the potential to adversely affect the environment or the health and safety of residents.

Action 3.5.1. Require an environmental investigation for hazardous materials when reviewing applications for new development in former commercial or industrial areas.

Policy 3.6. Require that new development and redevelopment protect public health and safety from hazardous materials.

Action 3.6.1. Require environmental investigations stipulated by State and County regulations for potential hazardous material releases from prior uses, as well as for lead and asbestos present in building materials.

Policy 6.1. In the event of a disaster, strive to reduce injury, loss of life, and property damage.

Action 6.1.1. Prepare and adopt a list and map of evacuation routes.

During the demolition phase of the Project, potentially hazardous building materials (i.e. ACMs, LBP, PCBs, mercury, household wastes) may be encountered. Removal of these types of hazardous materials (if present) by contractors licensed to remove and handle these materials in accordance with existing federal, State, and local regulations, including policies and actions related to hazardous materials and emergency response listed above,
would insure that risks associate with the transport, storage, use, and disposal of such materials would be reduced to the maximum extent practical. Consequently, associated impacts from demolition phase of the Project would be less than significant.

Additionally, during the operational phase of the Project, common cleaning substances, building maintenance products, paints and solvents, and similar items would be stored, and used, in the buildings on-site. These potentially hazardous materials, however, would not be of a type or occur in sufficient quantities to pose a significant hazard to public health and safety or the environment. Thus, associated impacts from the buildout operational phase of the Project would be less than significant.

b) As described in Section VII.a above, operation of the Project would involve the storage and use of common cleaning substances, building maintenance products, paints and solvents in the proposed multiple family residential complex; however, these potentially hazardous substances would not be of a type or occur in sufficient quantities on-site to pose a significant hazard to public health and safety or the environment. The storage and use of these materials would be subject to existing federal, state, and local regulations. Compliance with these regulations would ensure that the risk of accidents and spills are minimized to the maximum extent practicable. Consequently, overall, associated impacts would be less than significant.

c) The nearest educational facility to the Project site are the pre-schools located within the St. Paul Episcopal Church and the Walnut Creek Presbyterian Church located within one-quarter mile of the site to the south. However, the 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.

d) The Project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. A Phase I Environmental Site Assessment (ESA) was prepared for the Project site in September 12, 2012 and May 14, 2013. As described in these recent assessments, the nearest listed hazardous materials site is the Shell Service Station located on the southwest corner of Ygnacio Valley Road and North California Boulevard, roughly 500 feet northeast from the Project site. It is identified as a Leaking Underground Storage Tank (LUST) site that currently is undergoing site assessment with oversight from the San Francisco Bay Regional Water Quality Control Board (RWQCB). The San Francisco Bay RWQCB maintains an open case (No. 07-0815) for the Shell station property, at which significant petroleum hydrocarbon impact to soil and groundwater has been identified during previous investigations and on-going monitoring. Groundwater flow direction generally is to the south-southeast, away from the Project site. Based on recent groundwater monitoring events, petroleum hydrocarbon-impacted groundwater does not extend beneath the Project site or pose a threat to the environmental condition of the Project site. 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. Impacts would be less than significant.

e) The Project site is not within an airport land use plan or within 2 miles of a public use airport. The nearest public use airport is Buchanan Field, approximately 5 miles to the northeast in the City of Concord. Given the distance from the nearest public use airport, 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.

f) There are no private use airstrips or airports within 2 miles of the project site. The nearest private use airport is Little Hands Airport, which is located approximately 6 miles to the south of the Project site. John Muir Walnut Creek Medical Center operates a private heliport approximately 1.5 miles to the northeast of the Project site; however, helicopter takeoffs and landings from this site would be sporadic and would not occur in close enough proximity to the project site to result in substantial hazard to the future residents. Subsequently, there would be no impact related to private airstrip hazards as a result of implementing the proposed Project.

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 2012 CFC has been adopted by the City of Walnut Creek in Title 9 (Building Code), Chapter 19 (Fire Code) of the Walnut

The City of Walnut Creek has prepared an Emergency Operations Plan (EOP) that identifies and allocates resources in response to emergencies, from preparation through recovery. The EOP identifies the City’s emergency planning, organizational, and response policies and procedures and how they will be coordinated with emergency responses from other levels of government.\(^{13}\)

The proposed Project includes improvements for vehicle, bicycle, and pedestrian circulation in the public right of way; however, no physical components that would interfere with the ability to implement emergency response are proposed. Project plans would include approved fire and emergency access through all phases of construction and operation. Compliance with the provisions of the 2010 CFC and the 2010 CBC (described in Section V.a above, would ensure that development of the proposed Project would result in a \textit{less-than-significant} impact with respect to interference with an adopted emergency response plan or emergency evacuation plan.

h) Walnut Creek is surrounded by extensive areas of hillside open space, which pose a wildland fire risk. Wildland fire hazard is a product of several factors, including weather, slope, fuel (vegetation, ground cover, building materials), access to fire suppression services, and water supply and water pressure. The California Department of Forestry and Fire Protection (CAL FIRE) 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 CDF as Extreme or Very High threat to people from wildland fire.\(^{14}\) Although CDF maps shown in the Walnut Creek General Plan 2025 Chapter 6, Safety and Noise Element designate the Project site and its vicinity as an area of High threat, this is principally because CDF maps wildland fires to include a 1½-mile buffer.\(^{15}\) The Project site is located in a highly urbanized area and is not surrounded by woodlands or vegetation which would provide fuel load for wildfires. The following General Plan 2025 policies and actions would protect people and structures from fire hazards:

\begin{quote}
Policy 4.2. Work with the Contra Costa County Fire Protection District to ensure adequate fire response times and address other fire-related issues in the Planning Area.

Action 4.2.1. Require that all new development or redevelopment plans be submitted to the Fire District for review.
\end{quote}

In addition, the Contra Costa County Fire Protection District (CCCFPD) conducts a weed-abatement program throughout its jurisdiction to minimize fire risk in wildland areas, and the CCCFPD also cooperates with Mt. Diablo State Park and the San Ramon Valley Fire District in addressing wildland fire hazards. Continuation of these initiatives and General Plan 2025 policies and actions would ensure that the risk of wildland fires is reduced to the maximum extent practicable. As such, overall, the risk of loss, injury, or death resulting from wildland fire would be \textit{less than significant}.

### IX. HYDROLOGY AND WATER QUALITY

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
</tbody>
</table>

\(^{13}\) Walnut Creek General Plan 2025, Chapter 6, Safety and Noise Element, page 6-15.


\(^{15}\) City of Walnut Creek General Plan 2025, Chapter 6. Safety and Noise Element. Figure 7, Wildland-Urban Interface Fire Threat, page 6-13.
Would the Project:

<table>
<thead>
<tr>
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<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 silting on- or off-site?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>f) Otherwise substantially degrade water quality?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>j) Inundation by seiche, tsunami, or mudflow?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

a), f) The National Pollutant Discharge Elimination System (NPDES) permit program was established by the Federal Clean Water Act (CWA) to regulate municipal and industrial discharges to surface waters of the United States from their municipal separate storm sewer systems (MS4s). In California, the State Water Resources Control Board (SWRCB) has broad authority over water quality control issues for the State. The SWRCB is responsible for developing statewide water quality policy and exercises the powers delegated to the State by the federal government under the CWA. The City of Walnut Creek is within the jurisdiction of the San Francisco Bay RWQCB (Region 2). The San Francisco Bay RWQCB adopted a Water Quality Control Plan for the San Francisco Bay Basin (the Basin Plan) that designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the Basin Plan.16 Construction activities that disturb one or more acres of land that could impact hydrologic resources must comply with the requirements of the SWRCB Construction General Permit (99-08-DWQ).

During construction, the Project applicant will be required to comply with the NPDES Permit and submit Permit Registration Documents (PRDs) to the SWRCB prior to the start of construction. The PRDs include a Notice of Intent (NOI) and a site-specific construction Stormwater Pollution Prevention Plan (SWPPP) since the proposed Project will disturb one or more acres. The SWPPP describes the incorporation of Best Management Plans (BMPs) to control sedimentation, erosion, and hazardous materials contamination of runoff during construction. New requirements by the SWRCB also require the construction SWPPP to include post construction treatment measures aimed at minimizing storm water runoff. With implementation of these measures, water quality impacts during construction will be less than significant.

In addition, all new development projects that disturb one or more acres are required to incorporate water quality improvements into the site design, as per the Contra Costa County Stormwater C.3 requirements. The

requirements 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. Also, the City of Walnut Creek under Municipal Code 9.16-105 requires preparation of a Stormwater Control Plan that meets the C.3 requirements for each development project. Implementation of these BMPs and Low Impact Development (LID) measures will ensure that post-development impacts to water quality will be less than significant.

b) The Project site is served by the East Bay Municipal Utilities District (EBMUD), which obtains 90 percent of its water supply from surface waters, primarily the Mokelumne River watershed. Therefore, groundwater would not be impacted by the proposed development. In addition, the soil underlying the site consists mainly of siltstone and clay, which have very low permeabilities and infiltration rates. As a result, the subsurface soils can be classified as having low groundwater recharge potential.

Groundwater was not encountered beneath the site during geotechnical investigations with borings extended between 21 and 31 feet below ground surface (bgs). However, with the construction of subterranean parking, it is possible that seasonal groundwater could be encountered during grading, cut-and-fill activities, or building construction, which would require dewatering activities. Because the groundwater dewatering operations would be temporary and short term, the impact of construction activities or site development on groundwater supplies or groundwater recharge would be less than significant.

c), d) The Project site is currently developed with nine residential buildings and is connected to the City of Walnut Creek’s storm drain system. Development of the proposed Project will not substantially change existing drainage patterns. Although the increase in housing density at the site would result in an increase in impervious surfaces, the requirements of the Contra Costa C.3 storm water provisions to implement BMPs and Low Impact Measures (LID) in the site design will ensure that post-development storm water rates will not exceed pre-development rates.

In addition, the City requires the Project Applicant to submit a Stormwater Control Plan prior to the start of construction that specifies the measures that will be taken at the site to reduce storm water runoff per Chapter 9-16 of the Walnut Creek Municipal Code. This ordinance of the Municipal Code establishes stormwater management and discharge control measures to protect and enhance the water quality in the City of Walnut Creek’s watercourses pursuant to the Porter-Cologne Water Quality Control Act. The ordinance is intended to minimize non-stormwater discharges and pollution caused by stormwater runoff from development. Discharges to the City’s stormwater system from spills, dumping, or disposal of materials are also regulated. This ordinance specifies the conditions under which C3-compliant stormwater control plans and SWPPPs must be prepared and implemented. Also, the requirement to prepare and implement a SWPPP during construction activities will minimize the potential for erosion and siltation to occur. With these regulatory requirements and site design measures, Project development would not substantially alter existing drainage patterns in a manner that would result in significant erosion or siltation or result in on- or off-site flooding and the impact would be less than significant.

e) The Contra Costa County C.3 provisions require that developments creating or replacing once acre of impervious surface detain or infiltrate runoff so that peak flows and durations match pre-project conditions. The proposed Project will implement various BMPs and LID measure to ensure that these provisions are met. In addition, much of the existing site consists of impervious surfaces and there currently are no capacity issues associated with discharge to the existing storm drain system. As the proposed Project will not increase either the volume or peak flow of storm water flowing into the City’s storm drain system, the capacity of the storm drain system will not be exceeded and the impact would be less than significant.

g), h) The Project site is not located within a 100-year floodplain as mapped by FEMA. Therefore, housing will not be constructed within a 100-year floodplain and no structures would be located within a 100-year floodplain that could impede flood flows. As a result, no impact would occur.

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i) The Project site is not located within a dam inundation zone, as mapped by the Association of Bay Area Governments (ABAG). In addition, there are no levees or water bodies in the vicinity of the Project site. Therefore, proposed Project residents would not be exposed to flooding resulting from the failure of a dam or levee and no impact would occur.

j) The Project site is not located in close proximity to the Pacific Ocean or San Francisco Bay and is outside of the tsunami inundation zone as mapped by ABAG. Also, the nearest body of water is the Lafayette Reservoir, which is 4 miles west of the site and therefore the site would not be impacted by a seiche. There are no slopes with gradients of 15 percent or more adjacent to the site and the site is not in a rainfall-induced landslide area, according to ABAG. Therefore, development of the site would result in no impact related to inundation by seiche, tsunami, or mudflows.

X. LAND USE AND PLANNING

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Physically divide an established community?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
</tbody>
</table>

DISCUSSION:

a) Construction of the proposed Project would have a significant environmental impact if it were sufficiently large enough or otherwise configured in such a way as to create a physical barrier or other physical division within an established community. A typical example would be a project which involved a continuous right-of-way, such as a roadway, which would divide a community and impede access between parts of the community.

The Project proposes to construct a single apartment building at 207-235 Ygnacio Valley Road in the Core Area of Walnut Creek on a site that is currently developed with nine residential buildings with a total of 21 units in a highly urbanized area. The Project site is bound by Ygnacio Valley Road to the north, existing commercial office off of Ygnacio Valley Road to the east, Lacassie Avenue to the south and Oakland Boulevard (i.e. Highway 24/Interstate 680 [I-680] Off Ramp) to the west. The Project site is in close proximity to the Walnut Creek BART Station, which is located to the north across Ygnacio Valley Road. Nearby uses to the south include multi-family and commercial space, as well as the Walnut Creek Presbyterian Church. Commercial development is located to the west across Oakland Boulevard and further west across I-680 there is single-family residential housing. Retail uses are located the east across North California Boulevard. The proposed Project does not include any changes to the existing roadway network and includes a 10-foot minimum sidewalk along the Project’s frontages in compliance with Walnut Creek General Plan 2025 Core Area sidewalk requirement.18 Therefore, there would be less-than-significant impact on community connectivity and the proposed Project would not divide the physical arrangement of an established community.

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18 City of Walnut Creek General Plan, Chapter 5 (Transportation), Policy 6.2, Action 6.2.1, page 5-14.
b) Construction of the proposed Project would have a significant environmental impact if it would conflict with community goals as expressed in adopted plans, policies, or regulations. As previously stated, the proposed Project would require amendments to the General Plan 2025 and the Zoning Ordinance. Accordingly, the proposed Project’s consistency with adopted plans, policies, or regulations will be evaluated in detail in the EIR.

c) The proposed Project site is located in the Core Area of Walnut Creek and both the Project site and the surrounding area are highly developed. There are no habitat conservation plans or natural community conservation plans in force which would apply to the proposed Project, and therefore, there would be no impact with regard to conservation plan conflicts.

XI. MINERAL RESOURCES

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>✓</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>✓</td>
</tr>
</tbody>
</table>

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 identify 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. The City of Walnut Creek 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.

XII. NOISE

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>✓</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Exposure of persons to or generation of excessive groundborne vibration or ground borne noise levels?</td>
<td>✓</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>✓</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>✓</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

19 City of Walnut Creek, 2005, Walnut Creek General Plan 2025 Draft Environmental Impact Report, page 49.
20 Public Resources Code Section 2762(a)(1).
**Would the Project:**

<table>
<thead>
<tr>
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<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>✓</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>✓</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

a) The Project site is located within 100 feet of the Pittsburg-Baypoint BART line and within 450 feet of I-680. These two transportation rights-of-way, either alone or in combination, could result in the exposure of future residents to levels of noise in excess of applicable State or local standards. Therefore, the impact could be potentially significant and will be addressed in detail in the EIR.

b) Multi-family residential uses, such as those proposed by the Project, are not typically associated with the ongoing generation of excessive levels of vibration or groundborne noise from operations. Nevertheless, construction activities associated with project development have the potential to result in significant levels of vibration that may be perceptible at nearby sensitive receptors. Therefore the impact could be potentially significant and will be addressed in detail in the EIR.

c) Multi-family residential uses, such as those proposed by the Project, are not typically associated with excessive, ongoing operations-related noise that would lead to substantial permanent increases in ambient noise levels. Nevertheless, since the project would result in an increase in vehicle trips and traffic on surrounding roadways, it could indirectly result in a substantial permanent increase to ambient noise levels, and the impact could therefore be potentially significant and will be addressed in detail in the EIR.

d) Multi-family residential uses, such as those proposed by the Project, are not typically associated with excessive operations-related noise that would lead to substantial temporary or periodic increases in ambient noise levels. Nevertheless, construction associated with development of the project could lead to short-lived generation of excessive noise levels that could result in substantial temporary or periodic increases to ambient noise levels, and the impact could therefore be potentially significant and will be addressed in detail in the EIR.

e) The Project site is not within an airport land use plan or within 2 miles of a public use airport. The nearest public use airport is Buchanan Field, approximately 5 miles to the northeast in the City of Concord. Given the distance from the Project site to the nearest airport, future residents at the site would not be exposed to excessive noise from aircraft using a public use airport and there would be no impact.

f) There are no private use airstrips or airports within 2 miles of the project site. The nearest private use airport is Little Hands Airport, which is located approximately 6 miles to the south of the Project site. John Muir Walnut Creek Medical Center operates a private heliport approximately 1.5 miles to the northeast of the Project site; however, helicopter takeoffs and landings from this site would be sporadic and would not occur in close enough proximity to the project site to result in substantial perception of noise. Therefore, future residents at the site would not be exposed to excessive noise from aircraft using a private airport or heliport in the vicinity and would be less than significant.
XIII. POPULATION AND HOUSING

<table>
<thead>
<tr>
<th>Would the Project:</th>
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<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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)?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

DISCUSSION:

a) The Project would result in a substantial and unplanned level of growth if estimated development exceeds local or regional growth projections. The Project site is designated Multi-Family Very High (MFVH) 30.1 - 50.0 du/ac on the General Plan 2025 Land Use Map and zoned Multiple Family Residential 1,000 (M-1) on the Walnut Creek Zoning Map. The Project would require a General Plan Amendment and would also require a Zoning Ordinance Amendment from Multi-Family Residential (M-1) to Planned Development (PO) to accommodate the higher density. The Association of Bay Area Governments (ABAG) is the regional body for allocating regional affordable housing requirements and projecting regional growth down to the local level. Given that the 2009 ABAG projections for Walnut Creek foresee a population growth of approximately 9,705 residents between 2012 and 2025, the 381 projected new residents from the proposed Project would represent only about 4 percent of this expected growth and would thus not exceed this expected level. Similarly, the General Plan 2025 foresaw a population for Walnut Creek of 75,100 in 2015. The proposed Project would therefore also represent only an approximate 4 percent of the total population increase of 9,405 people anticipated for the city by 2025 in General Plan 2025. Development of the proposed Project would not exceed the level of population or housing foreseen in City or regional planning efforts and associated impacts would therefore be less than significant.

b), c) In total, nine residential buildings containing a total of 21 units with approximately 45 residents\(^ {21} \) currently exist on the Project site. Development of the proposed Project would necessitate that all the units be vacated and demolished; therefore, the Project would result in the temporary displacement of existing housing and people. These issues will be discussed further in the EIR.

XIV. PUBLIC SERVICES

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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:</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

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\(^ {21} \) Applying same persons-per-household generation rate as the Project, the 21 existing residential units multiplied by 2.14 persons per household equals approximately 45 residents.
Would the Project:  

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>i. Fire protection?</td>
<td>✓</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>ii. Police protection?</td>
<td>✓</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>iii. Schools?</td>
<td>☐</td>
<td>☐</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>iv. Parks?</td>
<td>☐</td>
<td>☐</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>v. Libraries?</td>
<td>☐</td>
<td>☐</td>
<td>✓</td>
<td>☐</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

a),i-ii) 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. Public service facilities need improvements (i.e. construction of new, renovation or expansion of existing) as demand for services increases. 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 the residents of the city, thereby requiring construction of new facilities or modification of existing facilities. As discussed in Section XII, Population and Housing, above, the proposed Project would result in 381 residents at the Project site, which represents a net increase of 336 over existing conditions. Given the proposed Project would represent only about 4 percent of the expected increase in population or housing foreseen in City or regional planning efforts and would not exceed the local and regional growth projections, it is unlikely the proposed Project would warrant the new construction of or expansion of an existing fire and police facilities that serve the Project site and the overall City. As determined in the Walnut Creek General Plan 2025 EIR, implementation of Action 4.2.2 and 5.5.2 in the Walnut Creek General Plan 2025 Chapter 2 Noise and Safety Element, that require that all new development or redevelopment plans be submitted to the Fire District for review and that all new discretionary permits be submitted to the Police Department for analysis of and recommendations to reduce impacts on police services, respectively, would ensure impacts to these public service providers would be less than significant. As part of the environmental review process both the Contra Costa County Fire Protection District and the Walnut Creek Police Department will be consulted to assess impacts related to fire and police services.

iii. The Project site lies within the boundaries of the Walnut Creek School District (WCSD) and the Acalanes Union High School District (AUHSD). The proposed Project would have a significant environmental impact if development would exceed the ability of local schools to adequately serve the WCSD and AUHSD service areas, thereby requiring construction of new facilities or modification of existing facilities.

Applying a student generation rate of 0.20 students for every multi-family dwelling unit proposed, the proposed Project would be expected to generate approximately 36 students in kindergarten through the eighth grade and could result in as many as 31 new high school students. Given that the majority of the apartment units proposed would be one-bedroom units occupied by single residents and not by families with children, the assumption of 67 students for the purpose of analyzing potential environmental impacts to schools pursuant to CEQA likely provides a conservative analysis of impacts. The WCSD collects impact fees from residential and commercial development. The Project Applicant would be required to pay the fee that is established by the WCSD as part of the Project approval. As provided in Section 65996 of the California Government Code, the payment of such fees is deemed to fully mitigate the impacts of new development on school services. The AUHSD does not currently collect impact fees from development in the area; however funding is available from three recent voter-approved initiatives: Measure E, Measure G, and Measure A. Therefore, with payment

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22 This assumes the existing 21 residential units have the same 2.14 persons per household as the proposed Project.
23 For planning purposes, the WCSD recommends using a rate of 0.20 students per dwelling unit to estimate increased enrollment from new development (0.2 x 178 units = 36 students).
24 For planning purposes, the AUHSD recommends using a rate of 0.17 students per dwelling unit to estimate increased enrollment from new development (0.17 x 178 units = 31 students).
of these required developer fees and property taxes, Project impacts to school services would be less than significant and no mitigation measures are required.

iv. As of 2012, the U.S. Census Bureau estimated Walnut Creek’s population at approximately 65,695.\(^{25}\) Walnut Creek General Plan 2025 indicates that the City of Walnut Creek owned approximately 400 acres of parkland in 2006.\(^{26}\) Conservatively assuming that no parklands have been added since 2006 and using the most recently available population estimate, Walnut Creek currently provides about 6.1 acres of parkland per thousand residents, which is more than the minimum standard established Action 6.1.1 in General Plan 2025, which requires 5 acres of parkland per thousand residents. While development of the proposed Project could bring as many as 381 new residents to the city, this population growth is consistent with local and regional population projections. As of 2009, the Association of Bay Area Governments (ABAG) projected a population of 75,400 residents for Walnut Creek in 2025. Even if no additional acres of parkland are created by 2025, the 400 acres in Walnut Creek identified by General Plan 2025 would still be sufficient to provide 5.3 acres per thousand residents in 2025. However, continued implementation of the parkland dedication requirements established in the Municipal Code would ensure that additional parkland is provided as development occurs in the city and new residents arrive. Therefore, development of the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered parks and associated impacts would be less than significant.

v) There are two public libraries in Walnut Creek: the Walnut Creek Downtown Branch at 1644 North Broadway, and the Ygnacio Valley (Thurman G. Casey Memorial) Branch at 2661 Oak Grove Road. The Downtown Branch, approximately 0.5 miles to the south of the Project site, is the closest public library to the Project site. As previously noted, the Project could generate as many as 381 new residents, which may increase the use of library services within Walnut Creek. However, the Walnut Creek Library, which opened in 2010, is a relatively new facility, and has no plans to expand the library in the short or long term. Furthermore, as Walnut Creek residents have both physical and online access to 26 libraries in Contra Costa County, the proposed Project would not require the Walnut Creek Library to hire more staff or to expand existing facilities in order to accommodate the Project’s demand for library services. Therefore, the impacts from the proposed Project would be less than significant.

### XV. RECREATION

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

a) As discussed in the Project Description, the Project site would offer passive and active recreation facilities for its residents, including a fitness center, outdoor landscaped common areas, and a roof deck. New residents of the Project would also use existing local and regional parks and recreational facilities, including the recreational facilities at Civic Park, Acalanes Ridge Open Space, and the Iron Horse Regional Trail. However, given the wide range of parks and recreational facilities available for public use in Walnut Creek and the surrounding area, the additional resident population resulting from development of the Project would not be expected to increase the use of recreational facilities to the extent that substantial deterioration would occur. Therefore, a less-than-significant impact would occur.

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\(^{26}\) City of Walnut Creek. *Walnut Creek General Plan 2025*, page 3-18.
b) As discussed in the Project Description, the Project would supply areas of active recreational space for residents of the proposed building, including a fitness center, outdoor landscaped common areas, and a roof deck. However, as discussed above, given the wide range of parks and recreational facilities available for public use in Walnut Creek and the surrounding area, the additional resident population resulting from development of the Project would not be expected to increase the use of recreational facilities and the construction or expansion of new recreational facilities would not be warranted. Therefore, a *less-than-significant* impact would occur.

**XVI. TRANSPORTATION/Traffic**

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>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?</td>
<td>✓</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>✓</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
<td>✓</td>
</tr>
<tr>
<td>d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?</td>
<td>✓</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>e) Result in inadequate emergency access?</td>
<td>☐</td>
<td>☐</td>
<td>✓</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>✓</td>
<td>☐</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

a), b) The proposed Project includes 178 multi-family residential units of ranging from studio to two-bedroom units and 223 parking stalls. The increase in area residents and subsequent vehicle trips caused by the proposed Project could result in changes to traffic volumes or levels-of-service (LOS) for surrounding roadways and intersections. Such changes in LOS could conflict with applicable plans, ordinances, or policies establishing measures of effectiveness for the performance of the circulation system, as well as with applicable congestion management programs. The proposed Project could therefore have a *potentially significant* impact in these areas and this impact will be analyzed in greater depth in the EIR.

c) The proposed Project is not located within 2 miles of a public or a private use airport, nor is it within the land use compatibility plan for any airport. The nearest facility used by aircraft is the John Muir Walnut Creek Medical Center, located 1.5 miles to the northeast. The proposed project would be 60 feet tall at its highest point, and would have a height similar to other nearby structures, including the elevated track of the Pittsburg-Baypoint BART line and several office buildings near the Project site. Given that the Project would not be located in close proximity to any facilities used by aircraft and since it 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, and the resulting increase in area residents would be in-
sufficient to result in substantial changes to the volume of aircraft in the proximity of the Project site; therefore, no impact would occur.

d) The proposed Project would include a total of 223 parking stalls, which would be accessed from a single entrance on Lacassie Avenue. The increase in traffic and potential for vehicle queuing resulting from use of the garage could potentially result in hazardous conditions on Lacassie Avenue, or its intersection with Lacassie Court or North California Boulevard. The impact could therefore be potentially significant and will be analyzed in greater depth in the EIR.

e) Emergency vehicle access would be provided from the Project frontages on both Ygnacio Valley Road and Lacassie Avenue. Fire vehicles would be able to approach the building along either of these roadways, and Lacassie Avenue would continue to include a 78-foot cul-de-sac that would allow fire vehicles to stage operations and turn around to meet the standards of the Contra Costa County Fire Protection District and the City’s Fire Code. The east side of the Project would also include a 5-foot-wide continue paved path for fire podium access at grade, and all portions of the proposed structure would be accessible by emergency and fire equipment. Furthermore, the following General Plan 2025 policies and actions outlined in Chapter 6, Safety and Noise element, would ensure emergency vehicle access is adequately addressed in the final Project design:

Policy 4.2. Work with the Contra Costa County Fire Protection District to ensure adequate fire response times and address other fire-related issues in the Planning Area.

Action 4.2.1. Require that all new development or redevelopment plans be submitted to the Fire District for review.

Policy 5.2. Maintain a response time of less than 5 minutes for emergency calls and for other calls less than 20 minutes, 95 per-cent of the time.

Therefore, with implementation of the proposed Project’s design features and compliance with General Plan 2025 policies and actions, impacts to emergency access would be less than significant.

f) The Project proposes a pattern of development which supports transit, walking, and bicycling over use of the car.

1) Transit: Transit service in the area is currently provided by The County Connection, Solano Express, Wheels, and Bay Area Rapid Transit (BART). No changes to the number of transit stops or level of transit service are proposed as part of the Project. As the Project does not conflict with any transit plans, including Walnut Creek’s approved Climate Action Plan (CAP), the Project would cause a less-than-significant impact to the transit system.

2) Pedestrian: The Project would include new pedestrian scale lighting and landscaping along Lacassie Avenue and Ygnacio Valley Road. Additionally, the Project would provide space and connections for a future pedestrian overpass to the Walnut Creek BART station, to be built by others and undergo separate environmental review as needed per CEQA at a future date. This space for a future pedestrian overpass would also allow a new pedestrian connection between Lacassie Avenue and Ygnacio Valley Road. These improvements are consistent with the goals of the CAP. The Project includes a 10-foot minimum sidewalk along the Project’s frontages in compliance with Walnut Creek General Plan 2025 Core Area sidewalk requirement, sidewalk requirements. Based on the level of pedestrian enhancements proposed as part of the Project, the Project would cause a less-than-significant impact to pedestrian systems in the vicinity of the site.

3) Bicycle: The August 2011 Walnut Creek Bicycle Plan identifies existing Class III bicycle facilities (bike routes) on Ygnacio Valley Road and along Oakland Boulevard in the vicinity of the Project site. It also

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27 City of Walnut Creek Municipal Code Title 9 (Building Code), Chapter 19 (Fire Code).
28 The City Council approved Walnut Creek’s first Climate Action Plan on April 17, 2012.
29 City of Walnut Creek General Plan, Chapter 5 (Transportation), Policy 6.2, Action 6.2.1, page 5-14.
identifies a Class I Bike Path running below the elevated tracks of the Pittsburg-Baypoint BART line. The proposed Project would not impact these existing facilities adjacent and in close proximity to the Project, and would not preclude the future provision of bike facilities on nearby roadways. Consistent with the requirements of the City of Walnut Creek, the Project would provide 24 bicycle parking places. The inclusion of bicycle facilities as part of the Project supports the goals of the Draft CAP. Therefore, the Project would cause a less-than-significant impact to bicycle networks in the vicinity of the site.

XVII. UTILITIES AND SERVICE SYSTEMS

<table>
<thead>
<tr>
<th>Would the Project:</th>
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<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
<td>☐</td>
<td>☐</td>
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</tr>
<tr>
<td>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?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
<td>☐</td>
<td>☐</td>
<td>☑</td>
<td>☐</td>
</tr>
<tr>
<td>g) Comply with federal, state, and local statutes and regulations related to solid waste?</td>
<td>☐</td>
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</tbody>
</table>

DISCUSSION:

a) The Project land use type is residential. Wastewater effluent associated with this land use would not substantially increase pollutant loads as there is no heavy industrial use nor agricultural processing where pollutant loads and wastewater volumes are heavy. Therefore, construction of the Project is not expected to exceed the discharge limits established by the San Francisco Bay Regional Water Quality Control Board (RWQCB) and impacts to sanitary wastewater quality would be less than significant.

b), e) The Project proposes to redevelop an urban, infill site, which is already served by existing water and sewer infrastructure. The Central Contra Costa Sanitary District (CCCSD), established in 1946, collects and treats the wastewater of 462,000 residents and more than 5,000 businesses in 11 cities in central Contra Costa County, including the City of Walnut Creek. The East Bay Municipal Utilities District (EBMUD) supplies water to approximately 1.3 million people in the East Bay region of the San Francisco Bay Area, including a portion of Walnut Creek. Updated every five years in accordance with California's Urban Water Management Planning Act, the EBMUD's 2010 Urban Water Management Plan (UWMP) provides an overview of EBMUD's water

supply sources and usage, recycled water, and conservation programs. In April 2012, the EBMUD Board of Directors approved the Water Supply Management Program 2040 (WSMP 2040).30

As shown on Figure 3, new water supply lines and sanitary sewer lines would tie into the existing lines on along Lacassie Avenue, Ygnacio Valley Road and Oakland Boulevard. As such, these new water supply and wastewater lines would tie into areas already affected by installation of the original utility infrastructure. Construction and connection of the tie in lines would occur during the site preparation phase.

As discussed above in Section XII, Populating and Housing, the proposed Project would not exceed local and regional growth projections; thus, would not exceed the growth accounted for in the 2010 UWMP. Accordingly, the proposed Project would not require the construction of water new treatment or delivery infrastructure. Additionally, the proposed Project would be required to pay the CCCSD capacity fees per the current fee schedule, including sewer connection fees, which are required when a proposed building plumbing facilities are connected to the CCCSD public sewer system to off-set the cost of such infrastructure improvements to the CCCSD. Therefore, no new water or wastewater treatment facilities or expansion of existing facilities would be required as a result of the proposed Project and a less-than-significant impact would occur.

c) Similar to the discussion in Section XVI.b above, the Project site is an infill site located in the highly urbanized Core Area of Walnut Creek and served by the City’s storm sewer system. The proposed Project would tie into existing storm sewer mains running along the eastern perimeter of the site. The proposed Project would include approximately 75,881 square feet of impervious surface. This represents a net increase of 23,502 square

feet of impervious surface over the Project Site. All new development projects that disturb one or more acres are required to incorporate water quality improvements into the site design, as per the Contra Costa County Stormwater C.3 requirements. The requirements 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. Also, the City of Walnut Creek Municipal Code Title 9, Building Regulation, Chapter 16, Stormwater Management and Discharge Control, requires preparation of a Stormwater Control Plan that meets the C.3 requirements for each development project. As such, through mandatory compliance with the City regulations outlined above, construction and operation of the proposed Project would not require the construction or expansion of stormwater infrastructure. Associated impacts would therefore be less than significant.

d) The East Bay Municipal Utilities District (EBMUD) supplies water to approximately 1.3 million people in the East Bay region of the San Francisco Bay Area, including a portion of Walnut Creek. Since the late 1920s, EBMUD’s primary source of water has been the Mokelumne River, and today approximately 90 percent of EBMUD’s water supply comes from the Mokelumne River watershed. EBMUD has water rights that allow for delivery of up to a maximum of 325 million gallons per day (MGD) from the Mokelumne River, subject to the availability of Mokelumne River runoff and to the senior water rights of other users, downstream fishery flow requirements, and other Mokelumne River water uses. Existing supply is currently supplemented by local runoff from East Bay area watersheds that is stored in five terminal reservoirs within the EBMUD service area boundaries. This current capacity available to EBMUD exceeds the projected adjusted EBMUD-wide demand through 2040 of 230 MGD. However, EBMUD suggests that due to EBMUD’s limited water supply, all customers should plan for shortages in time of drought. Section 31 of EBMUD’s Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficient measures described in the regulation are installed at the proposed Project sponsor’s expense.

EBMUD requests the City of Walnut Creek include in its conditions of project approval a requirement that all new development comply with the California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). Furthermore, the General Plan 2025 Chapter 4, Built Environment Element, includes the following policies and actions that promote water conservation in the city:

Policy 29.2. Promote water conservation throughout the community.

Action 29.3.1 Encourage water use consistent with the City’s adopted water-conservation guidelines.

Action 29.2.4 Follow existing standards and guidelines for water-conserving landscaping, and encourage the planting of native and drought-tolerant plants.

Accordingly, the Project incorporates a number of features meant to conserve the use of water used for irrigation on site. Water conserving features include automatic “smart” irrigation controller with rain-sensor, low precipitation/low angle irrigation spray heads, low volume drip tubing installed below mulch, low water consuming plants, soil moisture retention techniques, and mulching to reduce evapotranspiration from the root zone. As shown on Figure 4, plants would be grouped with similar water, climatic and soil requirements to conserve water and create a drought responsive landscape. The proposed landscaping includes specific hydrozones that consist of moderate to low water consuming plants with consideration given to the northern, southern, eastern and western exposures to conserve water. Therefore, with implementation of the Project’s design features and mandatory Compliance City and EBMUD regulations, impacts would be less than significant.

f) Solid waste from the proposed Project site would be transferred to the Keller Canyon Landfill in Contra Costa County for ultimate disposal. As described above, the Keller Canyon Landfill is permitted to receive up to 3,500 tons of waste per day and currently receives about 2,500 tons of waste per day. Remaining capacity is over 63.408 million cubic yards.

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WATER CONSERVATION FEATURES

The following measures will be incorporated into the project to conserve water and enable sustainable irrigation:

1. Installation of Advanced Smart Irrigation Controller with Rain Sensor
2. Use of Low Volume Irrigation Systems
3. Use of Low Flow Fixtures
4. Soil Amendment to Reduce Soil Moisture Extraction
5. Curb cuts for easier transportation of irrigation water

WATER CONSERVATION STATEMENT

Purpose: To provide the water managers staff with information to control water consumption in the irrigation system and enhance the water conservation measures. Irrigation systems shall be designed to incorporate the most efficient and water-saving fixtures. In areas of the property, water consumption facets shall be properly addressed to retain Smashdown for normal operation and enhance water conservation.

Features: The water conservation measures include:

- Rain Sensor: One rain sensor will be installed per apartment building
- Smart Irrigation Controller: A smart irrigation controller will be installed
- Low Flow Fixtures: All fixtures will be selected to minimize water consumption
- Soil Amendment: Soil amendment will be implemented to reduce water consumption
- Curb cuts: Curb cuts will be installed to provide easier transportation of irrigation water

IRRIGATION HYDROZONES:

- Hydrozone 1: High Volume
- Hydrozone 2: Medium Volume
- Hydrozone 3: Low Volume

ESTIMATED WATER USE CALCULATIONS

- Residential: 300 gpm
- Commercial: 500 gpm
- Municipal: 700 gpm

Total Water Use: 1500 gpm
In compliance with State Law SB 1016, the Project would target the CIWMB target of 4.7 pounds of waste per person per day for 2010 though the source reduction, and recycling coordinated by the CCCSWA. The CCCSWA’s average disposal rate in 2010 was 3.9 pounds of waste per person per day, which was well below the CIWMB target of 4.7 pounds of waste per person per day for 2010.31

The construction of 178 residential units on the Project site could bring as many as 381 new residents to the city.32 This would result in approximately .9 ton of waste per day generated by the Project.33 The total solid waste generated from the Project would therefore be approximately 0.03 percent of the permitted daily capacity of the Keller Canyon Landfill. Additionally, as discussed above in Section XII, Populating and Housing, construction of the Project is would not exceed local or regional growth projections, which the Keller Canyon Landfill has sufficient capacity to accommodate, as discussed in the General Plan 2025’s EIR. Therefore, the Keller Canyon Landfill has sufficient capacity to accommodate the Project’s solid waste disposal needs and operational impacts would be less than significant.

Demolition of the existing residential buildings and associated paved surfaces, together with construction of the proposed residential building and parking garage would generate significant quantities of debris. As described above, the Project would be required to divert 50 percent of recyclable construction and demolition debris from landfill, as well as to prepare a Waste Management Plan (WMP) and Waste Management Report (WMR) documenting the details of planned and actual waste diversion as outlined in the Walnut Creek Construction Debris Ordinance.34 Therefore, with mandatory compliance of City regulations, construction and demolition debris from the Project would be diverted from landfill to the maximum extent practicable and associated impacts would be less than significant.

Chapter 3 of Title 5 (Sanitation and Health) of the Walnut Creek Municipal Code addresses the handling, collection and disposal of solid waste and recyclable materials. Article 1 outlines general provisions, which prohibit depositing refuse on private and vacant property and burning garbage on yards or open space, and require access to waste receptacles for garbage collectors. Articles 2 and 3 permit the City Council to enter into collection contract agreements. As described above, Article 6 includes the City’s Construction Debris Ordinance.

Additionally, the City has adopted three additional plans relevant to solid waste services: the Source Reduction and Recycling Element, the Household Hazardous Waste Element (HHWE), and the Non-Disposal Facility Element (NDFE). These three plans were prepared by the CCCSD on the City’s behalf, in compliance with the requirements of Assembly Bill (AB) 939, the California’s Integrated Waste Management Act of 1989 that requires that cities and counties divert 50 percent of all solid waste from landfills as of January 1, 2000 through source reduction, recycling, and composting. These City plans are distinct from the General Plan and were adopted separately in 1993. They are part of the County-wide Integrated Waste Management Plan and EIR approved by the CIWMB in December 1993. As discussed above in Section XVI.f, the Project would prepare a WMP and WMP, and operation, construction and demolition debris from the Project would be diverted from landfill to the maximum extent practicable; thus, impacts would be less than significant.

32 Based on an average household size of 2.14 people as projected by ABAG for Walnut Creek in 2025.
33 381 residents x 4.7 pound/person/day (a target diversion rate) = 1,791 pounds or .9 ton per day.
34 City of Walnut Creek Municipal Code, Title 5 (Sanitation and Health), Chapter 3 (Solid Waste Recycling), Article 6 (Construction Debris Recycling).
### MANDATORY FINDINGS OF SIGNIFICANCE

<table>
<thead>
<tr>
<th>Would the Project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less-Than-Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</td>
<td>☑</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>b) Does the project have impacts that are individually limited, but cumulatively considerable? (&quot;Cumulatively considerable&quot; 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)?</td>
<td>☑</td>
<td>☐</td>
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</tr>
<tr>
<td>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
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</tbody>
</table>

**DISCUSSION:**

a), c) Potential impacts to the environment will be evaluated in detail in the EIR.

b) Potential cumulative impacts will be evaluated in detail in the EIR.