



FINAL ENVIRONMENTAL IMPACT REPORT BALL ESTATES PROJECT

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Prepared for

Contra Costa County

Department of Conservation and Development

30 Muir Road

Martinez, CA 94553

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1.0 INTRODUCTION

The Contra Costa County Department of Conservation and Development (County) prepared a draft Environmental Impact Report (EIR) (**Appendix C**) for the Ball Estates project (project), pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.). The draft EIR was released for a 60-day circulation and public review period from August 31, 2018 to October 29, 2018. During this time, copies of this document were available for review at the County Department of Conservation and Development offices, at the Office of County Supervisor, and at the Pleasant Hill Library. The document was also available online at www.cccounty.us/ballestates.

1.1 PURPOSE OF THIS DOCUMENT

Per CEQA, the County must consult with public agencies with jurisdiction over the project and provide the general public with an opportunity to review and comment on the draft EIR. As the lead agency, the County must also address comments received during circulation that raise issues with the environmental analysis.

This final EIR includes responses to 31 comment letters submitted during the 60-day public review period. This document also describes changes, additions, clarifications, or corrections to the information presented in the draft EIR. Responses and revisions in this document are intended to substantiate and confirm or correct analyses presented in the draft EIR. No new environmental impacts or substantial increases in the severity of an earlier identified impact resulted from responding to comments.

Comments that express an opinion about the merits/demerits of the project or project alternatives (rather than the adequacy of the draft EIR) are not evaluated in detail in this document. Additionally, this document does not respond to comments regarding project design that do not result in a physical environmental impact.

The draft EIR, coupled with the response to comments contained herein, constitute the final EIR for the project, provided for consideration and certification by the County.

1.2 PROJECT OVERVIEW

The project would include a 35 single-family custom home development that would subdivide an existing approximately 61-acre site in Alamo, an unincorporated area of the County. The project applicant, Camille Avenue, LLC, and Camille Ironwood Properties, LLC, requests a vesting tentative map, which includes a subdivision for 35 residential lots, a tree permit, a variance for an 8-foot fence, and an exception to the creek structure setback. The residential lots would be constructed on approximately 20 acres in the lower northeastern portion of the site. The rest of the site, approximately 41 acres, would remain open space. A staging (parking) area that would provide access to local trails is also proposed.

The construction of roads, utilities, and ancillary services associated with the residential homes is considered as part of the project.

1.3 ELEMENTS OF THE FINAL EIR

CEQA Guidelines § 15132 require a final EIR to consist of the following elements:

- a. The draft EIR or a revision of the draft EIR
- b. Comments and recommendations received on the draft EIR either verbatim or in summary
- c. A list of persons, organizations, and public agencies that commented on the draft EIR
- d. The responses of the lead agency to significant environmental points raised in the review and consultation process
- e. Any other information added by the lead agency.

Copies of this document will be provided to public agencies that provided comments on the draft EIR. A copy of the administrative record is also available at the Contra Costa County Department of Conservation and Development, 30 Muir Rd, Martinez, CA 94553, and online at <http://www.cccounty.us/ballestates>.

This final EIR contains the following sections:

- **Chapter 1.0, Introduction.** This chapter presents the purpose of this document, provides an overview of the project, and describes the elements of the final EIR.
- **Chapter 2.0, Response to Comments.** This chapter contains copies of the written comments received on the draft EIR and provides the County's responses. This chapter also contains text changes to the draft EIR that reflect additions, corrections, and clarifications resulting from preparing responses to comments on the draft EIR. These changes are incorporated into the draft EIR as part of the final EIR.
- **Chapter 3.0, Mitigation Monitoring and Reporting Program.** Pursuant to CEQA Guidelines §15097, this chapter contains the Mitigation Monitoring and Reporting Program for the project, including proposed mitigation measures, the party responsible for implementation, and the mitigation timing.

2.0 RESPONSE TO COMMENTS

This chapter lists the agencies, organizations, and individuals that provided comments on the Ball Estates (project) draft Environmental Impact Report (EIR), provides copies of written comments received, and responds to those comments. The Contra Costa County Department of Conservation and Development (County) addresses concerns and suggestions regarding the adequacy and accuracy of the draft EIR prior to consideration of the final EIR for certification (Pub. Res. Code §21092.5). As required by the California Environmental Quality Act (CEQA), these responses address issues with the environmental analysis raised by commenters during the review period (Pub. Res. Code Section 21091(d); CEQA Guidelines §15088(a), 15132).

The County circulated the draft EIR (**Appendix C**) for public review to confirm accuracy, detect omissions, and solicit public input (CEQA Guidelines §15200, 15204). The County provided additional information and clarification in response to public comments raised on the draft EIR, which includes revising sections of the draft EIR text. However, as demonstrated by the following discussion, public comments on the draft EIR did not identify new environmental impacts or a substantial increase in the severity of an identified impact.

The County received 31 individual comment letters on the draft EIR. **Table 2-1** summarizes the public agencies, organizations, and individuals that submitted a comment letter.

The following sections respond to comments on the draft EIR. An alpha-numeric indicator was assigned to each comment letter. The alpha indicator identifies the commenter (i.e., A = agency/organization and I = individual) and the numeric indicator reflects the order the comment letter is addressed. Each comment within a letter is numbered to correspond to the alpha-numeric indicator (i.e., (A)1-1, (A)1-2, (A)1-3, etc.). Accordingly, each response within this chapter corresponds to comment letter’s alpha-numeric indicator. For example, the first comment in letter (A)1 is addressed in response (A)1-1.

The following conventions are used where the draft EIR text has been revised in response to a comment or concern: text added to the draft EIR is shown in underline, and text deleted from the draft EIR is shown in ~~striketrough~~.

Table 2-1 Index of Comments

Letter ID	Date Received	Commenter
Agencies and Organizations		
(A)1	September 7, 2018	San Ramon Valley Unified School District
(A)2	September 25, 2018	Alamo Improvement Association
(A)3	October 1, 2018	East Bay Municipal Utility District

Letter ID	Date Received	Commenter
(A)4	October 24, 2018	East Bay Regional Park District
(A)5	October 24, 2018	California Department of Fish and Wildlife
(A)6	October 25, 2018	Lou Ann Texeira/Local Agency Formation Commission
(A)7	October 30, 2018	Michael Meloy/California Department of Transportation
Individuals		
(I)1	September 27, 2018	Andy Murrer
(I)2	October 4, 2018	Charles Ortmeyer
(I)3	October 4, 2018	Susan & Charles Wingard
(I)4	October 4, 2018	David Aungle
(I)5	October 3, 2018	Ken Rowland
(I)6	October 3, 2018	Tom Thomas
(I)7	October 15, 2018	David Aungle & Co-Signers
(I)8	October 15, 2018	John D. Whetten
(I)9	October 15, 2018	Jennifer Carter
(I)10	October 15, 2018	John D. Whetten
(I)11	October 16, 2018	David Aungle
(I)12	October 16, 2018	Tom & Tracy Lickiss
(I)13	October 23, 2018	David Barclay
(I)14	October 24, 2018	Ken Rowland
(I)15	October 26, 2018	Donald & Alice Whiteneck
(I)16	October 25, 2018	Jennifer Carter
(I)17	September 22, 2018	Marci Severson
(I)18	October 28, 2018	Alice Schultz
(I)19	October 2, 2018	Patti Whalen
(I)20	October 25, 2018	Patrick & Kathleen Galloway
(I)21	October 29, 2018	David Hammond
(I)22	October 15, 2018	Transcription of Public Comments Regarding the Draft EIR Raised at the Zoning Administrator Meeting held on October 15, 2018
(I)23	October 29, 2018	Susan Rock, Alamo Municipal Advisory Council
(I)24	October 4, 2018	Robert J. Dominici

2.1 MASTER RESPONSES

Multiple comments received on the draft EIR raised the same topic or concern. Rather than repeat responses to such comments, the County provided comprehensive Master Responses in this section. Refer to **Subsection 2.2** and **Subsection 2.3** of this document for responses to comments not addressed below.

Master Response 1: Project Components and Design

The purpose of this final EIR is to respond to public and agency comments that challenge the environmental evaluation of the project defined in Chapter 3.0, Project Description of the draft EIR. Several public comments expressed concerns regarding specific project components or design features (listed below), which are outside the purview of this environmental analysis.

East Bay Regional Parks District Parcel D Staging Area

As described in Chapter 3.0, Project Description (page 3-4) in the draft EIR, the project would include a staging area on Parcel D for public parking and access to the adjacent East Bay Regional Parks District (EBRPD) property. This staging area would include 19 parking spaces and a restroom.

Several commenters expressed concerns with the location, access, size, layout, and facilities provided in this staging area. The County evaluated this Parcel D staging area as part of the draft EIR analysis and determined that, with application of mitigation measures, the project would not result in significant environmental impacts. Therefore, the draft EIR sufficiently analyzes environmental impacts associated with the Parcel D staging area.

The draft EIR focused on environmental impacts associated with the Parcel D staging area defined in Chapter 3.0, Project Description (page 3-4) in the draft EIR. Chapter 5.0, Alternatives, in the draft EIR, also provided a comparative evaluation of Alternative 3, which would locate the staging area on Lot 21. If the staging area were to be located elsewhere on the project site within the area proposed for residential home development, including immediately west of Camille Lane, it would be unlikely to result in environmental impacts beyond those analyzed within the draft EIR or evaluated as part of Alternative 3.

Emergency Access Road

As described in Chapter 3.0, Project Description (page 3-5), a 20-foot-wide paved emergency access road (EVA) would be constructed between Lots 5 and 6, connecting the existing Ironwood Place (terminating at the northwest project site boundary) to the proposed extension of Ironwood Place. An 8-foot EVA gate attached to an 8-foot fence would be installed on the common property line between the project site and the existing Ironwood Place. Several commenters expressed opinions regarding specific access controls at this EVA (locked or open for public access). However, neither mode of access control at this EVA would result in new or secondary environmental impacts beyond those currently assessed in the draft EIR.

Gated Community

As described in Chapter 3.0, Project Description (page 3-5) in the draft EIR, access to the project site would be controlled by a gate located on Camille Avenue. Comments pertaining to this access gate and perceived conflict with the surrounding neighborhood identity do not constitute an environmental impact.

Long-Term Maintenance of Parcels B, C, and D

Multiple commenters expressed concerns regarding the specific entity responsible for long-term maintenance of the project site. As described in Chapter 3.0, Project Description (page 3-3) in the draft EIR, project implementation would subdivide the approximately 61-acre project site to create 35 residential lots (development area), a staging area (Parcel D), and open space (Parcels A, B, and C) that would be permanently protected from future residential development. The project would be subject to covenants, conditions, and restrictions (CC&Rs), which could include the creation of a Homeowners Association (HOA) charged with maintaining the development area and Parcels A and C. Parcels B and D would be offered to an appropriate land conservation organization; however, the HOA would assume management responsibility over Parcels B and D (which would remain undeveloped) if no interested conservation organization is identified.

Several commenters expressed concern regarding ownership, liability, monitoring, and ‘competent maintenance’ of Parcels A, B, C, and D. The draft EIR includes mitigation measures that would legally impose conditions on any entity responsible for long-term maintenance. Assuming that such maintenance requirements would not be consistently or sufficiently implemented is too speculative for evaluation.¹ Other comments regarding ownership and liability do not constitute an environmental impact.

Master Response 2: Aesthetics

Multiple commenters expressed concerns regarding the size and compatibility of new homes with the existing residential communities adjacent to the project site. As described in Section 4.1, Aesthetics, in the draft EIR, the project site is bordered by a low-density residential community to the north, east, and southeast. Structures in this neighborhood are generally one- to three-story single-family homes ranging from approximately 2,000 square feet to approximately 6,500 square feet, and include landscaped yards, pools, and accessory structures. Public viewpoints of the project site from the north and east are only available from local roads.

As described on page 4.1-16 in the draft EIR, Impact AES-1 states that new custom homes on the project site could conflict with the character of surrounding residential neighborhoods, which would degrade the visual quality of the project area. To address this concern, Mitigation Measure AES-1 requires future custom homes on the project site to undergo design review to ensure consistency with the existing character of the surrounding area. This process will evaluate elements of each proposed custom home, including size, scale, massing, setback, and color. In addition, the HOA Design Review Guidelines and Landscape Design Plan will include specific provisions regarding setbacks, backyard structures, and vegetative buffers along the perimeter of Madrone Trail. Compliance with the above procedures would

¹ Refer to Section 15145 of the CEQA Statute and Guidelines for discussion of speculative analysis in a draft EIR.

be reviewed by the County prior to construction of individual homes. By ensuring consistency with the existing character of the neighborhood and compliance with HOA Design Review Guidelines, application of Mitigation Measure AES-1 would create visual compatibility with the surrounding neighborhood and the project would not degrade the existing visual character or quality of the project site and its surroundings.

Master Response 3: Construction Restrictions

Multiple commenters expressed concerns with the '10-year' construction period and requested construction-period variances to reduce construction noise and traffic. For the purposes of this draft EIR, project construction is assumed to occur over a 30-month period, which includes grading, infrastructure installation (including streets and storm drain facilities), and the construction of the residential homes. However, actual construction of the single-family homes would be market driven and may be less than a 10-year period.

As discussed in Section 4.13, Noise, page 4.13-13 in draft EIR, construction would entail two main phases: project site preparation and home construction. Project site preparation would include demolition, construction of a keyway at the toe of the slopes along the western residential lots, grading and compaction, utility installation, construction of the curbs and gutters, and road paving. This phase would take approximately six months.

Single-family home construction would begin after utilities installation and street paving. Construction activities would include exterior work (foundation work, framing, roofing) and interior work (electrical, plumbing, drywall, flooring). Although multiple homes may undergo simultaneous construction, the construction of all 35 proposed homes is unlikely to occur at one time because individual lot-by-lot sale would be driven by market conditions.

As outlined above, most construction impacts would occur during the initial six months of site preparation that entail heavy equipment operating across the entire project site. After site preparation, construction would transition to home-by-home construction as individual lots are sold for development. Mitigation Measures NOI-2 and NOI-3 (Section 4.13, Noise, page 4.13-13 to 4.13-16 in the draft EIR) outline construction control requirements throughout site preparation and home building. Specifically, Mitigation Measure NOI-3 would require the applicant to develop a construction mitigation plan to minimize noise disturbance. Per existing County practices, noise-generating activities, including deliveries, the use of heavy construction equipment, and construction traffic at the construction site or in areas adjacent to the construction site would be restricted to the hours of 8:00 a.m. to 5:30 p.m., Monday through Friday, with no construction allowed on weekends or Federal and State holidays. These standards would adequately reduce temporary noise impacts resulting from project construction.

Master Response 4: Drainage

Multiple commenters expressed concern regarding inadequate drainage and local flooding in the project site vicinity, and predict additional drainage issues resulting from development of the project. This master response clarifies the stormwater and drainage impacts resulting from the project, as discussed in Section 4.10, Hydrology and Water Quality, in the draft EIR and detailed in the Preliminary Drainage

Study (Appendix N in the draft EIR) and a Stormwater Control Plan (**Appendix A**) prepared to evaluate project drainage.

As described on page 4.10-4 in the draft EIR, a review of the Federal Emergency Management Agency (FEMA) Flood Zone Maps for the County indicates that the project site is not subject to flooding during a 100-year flood event (Federal Emergency Management Agency, 2009). The project site and immediate vicinity are designated as “Zone X,” delineating a minimal flood risk hazard according to FEMA. Therefore, the project would not result in significant environmental impacts associated with 100-year floodplains, which are a regulated CEQA resource. CEQA does not require analysis of 500-year floods.

Development of the lower portions of the project site would increase stormwater generation and runoff across the project site. The project site contains 3.02 acres of impervious surfaces, or roughly 5 percent of the project site. Implementation of the project would add an additional 3.53 acres of impervious surface for a total of 6.55 acres of impervious surface, or approximately 10 percent of the project site (Appendix N in the draft EIR). New impervious surfaces could impede or alter existing stormwater patterns, obstruct stormwater runoff, or create local ponding or drainage issues. Only the 35 single-family home lots and the proposed EBRPD staging area would add new impervious surfaces. The approximately 41-acre open space area would be protected from future development and would not contain new impervious surfaces.

To accommodate stormwater flows from the project site and alleviate existing drainage issues, the project would reroute stormwater generated by these drainage areas that travel across the project site.² Upon project implementation, most of the stormwater travelling across the project site would enter the Camille Avenue stormwater system. The Camille Avenue system begins at a concrete headwall/drop structure near the intersection of Camille Avenue and Camille Lane. A 48-inch drain pipe exits the structure and expands to a 60-inch pipe at the intersection of Escondido Court and Camille Avenue before emptying into San Ramon Creek. This Camille Avenue drainage system was designed in 1969 based on the zoning and land use assumptions at the time. Although the 1969 drainage system was based on design parameters for 10-year storm events developed prior to 1969, it does not account for rainfall or climate fluctuations from 1969 to present day. However, this system was designed assuming the entire 157-acre drainage area would be densely developed with R-20 Zoning, which allows development of residential lots with a minimum size of 20,000 square feet. As such, the Camille Avenue drainage system was designed to contain stormwater for residential development through the entire 61-acre project site all the way up to La Trampas Ridge, for a total of 157 acres.

Only a small portion of this 157-acre area – approximately 20 acres, or 13 percent of this drainage area – would be developed as part of the project; the remainder of the property would be preserved as open space. The Camille Avenue system would receive almost all of the stormwater generated on the project site. This include stormwater that contributes to the existing wetlands, which would be collected in a catch basin on the western boundary of the project site before entering the proposed development area. The Camille Avenue system would also receive stormwater from northern portions of the study

² Three discrete local drainage areas convey water from the eastern slope of Las Trampas Ridge through the project site. These drainages are discussed in detail in Section 4.10, Hydrology and Water Quality, Subsection 4.10.1 and shown on Figure 4.10-1 in the draft EIR.

that currently result in local flooding issues at Irongate Court. Page 4.10-13, Section 4.10, Hydrology and Water Quality, in the draft EIR, describes these drainage modifications.

Since most land development activities add impervious surfaces and increase the amount of stormwater runoff, the County adopted drainage ordinances to protect downstream properties. These ordinances, contained in Title 9 of the County Ordinance Code, control the concentration, acceleration, and diversion of the storm water flows. Among these ordinance requirements is the “collect and convey” requirement. This means that the project applicant must install adequate storm drains within and outside the development to ensure that downstream properties are not damaged by the project. The storm drains must extend from the development to a drainage facility of adequate capacity to handle the storm flow without flooding.³

To meet these requirements, each individual home lot within the project site would include stormwater control facilities to regulate runoff into downstream facilities in compliance with applicable law.

According to the project’s Stormwater Control Plan (**Appendix A**)⁴, additional surface runoff created by impervious surfaces resulting from the project, including the single-family home lots and the proposed EBRPD staging Area, would be managed in various Drainage Management Areas (DMA) that encompass new impervious surfaces. This includes the following:

- 34 DMAs to accommodate 6,000 square feet of new impervious surfaces generated by new roofs and driveways at 34 of the proposed lots
- 1 DMA to accommodate 11,000 square feet of pervious surfaces at the existing residence
- 22 DMAs to accommodate new streets and pavement associated with streets, sidewalks, and the staging area

Stormwater would be conveyed from these DMAs into self-retaining bioretention facilities. Bioretention areas are graded to capture stormwater and slowly pass it through a biologically active organic layer to filter contaminants. After this detention and percolation, the treated stormwater would be conveyed to proposed storm drain pipes within the right-of-way for new access roads serving the project. These systems would intertie with existing stormwater facilities serving the project site along Camille Avenue and Hemme Avenue. The Preliminary Drainage Study (Appendix N of the draft EIR) shows an increase in the 10-year flow rate post-project, but demonstrates that there is adequate capacity in downstream infrastructure for this additional flow.

As discussed in Section 4.10.3, Impacts and Mitigation Measures (pages 4.10-9 through 4.10-18) in the draft EIR, implementation of the project would not result in drainage or flooding conditions that would represent a significant environmental impact. Comments received on the draft EIR do not provide new information that would change the conclusion of this impact.

³ Contra Costa County Public Works Department. Undated. Public Works Conditions of Approval: What Do They Mean? <https://www.contracosta.ca.gov/DocumentCenter/View/2682/Brochure-PW-Conditions-of-Approval?bidId=>

⁴ Stormwater Control Plans specify how the project will incorporate site design characteristics, landscape features, and Best Management Practices (BMPs) that minimize imperviousness, retain or detain storm water, slow runoff rates, and reduce runoff pollutants.

Master Response 5: Traffic Volumes and Concerns that Camille Avenue is too Narrow to Handle Project-related Traffic Volumes

Camille Avenue is a public road that is 30-feet wide curb-to-curb, including two vehicle travel lanes and two 5-foot-wide bike lanes, striped from Danville Boulevard to the Iron Horse Trail, with an adjacent sidewalk along its entire southern frontage (which is outside the 30-foot-wide lane of travel). Camille Avenue is approximately 1,900 feet long and, along this segment, the road intersects with approximately eight small residential streets. Each of these intersections are unsignalized, although Camille Avenue's intersection with Danville Boulevard is signalized.

Based on modeling performed by Abrams Associates, a licensed traffic engineering firm, 314 daily traffic trips would be added to the public portion of Camille Avenue upon implementation of the project.⁵ Project-related traffic would include approximately 20 trips during the a.m. peak hour and 30 trips during the p.m. peak hour (draft EIR Section 4.16, Transportation and Traffic, page 4.16- 19), which would increase peak hour traffic on Camille Avenue by approximately 13 percent (Appendix P of the draft EIR). The residential trip rates used to derive all project-related estimates are based on Institute to Traffic Engineers (ITE) methodology, which accounts for trips generated by delivery persons, gardeners, and other residential-related services. Additionally, this traffic generation estimate uses a multiplier of 1.28 vehicles per new housing unit in expectation that the project would include larger houses, which represents a trip rate that is 40 percent greater than average. Refer Section 4.16, Transportation and Traffic, in the draft EIR, for further discussion on project-related traffic modeling.

The aforementioned increase in traffic does not trigger signal warrants or otherwise require improvements to any intersections or roadway segments in the area, including Camille Avenue. It should be noted that this amount of traffic is less than half the number of trips necessary to trigger a traffic study under the County's requirements; that is, the County requires a detailed traffic study only for projects that generate more than 100 vehicle trips during a one-hour period (Appendix P of the draft EIR). Nonetheless, the draft EIR included a comprehensive traffic study to provide detailed information for the environmental analysis.

Multiple commenters indicated concern that on-street parking along Camille Avenue might constrict Camille Avenue to such an extent that project-related volumes could not be accommodated. On-street parking on Camille Avenue has historically been limited in number and confined to the western terminus of Camille Avenue near its intersections with Camille Lane, where motorists park to access a nearby trail system.⁶ This determination is supported by observations made by Abrams Associates on multiple occasions, including in March 2012, August 2013, and September 2016; observations made by Aliquot Associates during multiple occasions in 2014, and by historical satellite photos of the street. If the project were to be approved, demand for parking near Camille Lane would be satisfied on the project site, through provision of a trail staging area, thereby reducing the frequency of on-street parking.

⁵ This figure does not account for baseline conditions and thus represents a conservative estimate of traffic generated by the project. As described in the project's Traffic Impact Study (Appendix P of the draft EIR), the project would generate 160 new net daily trips after accounting for the existing partially-occupied office complex on the project site.

⁶ The draft EIR's traffic study provides that, on average, six to eight trail users park on Camille Avenue west of Ironwood Place, and that 10 to 14 users park at this location on Saturdays. This 19-space staging area is larger than the similarly situated Ringtail Cat staging area at the terminus of Hemme Avenue, located about 500 feet north of the project site's nearest boundary.

Master Response 6: Construction Traffic

Several commenters expressed concerns regarding additional traffic that would be generated by project construction. As discussed in Chapter 3.0, Project Description, page 3-7 in the draft EIR, project construction is conservatively assumed to occur over a 30-month period, which includes grading, infrastructure installation (including streets and storm drain facilities), and construction of the residential homes. However, actual home construction would be market driven and may be less than a 10-year period.

Several commenters stated that, given the long construction period, construction traffic would generate daily and peak hour trips that would affect the LOS at intersections surrounding the project site. As discussed in **Master Response 3: Construction Restrictions**, the first six-month period of construction would involve site-wide improvements, such as grading and other activities relating to the installation of roads and utilities, which would generate an average of 60 daily trips (as this period is the most intense stage of construction). However, there would be no operational trips during this six-month site preparation period.

After site preparation, home construction would be expected to generate approximately 40 to 60 daily trips. Construction trips associated with the building of a home would be expected to generate about 12 construction worker-related trips and 4 vendor/hauling-related trips, and it is reasonable to assume 4 homes would be under simultaneous construction. Operation of each individual home, based on the projected 314 daily trip count for the entire 35-home development, is expected to generate about 9 trips per day.⁷ The combination of operation and construction-related trips would be greatest during the final phases of home construction, when 31 homes are in operation and 4 homes are being built.

If construction traffic were concentrated within a 30-month period, such activities would generate about 60 daily trips (Appendix P of the draft EIR).⁸ This trip generation rate would be below the 314 daily trips generated by project operation (Appendix P, Table 5, of the draft EIR). These figures are conservative, as equipment would be left on-site in staging areas and project-related construction trips would be "reverse commute" trips. This "worst-case scenario" where construction would overlap with the operational project would result in the following traffic conditions:

- **Peak Hour Trips:** If the project's peak hour operational trips (20 in the a.m. peak hour, 30 in the p.m. peak hour) and home construction trips (assuming 20 trips during each peak hour) occurred at the same time, project construction and operation would yield about 40 trips during the a.m. peak hour and about 50 trips during the p.m. peak hour. This total number of peak hour trips would be below the County's screening criteria for requiring a Transportation Impact Analysis (100 peak hour trips).
- **Daily Trips:** Operational trips would be expected to reach 279 trips per day during the final phases of home construction, when 31 homes are in operation and 4 homes are being built. Construction-related trips would be expected to reach 56 trips per day during this phase. Therefore, under a worst-case scenario, the combination of operational and construction-related trips would result in

⁷ Peak hour trips are not addressed in great detail because most construction trips would not occur during peak hour and, among those that do, these trips would be a "reverse" commute: most trips on Camille Avenue from existing uses would be leaving the neighborhood in the morning and arriving back during the evening, whereas trips related to project construction arrive in the morning and depart in the evening.

⁸ If construction occurred over a 10-year period, the average daily traffic would be less.

335 trips per day. The difference between this “worst case” trip count and the full operational trip count associated with 35 homes (314 daily trips) is negligible and would not result in new significant environmental impacts. Furthermore, at least 1,000 additional daily trips⁹ would need to be added to Camille Avenue before triggering applicable significance thresholds at unsignalized intersections.

The number of vehicle trips generated during construction would be temporary and substantially below trips generated during project operation. Therefore, concurrent construction and operation trips would not result in substandard traffic conditions that would conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system.

With respect to construction parking, workers could require parking for up to 20 personal vehicles during the peak construction period. Additionally, deliveries, visits, and other activities may generate peak non-worker parking demand of 5 to 10 automobiles per day. Therefore, up to 30 vehicle parking spaces may be required during the peak construction period for the construction employees. All construction-related parking would be accommodated on the project site, and would not utilize on-street parking.

Master Response 7: Safety Risks Associated with Unsignalized Intersections along Camille Avenue

There are approximately eight unsignalized intersections along Camille Avenue between the project site and Danville Boulevard, including Forest Land / Camille Avenue. Each of the unsignalized intersections between Camille Avenue and its side streets are three-way, or "T," intersections.

As explained in Section 4.16, Transportation and Traffic, page 4.16-15 in the draft EIR, impacts to unsignalized intersections would be significant if project-generated traffic causes the delay in vehicle movement to deteriorate from LOS D or better to LOS E or F. Although detailed LOS calculations for each of the local intersections along Camille Avenue were not prepared, extensive field observations at these intersections by Abrams Associates indicates that the existing LOS at these intersections is at least LOS D or better, and most likely LOS B or better.

Preliminary modeling¹⁰ undertaken by the project traffic engineer concluded that an additional 1,000 daily trips above baseline levels¹¹ would need to be added to Camille Avenue before the County's LOS D threshold would be exceeded. Furthermore, signal warrants would be triggered only if a significant number of new trips were generated on Camille Avenue's side streets, and the project does not propose new uses, traffic sources, or traffic destinations on these side streets. These traffic capacity considerations constitute substantial evidence that Camille Avenue need not be altered or improved.

⁹ This figure is extremely conservative; Camille Avenue potentially could accommodate several thousand additional daily trips before LOS standards were exceeded.

¹⁰ Abrams Associates analyzed the worst-case existing LOS for a local intersection on Camille Avenue and then kept adding traffic to its modeling of through movements on Camille Avenue until the model eventually yielded a LOS of E that would exceed County standards.

¹¹ The project will generate 314 trips, but that does not include baseline traffic generated by the site. Accounting for the baseline, the project would generate about 160 additional trips. The 1,000 daily trip threshold is in addition to baseline traffic volumes. Moreover, it is extremely conservative, and Camille Avenue potentially could handle thousands of additional daily trips before LOS was exceeded.

Similarly, there is no standard requiring changes to the Camille Avenue traffic control system, including any requirement for the addition of stop signs or traffic signals.

Finally, the average speed limit in the area is 25 miles per hour, and there is no historical evidence that intersections between Camille Avenue and its side streets present any significant risks. A review of California Highway Patrol accident records from 2013-2018 identified a single collision reported during this time, occurring between two automobiles at Camille Avenue and Muir Lane.¹² The accident stemmed from a failure by one motorist to yield the right of way, and no injuries were reported.

Typically, five or more potentially correctable accidents in a one-year period would be required before California Department of Transportation accident warrant thresholds would be met. The small number of trips associated with implementation of the project would not be expected to significantly increase automobile collision rates on Camille Avenue.

Master Response 8: Pedestrians & Bicycles

On multiple occasions, including March 2012, August 2013, May 2014, and September 2016, the project traffic consultant and engineers visited Camille Avenue and recorded very limited bicycle and pedestrian activity, and no equestrian traffic, on the roadway. For instance, from May to July 2014, Aliquot engineers visited Camille Avenue on 14 different days, both weekdays and weekends, and recorded pedestrian and bicyclist activity. On the road's busiest days (weekends), they recorded a maximum of nine walkers/hikers (not arriving by vehicle) and seven bicyclists using Camille Avenue from morning hours to evening hours.

In terms of the potential for vehicle-pedestrian and vehicle-bicycle accidents, a vehicle traveling on a side street and approaching Camille Avenue from the north (e.g., as would occur on Ironwood Place) would not encounter pedestrians walking on Camille, who would be presumed, consistent with law, to be using the sidewalk on Camille Avenue's southerly frontage.¹³ To the extent vehicles approach Camille Avenue from the south, the risk of accidents would increase as a result of increased pedestrian traffic comprised of project users. As with existing pedestrian usage of Camille Avenue, the intensity of usage generated by future project users is anticipated to be minimal.

Regarding bicycle traffic, as with existing bicycle usage of Camille Avenue, the intensity of usage generated by future project users is anticipated to be minimal, and dedicated bicycle facilities are unnecessary. As discussed in Section 1002.1 of the California Highway Design Manual: "entire street systems may be fully adequate for safe and efficient bicycle travel, where signing and pavement marking for bicycle use may be unnecessary." There is no standard that requires dedicated bike facilities along Camille Avenue, and no evidence such facilities are needed to mitigate a significant impact.

To the extent that members of the public expressed concern about the Camille Lane / Iron Horse Trail intersection, this crossing consists of a painted "ladder," about 14-feet-wide, which is located approximately 430 feet west of Danville Boulevard. This crossing is visible to motorists for significant

¹² Sometime in the past ten years, there was a reported accident at the Iron Horse Trail crossing where a bicycle ran the stop sign on the trail and struck a vehicle. This accident is not causally connected with the road geometry of Camille Avenue, and does not change the foregoing calculus about Camille Avenue's safety with regards to unsignalized intersections.

¹³ This sidewalk system, which meets County standards, is sufficient to accommodate all existing and project-related pedestrian traffic.

distances west and east of Iron Horse Trail, with signage and roadway markings providing notice to motorists of the trail's location approximately 200 feet east and west of the trail. The speed limit of the road is 25 miles per hour and, per the California Vehicle Code, vehicles are required to yield the right of way to pedestrians at a marked crosswalk. Given the foregoing parameters, there is adequate sight distance for motorists to see pedestrians.

As explained above, the project is expected to contribute a relatively small number of vehicle trips to the road, amounting to an increase of about 20 a.m. peak hour trips and 30 p.m. peak hour trips (Section 4.16 Transportation and Traffic, page 4.16-19 in the draft EIR). This level of traffic amounts to one trip every three minutes in the a.m. peak hour and one trip every two minutes in the p.m. peak hour, and such vehicles would be subject to the same operating limitations (e.g., a 25-mile-per-hour speed limit) as existing traffic.¹⁴ Accordingly, there is no evidence this slight increase in trips on Camille Avenue would pose significant risks to pedestrians and bicyclists.

Master Response 9: Emergency Response and Evacuation

The San Ramon Valley Fire Protection District reviewed the project's plans and required adherence to various California Fire Code regulations. The project application and design reflect compliance with these regulations and other applicable law.

Accordingly, emergency vehicle access to the project was carefully designed to comply with the San Ramon Valley Fire Protection District's rules and conditions. As mentioned Section 4.9 Hazards and Hazardous Materials, page 4.9-6 in draft EIR, the project would not result in any substantial modification to existing public roadways that would impair emergency access in the vicinity of the project site. As described Chapter 3.0, Project Description, in the draft EIR, a 20-foot-wide paved emergency vehicle access road (EVA) would be constructed between Lots 5 and 6, connecting the existing Ironwood Place (terminating at the northwest project site boundary) to the proposed extension of Ironwood Place (see Figure 3-4 of the draft EIR). An 8-foot high EVA gate attached to an 8-foot fence would be installed on the common property line between the new project and the existing Ironwood Place, providing for an additional route of ingress and ingress for emergency vehicles to the adjacent neighborhood. Thus, the project would not impair implementation of, or physically interfere with, an adopted emergency response plan, or emergency evacuation system.

As with operation of the project, on-street parking is not expected to present any concerns regarding emergency response or evacuation of the area. The project is expected to lessen the frequency of on-street parking, most of which occurred at the western terminus of Camille Avenue, through provision of an on-site trail staging area, and the minimal addition of project trips to Camille Avenue is not expected to substantially increase traffic congestion.

¹⁴ Again, these figures account for baseline conditions, which include partial occupation of the office building, as permitted by CEQA. If the baseline is not accounted for, the project would generate about one trip every two minutes in the a.m. period and one trip every minute and a half in the p.m. peak hour period.

2.2 RESPONSES TO COMMENTS FROM AGENCIES

This section addresses comments from agencies. A copy of the original comment letter is provided followed by the County's response.



FACILITIES DEVELOPMENT

3280 Crow Canyon Road, San Ramon, CA 94583
(925) 552-5986 • FAX (925) 328-0560

SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT

Rick Schmitt, Superintendent
699 Old Orchard Drive, Danville, California 94526 • 925.552.5500 • FAX 925.838.3147

September 7, 2018

via email: Jennifer.cruz@dcd.cccounty.us

Contra Costa County
Department of Conservation and Development
Attn: Jennifer Cruz
30 Muir Road
Martinez, CA 94553

RE: **Ball Estates Project - 300 & 333 Camille Avenue, Alamo CA**
APNs 198-170-006 and 198-170-008

Listed below are the schools that may serve the subdivision referenced above:

Rancho Romero Elementary School (K-5) 180 Hemme Avenue, Alamo CA 94507	925.855.5700
Stone Valley Middle School (6-8) 3001 Miranda Avenue, Alamo, CA 94507	925.855.5800
San Ramon Valley High School (9-12) 501 Danville Boulevard, Danville CA 94526	925.552.3000

(A)1-1

These school assignments may only be in effect for the current school year. Generally, the District's schools are significantly overcrowded. A school may be at capacity at various grade levels, making the possibility of diversions likely at those grade levels.

Consistent with Board Policy 5116, Assignment of Students to Schools, students may be diverted to another school because classes at their grade level have reached maximum size.

Developers need to contact the District at the beginning of each school year for possible amended school assignments.

Sincerely,


Gigi Gines
Facilities Planning Analyst
ggines@srvusd.net
(925) 552-2962

Response to Comment Letter (A)1: San Ramon Valley Unified School District

(A)1-1: Thank you for your comment. The draft EIR notes that the schools serving the subdivision are currently under capacity and cites the school fees to be generated by the construction of new homes as adequate mitigation for the additional students. The applicant will coordinate with the San Ramon Valley Unified School District to establish school assignments prior to project operation. This comment does not raise inadequacies with the analysis or conclusions contained within the draft EIR.

ALAMO IMPROVEMENT ASSOCIATION

SERVING ALAMO SINCE 1955

P.O. BOX 156 • ALAMO, CALIFORNIA 94507

September 25, 2018

E-mail to “jennifer.cruz@dcd.cccounty.us”

Department of Conservation & Development
30 Muir Road
Martinez, CA. 94553

Attn: Jennifer Cruz
Re: SD13-9338
Site: Ball Estate, Alamo Ca

Dear Jennifer:

This letter sets forth the AIA’s concerns and response to the Draft Environmental Impact Report (DEIR) for the Ball Estate application.

PROJECT UNDER REVIEW

The Ball Estates project (project) is a proposed 35 single-family custom home development that would subdivide an existing approximately 61-acre site in Alamo, an unincorporated area of Contra Costa County (County). The project applicant, Camille Avenue, LLC, and Camille Ironwood Properties, LLC, is requesting a vesting tentative map, which includes a subdivision for 35 residential lots, a tree permit, a variance for an 8-foot fence, and an exception to the creek structure setback. The residential lots would be constructed on approximately 20 acres in the lower northeastern portion of the site. The rest of the site, approximately 41 acres, would remain open space. A staging (parking) area that would provide access to local trails is also proposed. The construction of roads, utilities, and ancillary services associated with the residential homes is considered part of the project.

Our comments and concerns are as follows:

PROJECT DESCRIPTION:

Designation of Ownership for the Open Space Parcels is Too Vague.

There is no designation of the ultimate ownership of Parcel A. There is a significant difference in the likelihood of competent maintenance of the parcel, depending on whether “adjacent owners” or the future HOA are designated to maintain. There is also a significant difference in the likelihood of competent maintenance of Parcel B, depending on whether it is owned by the HOA, a land conservation organization, a GHAD or the EBRPD. This vagueness makes it difficult to assess whether any mitigation measure(s) regarding these properties, and the properties themselves, will be applied consistently over time.

(A)2-1

(A)2-2

No Description of the Net Area of the Lots.

The Project description does not include the proposed subdivision map, which is necessary to understand lot sizes, easements and other important information. The tentative subdivision map is shown in Appendix A, the Notice of Preparation. However, no information is given on the area of each lot net of the street easement. This is necessary for reasons set forth below to help determine how close the project is to the norm for the surrounding area and Alamo in general of minimum 20,000 s.f. lots exclusive of the street.

(A)2-3

No Description of the Public Rights of Access Over the Private Street(s) to the Parcel D Trailhead.

A detailed description of the easement rights and restrictions on the proposed gate and roadways between Camille Ave. and Parcel D are necessary to compare the pros and cons of the base project to Alternative 3 and other alternatives described below. The functional description of Las Trampas park access lacks sufficient detail to ascertain the rights of the public enter the park. What are the proposed hours of use, how does the public open the gate, are all modes of access allowed, etc.? Will Parcel D be improved or unimproved? Is Parcel D of sufficient size to allow for future increased usage of the park? The project description should be more definitive on this important issue. Access to other Las Trampas trailheads has been lost or only belatedly secured in the past.

(A)2-4

No Description of How the EBRPD Trailhead Was Sized.

There is nothing in the Project Description or elsewhere in the DEIR regarding how the parking demand at the proposed trailhead was determined. How does the size of parcel D related to expected park usage? The adequacy of this parking area is important because there is no nearby availability of overflow parking. As proposed, all nearby streets are private and not available for public parking.

AESTHETICS

(A)2-5

Visual Compatibility of the Project with Surrounding Neighborhoods

The DEIR should evaluate the visual impacts of the proposed project upon and its compatibility with the existing neighborhood. Given current market demands and the parcelization of the property, it is foreseeable that individual lots will be sold to multiple builders. The current market trend in Alamo and Danville is for larger and larger homes exceeding 5000-10000 square feet and substantially more. Without an FAR imposed by the County or HOA this market trend will make builders max out square footage and lot coverage in a manner incompatible with a neighborhood developed in the 1960's and 1970's. This is a substantial visual impact that is not addressed in the document. A lot by lot FAR is a feasible mitigation measure for this impact.

BIOLOGICAL RESOURCES

Trees

(A)2-6

The document does not adequately describe the mechanism, timing and security for replacement of the trees removed by the design and grading of the subdivision. Tree removal is significant. The proposed mitigation measures do not adequately reduce the expected impacts. The time between impact and mitigation is too long; potentially many years.

HYDROLOGY & WATER QUALITY

Hydrology and Water Quality

The DEIR references three areas of the project including a drainage area I on the northeast totaling 28.31 acres site closer to Hemme Avenue routing to a 30 inch pipe, a drainage area II from the west through the project totaling 157.42 acres routing to the Camille Avenue system into a 48 inch pipe which expands to a 60 inch pipe and a drainage area III starting on EBRPD lands to the southern border of the project totaling 27.78 acres routing to a 10 inch pipe on the southeast corner of the project across Camille Lane entering into the Camille Avenue system.

The project changes the routing for drainage area I so 27.07 acres drain into drainage area II and changes the routing for drainage area III so that the lower 5.97 acres of drainage area III that is prone to current flooding would drain into drainage area II. The DEIR states:

(A)2-7

“As mentioned before, this drainage system (drainage area II/Camille Ave) was originally sized based upon zoning that, at the time, planned for development of single-family homes in the entire 157-acre Drainage area II. Since much of the Drainage area II is currently zoned as Open Space, the existing Camille Avenue drainage system is sufficient to carry post-project flows.” Refer to Appendix N for further discussion of pre-development and post-development site drainage.”

The DEIR does not provide any statistical data on the actual projected flow of water runoff from the addition of 3.02 acres of impervious surfaces for roadways, approximately 5% of the project site or the additional 3.53 acres of impervious surfaces from residential build out for a total of 6.55 acres (approximately 10 % of the project site) while the DEIR concludes under the Discussion of No Impacts section that this drainage flow would be mitigated by padded retention lots and bioretention facilities so no water runoff impact would occur. However, later, under the Discussion of Less-than-Significant Impacts section concludes that the Preliminary Drainage Study (Appendix N) shows an increase in the 10-year flow rate post-project. The Draft DEIR is insufficient in providing the information needed to evaluate the actual impact on water runoff from this project.

LAND USE & PLANNING

Conformity with Alamo-Specific General Plan Policies.

The DEIR does not discuss conformity with Alamo-specific General Plan policies. Policies 3-114 and 3-123 of the General Plan's Land Use Element Policies for the Alamo-Diablo-Blackhawk Area state:

- (A)2-8 3-114. Promote the individuality and unique character of each community based on existing community images.
- 3-123. Developments shall be reviewed to ensure the continued rural character of the area.

- (A)2-9 The unique character of Alamo, and especially the neighborhoods surrounding the project, is defined in large part by lots of 20,000 or more actually useable square feet that provide the characteristic amount of space around the homes. Many lots in the project are below this threshold. The construction of a large area of homes that will almost certainly be uniformly much larger, and on lots on smaller real area, departs from the rural existing character required by these policies.

Conformity with R-20 Zoning.

- (A)2-10 The DEIR states that the project meets the parameters of the R-20 zoning, except for a proposed 8-foot emergency access gate and fence. This is inaccurate. Per the Notice of Preparation in Appendix A, Lot 19 is below 20,000 s.f. Lot 26 does not appear to meet the average depth requirement of 120 feet. These and any other non-conforming conditions should be acknowledged by the DEIR as requiring variances.

TRANSPORTATION & TRAFFIC

Public Safety & Emergency Vehicle Access

- (A)2-11 In 2015, AIA commissioned the nationally recognized firm of Pipeline Safety Trust to provide a safety report focused on the Iron Horse Trail and the neighborhoods bordering the Trail. On page 27 of the report, PST has a "Recommendation to Contra Costa County Department of Conservation and Development: Review all development applications for opportunities to improve existing ingress/egress where currently limited, and where possible, include conditions of approvals to improve connectivity and avoid exacerbation of access problems." The Ball Estate development project presents an ideal opportunity to do so by providing an emergency vehicle access location at the end of Ironwood Court that could be used by either the Camille Ave. neighborhood or the Hemme Ave. neighborhood as an emergency evacuation route should their respective single roadway become impassable. However, the method of controlling access via the proposed

(A)2-11, cont. | project's EVA is unusually restrictive in that, unlike most EVAs, it does not allow for passage of pedestrians. This results in heavy reliance on the availability and timeliness of those able to unlock the access. It is suggested that if a locked gate is installed at this location, that in addition to emergency responders, law enforcement and neighbors on Ironwood Court on both sides of the gate, that the administration office at Rancho Romero School located on Hemme Ave be provided with a key to unlock the gate and that the locking mechanism be designed to allow cutting if necessary. The same provisions should apply to any gate on Ironwood Court within the project. Another alternative would be to simply allow passage by pedestrians at all times.

PROJECT ALTERNATIVES

Alternative 2

(A)2-12 | The description of this alternative allows for the development of the full 35 lots, even after elimination of development on Lots 17,18 and 19 and portions of Lots 9, 16 and 27 to mitigate biological impacts. As stated in the analysis of the alternative, this results in a negative land use policy impact, in that the average lot size would fall below 20,000 s.f. The Alternative would best be defined to reduce certain impacts without increasing other impacts by simply eliminating development in the area of the subject lots without assuming that the same lot count must be maintained. This would allow decision makers to entertain such an approach without dispute as to whether it was considered in the DEIR.

Alternative 3

(A)2-13 | The analysis finds that this alternative produces an increased land use policy impact in that a trail head parking lot is not explicitly cited as a permitted use under R-20 zoning. However, it would become an integral operating component of the Las Trampas Open Space, just as the parking lot, playground, storage facilities, etc. of any other park are part of the park. AIA disagrees with the finding that a Lot 21 trailhead constitutes an increased negative land use policy impact.

(A)2-14 | The analysis of this alternative also fails to acknowledge the certainty of the public rights to access the trailhead parking under this alternative, as compared to the potential risk to such access under the base project.

Additional Alternatives Needed

(A)2-15 | The DEIR is required to analyze reasonable alternatives to the project that will achieve the project objectives. The proximity of the project to Las Trampas Regional Park is a significant land use issue, as is the fact that public access to the park from the Alamo and Danville neighborhoods is through the project site. The proposed park access is by means of convoluted easements on private streets. The DEIR does not contain a reasonable range of feasible project alternatives that would provide park access by means of public

(A)2-15,
cont.

streets or public rights of way. Given the undefined risk to the long term rights of public access to the new trail head referenced above, two further alternatives should be included and analyzed in which (1) 'A' Drive is a public street (with no gate) from Camille Ave. to Parcel D and (2) a gate on 'A' Drive at the Camille Avenue entry is prohibited and 'A' Drive is subject to an unrestricted public access easement from Camille Ave. to Parcel D.

As always, thank you for the opportunity to review and comment upon this application. Please feel free to contact me at (925) 323-9660 if you have questions

Sincerely,



Ed Moran
Chair,
Planning Committee

cc: Applicant (by e-mail: evmathews@att.net)
Supervisor Andersen (by e-mail)
Alamo MAC Chair (")
Alamo MAC (for packet), c/o Jennifer Quallick (")
AIA Board & Planning Committee (")

Response to Comment Letter (A)2: Alamo Improvement Association

(A)2-1: Refer to **Master Response 1** for a discussion of this topic.

(A)2-2: As described in Section 4.11, Land Use and Planning, in the draft EIR, the project would be developed to a density of 1.76 units per acre with lots ranging from 20,000 square feet to approximately 52,000 square feet. These lot sizes are consistent with the project site's existing Single-Family Residential - Low Density (SL) and R-20 zoning. Variances required for the project are listed in Chapter 3.0, Project Description, pages 3-9 and 3-10 in the draft EIR. In addition, the project's Vesting Tentative Map is available for public review at the Contra Costa County Department of Conservation and Development, 30 Muir Rd, Martinez, CA 94553.

(A)2-3: Refer to **Master Response 1** for a discussion of this topic.

(A)2-4: Refer to **Master Response 1** for a discussion of this topic.

(A)2-5: Refer to **Master Response 2** for a response to this comment.

(A)2-6: As described in Section 4.4, Biological Resources, page 4.4-44 in the draft EIR, Mitigation Measure BIO-8 would require submittal of a Tree Replacement Plan for County approval prior to the removal of trees and/or prior to the issuance of a grading permit. This Tree Replacement Plan would designate the approximate location, number, and size of replacement trees. Mitigation Measure BIO-8 also provides strict performance standards to ensure adequate replacement ratios for impacted trees. For the purpose of this draft EIR, this mitigation measure provides sufficient detail for analysis and mitigation of impacts to trees within the project site. Refer to **Response to Comment A(5)-7** for additional discussion of this topic.

(A)2-7: Refer to **Master Response 4** for a complete discussion of drainage modifications proposed by the project applicant.

(A)2-8: The commenter is correct, and the draft EIR did not include an evaluation of the Alamo-specific policies contained within the *Contra Costa County General Plan 2005-2020* (General Plan). Policies 3-114 and 3-123 of the General Plan's Land Use Element have been added to the policy consistency included in Section 4.11, Land Use and Planning, in the draft EIR, as outlined below. The project would be consistent with these policies.

The Contra Costa County General Plan 2005-2020, Land Use Element

- | | |
|-------------|--|
| Policy 3-5: | New development within unincorporated areas of the County may be approved, providing growth management standards and criteria are met or can be assured of being met prior to the issuance of building permits in accordance with the growth management. |
| Policy 3-8: | Infilling of already developed areas shall be encouraged. Proposals that would prematurely extend development into areas lacking requisite services, facilities, and infrastructure shall be opposed. In accommodating new development, preference shall generally be given to vacant or under-used sites within urbanized areas, which have |

necessary utilities installed with available remaining capacity, before undeveloped suburban land is utilized.

Policy 3-114: Promote the individuality and unique character of each community based on existing community images.

Policy 3-115: The character of the area as one of predominantly single-family residences shall be developed, and multiple family residential units shall be provided in suitable densities and locations. A range of densities shall be offered in order to provide for a variety of family sizes, income levels, and age groups.

Policy 3-123: Developments shall be reviewed to ensure the continued rural character of the area.

Project Consistency Analysis

The portions of the project site proposed for residential development are located within the ULL and are designated for future urban uses. The project can be considered an infill development because the lower portions are surrounded by existing development and have access to necessary utility connections. To ensure consistency with the surrounding neighborhood, each new custom home would undergo design review prior to approval (refer to Mitigation Measure AES-1).

(A)2-9: Refer to **Master Response 2** for a response to this comment.

(A)2-10: Changes to the project subsequent to the Notice of Preparation (originally circulated in 2013) modified lot parameters within the project site. As a result, all lots would be above 20,000 square feet. The project's Vesting Tentative Map is available as **Appendix B** to this final EIR. All variances required for the project are listed in Chapter 3.0, Project Description, in the draft EIR.

(A)2-11: Refer to **Master Response 1** for a discussion of this topic.

(A)2-12: As stated in Section 5.0, Alternatives, page 5-16 in the draft EIR, Alternative 2 (Wetland Avoidance Alternative) would conflict with the existing Single-Family Residential – Lot Size 20,000 square foot minimum (R-20) zoning designation established by the Contra Costa County Zoning Map. By maintaining the 35 units within a smaller footprint on the project site, Alternative 2 would reduce lot sizes to an average of approximately 18,450 square feet per lot and would require a rezone to R-15, which allows a 15,000 square foot minimum lot size. Relative to the project, Alternative 2 would introduce one new potentially significant impact related to inconsistency with the existing zoning.

(A)2-13: The comment correctly states that a staging area could be considered an allowable use under the Single-Family Residential District (R-20) zoning designation. However, a staging area would not be consistent with the Single-Family Residential – Low Density (SL) General Plan land use.

As discussed in Section 5.0, Alternatives, in the draft EIR, Alternative 3 proposes a staging area on Lot 21, within an area currently designated as Single-Family Residential – Low Density (SL) by the General Plan. Primary land uses permitted in this designation include detached single-family homes and accessory structures. Secondary uses that are compatible with low density homes may also be allowed, including home occupations, small residential care and childcare facilities, churches and other similar places of

worship, secondary dwelling units, and other uses and structures incidental to the primary uses. Because the staging area is not explicitly stated in the General Plan land use designation, Alternative 3 could be incompatible with the existing land use designations as defined by the General Plan.

(A)2-14: The comment regarding public access to the trailhead is noted. However, public rights to access the staging area would not assist in the identification of an environmentally superior project alternative per CEQA requirements of an alternatives analysis.

(A)2-15: The range of alternatives presented in the draft EIR is meant to describe alternatives to the project that would meet most of the basic project objectives but would avoid or substantially lessen significant project effects. Because public access to the trailhead would not reduce or substantially lessen an environmental impact related to the proposed project, the commenter's proposed alternatives would not meet the intent of a project alternative defined by CEQA.



Letter (A)3: East Bay Municipal Utility District

CONTRA COSTA COUNTY

2018 OCT -3 P 1:42

DEPARTMENT OF CONSERVATION AND DEVELOPMENT

October 1, 2018

Jennifer Cruz, Senior Planner
Contra Costa County, Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

Re: Notice of Draft Environmental Impact Report – Ball Estates Project, Alamo
(County File Number: SD13-9338)

Dear Ms. Cruz:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the Ball Estates Project located in Contra Costa County (County). EBMUD has the following comments.

WATER SERVICE

(A)3-1

EBMUD’s Danville Pressure Zone, with a service elevation range between 250 and 450 feet, will serve the proposed development. A water main extension, at the project sponsor’s expense, will be required to serve the proposed development. Off-site pipeline improvements, also at the project sponsor’s expense, may be required to meet fire flow requirements set by the local fire agency. Off-site pipeline improvements include, but are not limited to, replacement of existing water mains to the project site. When the development plans are finalized, the project sponsor should contact EBMUD’s New Business Office and request a water service estimate to determine costs and conditions for providing water service to the proposed development. Engineering and installation of water mains, off-site pipeline improvements, and services require substantial lead time, which should be provided for in the project sponsor’s development schedule.

GEOLOGY

(A)3-2

In Section 4.7, Geology and Soils, page 18, of the Draft EIR, it states that “the risk of landslides is present at the site to varying degrees depending on the slope conditions and time of year. In addition, many of the soils found in the upland portions exhibit clayey characteristics.” When the project sponsor applies for water service, they will need to provide EBMUD with any proposed landslide mitigation measures for the development so that no landslide impact hazard is posed to proposed water main extensions that will serve the development.

Jennifer Cruz, Senior Planner
October 1, 2018
Page 2

If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.

Sincerely,



David J. Rehnstrom
Manager of Water Distribution Planning

DJR:VC:dks
sb18_161.doc

cc: Stephen Parker
4096 Piedmont Avenue, #191
Oakland, CA 94611

Response to Comment Letter (A)3: East Bay Municipal Utility District

(A)3-1: Thank you for your comment. The project applicant will coordinate with East Bay Municipal Utility District to establish water service estimates prior to project operation. This comment does not raise inadequacies with the analysis or conclusions contained within the draft EIR.

(A)3-2: As stated in Section 4.7, Geology and Soils, in the draft EIR, the steep terrain adjacent to the project site has a low likelihood of future instability that would affect the flatter portions of the project site proposed for residential development. To reduce potential landslide impacts, most of the existing fill slope located along the rear of Lots 11 through 14 and Lots 18 through 20 will require corrective grading. For existing fills that remain in place, setbacks from the toe of the existing fill slope can be developed based on the findings of the design-level geotechnical exploration (as required by Mitigation Measure GEO-2 described on pages 4.7-19 through 4.7-21 in the draft EIR). During the final design process, the applicant will coordinate directly with East Bay Municipal Utilities District to ensure conformity with all requirements and regulations.

From: Tonya Covarrubias <TCovarrubias@ebparks.org>
Sent: Wednesday, October 24, 2018 11:47 AM
To: Jennifer Cruz <Jennifer.Cruz@dcd.cccounty.us>
Cc: Brian Holt <BHolt@ebparks.org>
Subject: EBRPD Comments to DEIR for Ball Estates Project

Ms. Cruz,

Please accept the attached* comment letter from the East Bay Regional Park District on the Ball Estates Draft Environmental Impact Report. If you would like to discuss further, please contact Brian Holt, Chief of Planning/GIS at bholt@ebparks.org or phone (510) 544-2623.

Thank you,
Tonya

*Original sent via U.S. mail



Tonya Covarrubias

Planner | Planning/GIS

East Bay Regional Park District

2950 Peralta Oaks Court, Oakland, CA 94605

T: 510-544-2326

TCovarrubias@ebparks.org | www.ebparks.org

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2950 PERALTA OAKS COURT P.O. BOX 5381 OAKLAND CALIFORNIA 94605-0381 T: 1-888-EBPARKS F: 510-569-4319 TRS RELAY: 711 WWW.EBPARKS.ORG

October 24, 2018

Jennifer Cruz, Senior Planner
Contra Costa County
Department of Conservation & Development
30 Muir Road
Martinez, CA 94553

Sent via U.S. mail and email to:
jennifer.cruz@dcd.cccounty.us
on October 24, 2018

RE: Comments to the Draft Environmental Impact Report for Ball Estates Project

Dear Ms. Cruz,

The East Bay Regional Park District (Park District) appreciates the opportunity to provide comments on the Draft Environmental Impact Report (DEIR) for the Ball Estates Project (project). The Park District operates Las Trampas Regional Wilderness and the Las Trampas to Mount Diablo Regional Trail adjacent to the proposed project site. The Park District has maintained a long-term interest in the project site as a potential location to provide staging and increase access to Las Trampas Regional Wilderness and the Las Trampas to Mount Diablo Regional Trail.

The project applicant, Camille Avenue, LLC, and Camille Ironwood Properties, LLC, propose subdivision of approximately 61-acres located in Alamo, at the end of Camille Avenue, an unincorporated area of Contra Costa County. The Park District also holds an easement for recreational trail access along Camille Lane at the property's eastern edge. The project proposes a new 35-home gated subdivision on approximately 20 acres in the lower northeastern portion of the site, with a staging area for the Park District at the rear of the development on open space "Parcel D," to provide public access to the existing Madrone Trail in Las Trampas Regional Wilderness, and leaving the remaining 41 acres as open space, under private ownership.

(A)4-1 | The Park District's 1993 adopted Las Trampas Land Use Plan established a need for a staging area at the end of Camille Avenue, as a means of granting the public access to the Madrone Trail, and the larger Las Trampas to Mt. Diablo Regional Trail.¹ The current project proposes the staging area to be located instead on Parcel D at the rear of the development, behind a privacy gate at the Camille Avenue and Ironwood Place entrances.² This is not conducive to open and inclusive public access to a Regional Park and trail.

(A)4-2 | The Park District has met at various times with both the applicant and neighbors and has previously communicated its concerns about specific proposed features of the development to the County on September 26, 2013 and on August 26, 2016. Those concerns have not yet been remedied in the project description in the DEIR, specifically the location of the staging area, the accessibility for the public to the Regional Trail and the open space buffers.

¹ Las Trampas Regional Wilderness Final Land-Use Development Plan (1993); "A small staging or parking area at the western end of the new section of the Las Trampas to Mt. Diablo Regional Trail is proposed at the end of Camille Avenue, adjacent to the eastern edge of Las Trampas, serving both the park and trail." (pg. 28)

² DEIR, pg. 3-5.

Board of Directors

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Staging Area Location

(A)4-2, cont. The proposed location of the staging area on Parcel D is a major concern and the Park District would be unlikely to accept the improvements as currently proposed.

(A)4-3 At the Alamo M.A.C. meeting on October 3, 2018, the project's representative said in his presentation that the intention is for automobiles only to use the proposed Parcel D staging area, and that pedestrians and bicyclists would use the existing Camille Lane unpaved trail. In practice, the Park District does not see how a separation would be made to prevent pedestrians and bicyclists from staying out of the Ball Estates residential development. The idea of splitting users by transportation mode at the gate to the residential development goes against typical operations of a public staging area.

With a staging area located behind a privacy gate, Park District staff would anticipate potential conflicts between park users, future homeowners, and the Park District staff regarding access inside the gated community. Conflicts such as:

- (A)4-4
- Routine Park District maintenance and trash removal by Park District vehicles could occur at hours inconvenient to the Ball Estates homeowners.
 - Future park users could choose not to use the Madrone Trail staging area, due to the privacy gate—the gate creates a psychological barrier to open public access, and users will continue to park as they do now, on Camille Avenue, which is a concern to Camille Avenue's existing residents.
 - Ball Estates future homeowners might seek to limit use of a public staging area/parking lot facility on neighboring lots inside a residential subdivision.
 - Parcel D staging area location requires the public to use the Madrone Trail, a new "Connector Trail," to be built from the Parcel D Staging Area to the Madrone Trail, which requires a new bridge, to span an existing drainage system (DEIR, pg. 3-6). The Park District is concerned about the associated costs for building, permitting, operations, maintenance, and eventual replacement of such a bridge.
 - Locating the staging area behind a privacy gate would make the staging area difficult for law enforcement to patrol and increase the potential for illicit activity.

The DEIR's Alternative 3 placement of the staging area in Lot 21 of the development has 19 reduced impacts, when compared to the Project Description placing the staging area in Parcel D (DEIR, Table 5-2, pg. 5-29). These impacts are in Air Quality, Biological Resources, Geology, Hydrology, among others. The DEIR notes that Alternative 3 has one greater impact than the Parcel D staging area in the project, for conflicts with adopted city land use plans and policies, specifically, the fact that the Contra Costa County single family residential zoning at this location doesn't explicitly permit a park staging area/parking lot.

While the DEIR's technical reading of the applicable zoning may be correct, it is common for Park District staging areas/parking to be in residential zones, throughout Alameda and Contra Costa counties. The nearest example is Ringtail Cat staging area at Hemme Avenue, in Alamo, a Park District staging area less than a half mile away from the project. Regular Park District Police patrols resolve any potential incompatibility of these staging areas in residential districts, and patrols bring an added level of security to the neighboring property owners. Alternative 3 provides off street parking for new and existing users of the Las Trampas to Mt. Diablo Trail in an accessible location, an improvement over the current constrained street parking arrangement on Camille Avenue.

After discussion with members of the Alamo M.A.C, the Park District recommends another staging area location, one not studied in the DEIR: on a portion of the current walnut tree orchard, at the intersection of Camille Avenue and Camille Lane (Lot 15 in Figure 3-4 of the Project Description). The advantages of a staging area in this location, over the Project Description and Alternative 3 locations are:

- (A)4-5
- 1) It would be easily accessible and visible to trail users;
 - 2) It is more likely to draw cars off from parking on Camille Avenue;
 - 3) It is easier to provide security checks by Contra Costa Sheriff Department and the Park District's Public Safety team, because there is no privacy gate;
 - 4) There would be fewer anticipated operational challenges, once there are homes and residents on Ball Estates.
 - 5) It can be designed and landscaped in a such a manner as to minimize conflicts with existing neighbors.

For these reasons, a new staging area in the walnut tree orchard, on a portion of Lot 15, is the Park District's preferred location.

Open space parcel ownership concerns

(A)4-6

As previously communicated to the County by Park District staff on 9/26/13, there are concerns about the ownership, liability and particularly the maintenance and fuels reduction for fire safety of the vegetation in this Open Space "Parcels B and C" buffers zone between new residences and open space buffer zone. Regarding the open space area, "Parcel C," the Park District would also recommend coordination with SRVFD to ensure that necessary fire access roads are included in the final project design. There is one fire road/trail in particular (SRVFD #32-1) that if kept, may need to have public access added as a legal use, as this road creates a short loop hike on which it would be difficult to control or limit access.

The Park District appreciates the opportunity to provide comments on the DEIR and we look forward to continuing to work with the County and applicant on this project. Please send the Park District notices on any future actions regarding this project. If you have any questions do not hesitate to contact me at (510) 544-2623, or by e-mail at bholt@ebparks.org.

Respectfully,



Brian W. Holt
Chief of Planning/GIS

cc: Alamo MAC
Candace Anderson, District II Supervisor
Beverly Lane, EBRPD Board of Directors

Response to Comment Letter (A)4: East Bay Regional Park District

(A)4-1 through (A)4-6: Refer to **Master Response 1** for a discussion of these topics.

Letter (A)5:
California
Department of Fish
and Wildlife

From: Hultman, Debbie@Wildlife <Debbie.Hultman@wildlife.ca.gov>
Sent: Wednesday, October 24, 2018 2:53 PM
To: Jennifer Cruz <Jennifer.Cruz@dcd.cccounty.us>
Cc: OPR State Clearinghouse <State.Clearinghouse@opr.ca.gov>; Ougzin, Aicha@Wildlife <Aicha.Ougzin@wildlife.ca.gov>; Farinha, Melissa@Wildlife <Melissa.Farinha@wildlife.ca.gov>; Starr, Jim@Wildlife <Jim.Starr@wildlife.ca.gov>
Subject: Ball Estates Subdivision-SCH2013082081

Ms. Cruz,

Please see the attached letter. Original to follow.

Thank you,

Debbie Hultman

Assistant to the Regional Manager
Bay Delta Region
California Department of Fish and Wildlife
707.428.2037
debbie.hultman@wildlife.ca.gov

CDFW Bay Delta Region-3

New Mailing Address!

Beginning June 14, 2018, the new address will be:
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
707.428.2002





State of California – The Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 Bay Delta Region
 2825 Cordelia Road, Suite 100
 Fairfield, CA 94534
 (707) 428-2002
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



October 22, 2018

Ms. Jennifer Cruz
 Contra Costa County Department of Conservation and Development
 30 Muir Road
 Martinez, CA 94553

Dear Ms. Cruz:

Subject: Ball Estates Subdivision, Draft Environmental Impact Report, SCH #2013082081,
 Contra Costa County

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a draft Environmental Impact Report (EIR) from Contra Costa County Department of Conservation and Development for the Ball Estates Subdivision (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹ CDFW previously submitted comments in response to the Notice of Preparation of the draft EIR.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California’s Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the state. [Fish and Game Code, §§ 711.7, subd. (a) and 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802). Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

REGULATORY REQUIREMENTS

California Endangered Species Act

(A)5-1

Please be advised that a California Endangered Species Act (CESA) Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in “take” of plants or animals listed under CESA, either during construction or over the life of the Project (Fish and Game Code, § 2080 et seq.). Issuance of a CESA ITP is subject to CEQA documentation; therefore,

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The “CEQA Guidelines” are found in Title 14 of the California Code of Regulations, commencing with section 15000.

the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measure may be required in order to obtain a CESA ITP.

(A)5-1, cont. CEQA requires a Mandatory Finding of Significance if the Project is likely to substantially restrict the range or reduce the population of a threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. (c), 21083; CEQA Guidelines, §§ 15380, 15064, and 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code section 2080.

Lake and Streambed Alteration

(A)5-2 CDFW requires a Lake and Streambed Alteration (LSA) Notification (Notification), pursuant to Fish and Game Code section 1600 et. seq., for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourse with a subsurface flow, and floodplains are subject to notification requirements. CDFW will consider the CEQA document of the Project and may issue an LSA Agreement. CDFW may not execute the final LSA Agreement (or ITP) until it has complied with CEQA as a Responsible Agency.

PROJECT DESCRIPTION SUMMARY

The objective of the Project is a proposed subdivision of the existing 61-acre Project site in the unincorporated Alamo area of Contra Costa County. Approximately 20 acres in the lower northeastern portion of the Project site would be converted to 35 residential lots and a parking area that would provide access to local trails. The remaining 41 acres is expected to remain as open space.

The Project activities include the removal of 469 trees, extensive grading, trenching, excavation, sedimentation and soil compaction, as well as a direct impact to tributaries of San Ramon Creek and the banks, channel width, riparian zones, flood plains, and upland habitat of these channels.

The Project site is located at 300 and 333 Camille Avenue in the Alamo area in the Town of Danville, Contra Costa County (37.834080 latitude, -122.027512 longitude). The Project site currently consists of residential and office buildings, an abandoned walnut orchard and open space. The Project site is surrounded by a single-family residential development to the northwest, northeast, and southeast. The Las Trampas Regional Wilderness, owned and managed by the East Bay Regional Park District (EBRPD), borders the Project site to the west and south.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist Contra Costa County Department of Conservation and Development in adequately identifying and/or mitigating the

Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, CDFW concludes that an EIR is appropriate for the Project.

Biological Resources Section 4.4

(A)5-3 **Mitigation Measures BIO-1a –1h:** The draft EIR is insufficient in the analysis of permanent impacts to habitat of Alameda whipsnake (*Masticophis lateralis euryxanthus*); nor does it provide compensatory mitigation to offset these impacts. Alameda whipsnake has been documented using the following habitat types: annual grassland, oak savanna, oak-bay woodland, mixed evergreen forest, riparian and areas with rock outcrop features. CDFW recommends that impacts such as permanent destruction or fragmentation of habitat and ongoing impacts from roadways be identified and included in your evaluation. CDFW recommends that the Project mitigate for these impacts to Alameda whipsnake and their habitats to a less-than-significant level by requiring compensatory mitigation in the form of conserved lands at 5:1 (mitigation to impact) ratio for roadways, a 3:1 ratio for all other permanent impacts and a 1:1 ratio for temporary impacts. Conserved lands should be protected in perpetuity under a legal instrument such as a conservation easement, be required to be managed in perpetuity through an endowment with an appointed land manager and be required to have a land trust named on the legal instrument as a beneficiary. CDFW recommends that priority for conserved lands be given to on-site locations. The draft EIR should also be revised to address cumulative impacts to the Alameda whipsnake from fragmentation of habitat, permanent loss of habitat and impacts from vehicle traffic on roadways. To ensure significant impacts are mitigated to a level of less-than-significant, CDFW recommends the feasible mitigation measures described above be incorporated as enforceable conditions into the final CEQA document for the Project.

(A)5-4 **Mitigation Measure BIO-2:** To ensure impacts to nesting birds are mitigated to a level of less-than-significant, CDFW recommends that the draft EIR be revised to include the addition of the following specific and enforceable mitigation measure in the event nesting birds are detected:

"Nesting Bird Assessment and Avoidance: Prior to the initiation of construction, including ground disturbing activities scheduled to occur between February 1 and September 1, the Qualified Biologist shall conduct a habitat assessment and nesting survey for nesting bird species no more than five (5) days prior to the initiation of work. Surveys shall encompass all potential habitats (e.g., grasslands and tree cavities) within 250 feet of the Project site. The Qualified Biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures for birds known to nest in the Project site. Surveys shall be conducted during periods of peak activity (early morning, dusk) and shall be of sufficient duration to observe movement patterns. Survey results, including a description of timing, duration and methods used, shall be submitted to CDFW for review forty-eight hours prior to the initiation of the Project. If a lapse in Project activity of seven days (7) or more occurs, the survey shall be repeated and no work shall proceed until the results have been submitted to CDFW.

If nesting birds are found, as described above, then no work shall be initiated until species-specific buffers have been established in consultation with CDFW. The buffer

(A)5-4,
cont.

area(s) shall be demarked from work activities and avoided until the young have fledged, as determined by the Qualified Biologist. Active nests found inside the limits of species specific buffer zones or nests within the vicinity of the Project site showing signs of distress from Project activity as determined by the Qualified Biologist shall be monitored daily during the duration of the Project for changes in bird behavior. Buffer areas of active nests within the vicinity of the Project site showing signs of distress or disruptions to nesting behaviors from Project activity, as determined by the Qualified Biologist, shall have their buffers immediately adjusted by the Qualified Biologist until no further interruptions to breeding behavior are detectable.

(A)5-5

Swainson's hawk (*Buteo swainsoni*)

The Biological Resource section states that suitable nesting habitat for Swainson's hawk is within 1,000 feet of the Project site. The CEQA document should specify that protocol-level surveys will be conducted during the hawk nesting season which is generally from March 1 until September 15. Swainson's hawk surveys should be conducted following the Swainson's hawk Technical Advisory Committee's *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990>). Surveys should be conducted within a minimum 0.25-mile radius of the proposed Project area, and should be completed for at least the two survey periods immediately prior to initiating any Project-related construction work. In order to avoid "take" or adverse impacts to Swainson's hawk in the event that an active nest is found during surveys, CDFW recommends avoiding all Project-related disturbance within a minimum of 0.25 miles (and up to 0.5 miles depending on site-specific conditions) of a nesting Swainson's hawk during the nesting season. Please refer to the CDFW guidance document on Swainson's hawk, which is available at: <https://www.wildlife.ca.gov/Conservation/SurveyProtocols#377281284-birds> on take avoidance, minimization and mitigation measures.

(A)5-6

Mitigation Measures BIO-3a–3c: Should bat species be confirmed on the Project site either through the habitat assessment or during surveys, CDFW recommends that work windows for building demolition, tree trimming, or tree removal should only be conducted during seasonal periods of bat activity: between August 31 and October 15, when bats would be able to fly and feed independently, and between March 1 and April 15 to avoid hibernating bats, and prior to the formation of maternity colonies.

(A)5-7

Mitigation Measure BIO-8: The Project Description of the draft EIR identifies the removal of oak woodland trees from the Project site. Mitigation measure BIO-8 states that the replacement ratio shall be 3:1 for trees that are removed within riparian corridors, 2:1 for drought tolerant trees, and 1:1 for non-drought tolerant trees. At a minimum, CDFW recommends individual oaks trees be mitigated at the following ratios: 4:1 replacement for impacted trees 5- to 10-inches in diameter; 5:1 replacement for impacted trees greater >10- to 15-inches in diameter; trees greater than 15-inches in diameter are considered old growth oaks and should be mitigated at a ratio of 15:1. Oak trees should be retained on-site to the maximum extent feasible. Access roads, utilities or building sites should be routed where they will require the minimum amount of disturbance to oaks. If impacts to oak woodland are unavoidable, the Project should first consider on-site restoration or enhancement of oak woodland. If on-site mitigation is inadequate to minimize impacts, the Project should develop off-site mitigation and be monitored for a period of 5 years to insure at least 80% survival of planted oak trees.

(A)5-8

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a data base which may be used to make subsequent or supplemental environmental determinations. [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish and Game Code, § 711.4; Pub. Resources Code, § 21089).

CONCLUSION

CDFW appreciates the opportunity to comment on the draft EIR to assist Contra Costa County Department of Conservation and Development in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Ms. Aicha Ougzin, Environmental Scientist, at (209) 234-3434 or Aicha.Ougzin@wildlife.ca.gov; or Ms. Melissa Farinha, Senior Environmental Scientist (Supervisory), at (707) 944-5579 or Melissa.Farinha@wildlife.ca.gov.

Sincerely,



Gregg Erickson
Regional Manager
Bay Delta Region

cc: Office of Planning and Research, State Clearinghouse, Sacramento

Response to Comment Letter (A)5: California Department of Fish and Wildlife

(A)5-1: The project would comply with all applicable requirements, including those set forth by the California Department of Fish and Wildlife (CDFW), regarding potential impacts to protected species, obtaining an Incidental Take Permit, and associated CEQA requirements. Refer to Section 3.0 of this final EIR for the mitigation monitoring and reporting plan.

(A)5-2: Thank you for this comment. The project would comply with all CDFW permitting requirements, including Lake and Streambed Alteration Notification, pursuant to Fish and Game Code section 1600 et. seq. This comment does not raise inadequacies with the analysis or conclusions contained within the draft EIR.

(A)5-3: Suitable Alameda whipsnake breeding, foraging, and hibernation habitat is present in the approximately 41-acre open space, which also includes designated Alameda whipsnake critical habitat. The only development proposed within this open space area (though not within critical habitat) is a staging area for access to the Madrone Trail and adjacent EBRPD property. The rest of the open space would be protected from future development.

As discussed in Section 3.4, Biological Resources, in the draft EIR, the approximately 21-acre area proposed for development is surrounded on three sides by suburban neighborhoods and provides marginal food resources for Alameda whipsnake. Marginal food resources are present in two small woodpiles west of the existing estate residence, adjacent to the eastern edge of the oak woodland at the base of the hillside. Marginal food resources also are present between the woodpiles and delineated critical habitat area in an approximately 0.45-acre area (encompassing portions of proposed Lots 8, 9, 29 and 33) west of the fenced and actively managed estate and office property. It is through this 0.45-acre area that Alameda whipsnakes would have to travel to access the woodpiles from nearby open space. No suitable breeding, rearing, or hibernation habitat is present within the project development area, including this 0.45-acre area, which lack the following ecological habitat constituents:

- rocky outcrop areas for hibernation;
- rocky areas in riverine corridors to link various oak woodlands to scrub habitats;
- coastal scrub and chaparral area habitats for resting or feeding;
- large expanses of oak woodlands; and
- undisturbed meadow areas adjacent to native oak woodlands for breeding, resting, or feeding.

Within the approximately 21-acre project development area, the existing residential estate house, barn, outbuilding, office complex, and roads compose 3.02 acres of impervious surfaces. The roads are travelled daily by occupants of the office building, landscape maintenance staff, residents, and delivery/service vehicles. The landscape surrounding the office building, and the yard surrounding the estate, is maintained on a regular basis. Decades of landscape maintenance (mowing, management of ornamental vegetation, irrigation, pruning, and fire hazard abatement) has resulted in a landscape that lacks habitat elements required for Alameda whipsnake survival. Furthermore, the two remaining abandoned walnut orchards are regularly disked and mowed, thus preventing the accumulation of woody debris that is utilized as habitat by potential food resources such as western fence lizards

(*Sceloporus occidentalis*). Many potential Alameda whipsnake predators, including domestic cats (*Felis catus*), raccoons (*Procyon lotor*), and common crows (*Corvus brachyrhynchos*), have been observed on the project site and in the adjacent urbanized neighborhoods.

West of the estate area, an approximately 0.56-acre of the project site contains marginally suitable Alameda whipsnake foraging habitat due to the presence of small mammal burrows, tree cover, woody debris, and thinly vegetated areas of steep terrain. While lacking in the important ecological habitat constituents required for Alameda whipsnake survival, this area is adjacent to open space lands and Alameda whipsnake critical habitat, and has not been subject to the active landscape maintenance conducted elsewhere on the property. Approximately 0.45 acres of marginally suitable Alameda whipsnake foraging habitat would be converted to the yards of Lots 8, 9, 29 and 33. Development of the Parcel D staging area would convert approximately 0.06 acres to the staging area and its access road, while earthwork would temporarily disturb 0.05 acres of marginally suitable Alameda whipsnake habitat. The effect of temporary and permanent project development on 0.56 acres of Alameda whipsnake habitat would be offset by the permanent conservation of approximately 41 acres of open space, including 38.55 acres of designated critical habitat. As noted in the draft EIR, these lands would be managed as open space by the future property owners or HOA, or dedicated to an appropriate land conservation organization. In addition to the permanent conservation of 41 acres of open space, the removal of pavement, building, and lawn from 0.68 acres in Parcel C (including 0.45 acres of critical habitat) would improve Alameda whipsnake habitat suitability of this portion of the open space.

CDFW recommends permanent habitat destruction or fragmentation and ongoing impacts from roadways be identified and included in the evaluation of project effects. As explained in the draft EIR, due to the absence of breeding, rearing, and hibernation habitat within the project development site, the project would not result in the permanent destruction or fragmentation of Alameda whipsnake habitat. Given the existing roadways and development throughout and adjacent to the project site, new roadways would be unlikely to impact Alameda whipsnake habitat. To the extent that 0.06 acre of the project's proposed roadways (associated with the staging area access road and parking area) encroach on marginal whipsnake habitat, impacts to this area were contemplated and mitigated in Mitigation Measures BIO-1a through BIO-1h (page 4.4-33 through 4.4-35 in the draft EIR). Further minimizing the likelihood that staging area visitors would affect Alameda whipsnake populations along the staging area access route is the fact that, as discussed in Mitigation Measure BIO-1b, the area around the staging area access route will undergo regular manual vegetation management, thereby discouraging active use by Alameda whipsnake. Impacts resulting from use of this area would be less than significant.

The draft EIR concludes that the managed and developed landscape surrounding the existing and future roadways and parking areas is not suitable breeding, rearing, or hibernation habitat, and will not be surrounded by any such habitat in the future. Another factor supporting the unlikelihood that roadway operation will impact Alameda whipsnake habitat is that the project site is surrounded on three sides by development, making it unlikely the roadways would be used for Alameda whipsnake movement or migration.

CDFW's reference to the use of annual grassland, oak savanna, oak-bay woodland, mixed evergreen forest, riparian, and areas with rock outcrop features is well-supported by the literature, which is adequately described in the draft EIR. It is important to recognize that Alameda whipsnake usage of these habitats occurs in a landscape (or "mosaic") context in which annual grasslands and various oak

woodlands are linked to scrub habitats along with substantial rock outcrops and rocky riparian corridors. As noted in the draft EIR, suitable breeding, rearing, and hibernation habitat is present in the open space west of the project site, but given the managed and developed condition of the project site, lack of food resources, increased presence of domestic cats (and other predatory species tied to human habitations), and the extensive development surrounding three sides of the project site, the ability of Alameda whipsnakes to move into or utilize the project site is very unlikely.

The analysis of project impacts on Alameda whipsnake habitat and individuals in the draft EIR is sufficient and based on substantial evidence. Section 4.4, Biological Resources, page 4.4-32 in the draft EIR addresses whether the project would have a substantial adverse effect, either directly or through habitat modification, on any special status species, and specifically lists Alameda whipsnake as potentially affected. The additional information provided above does not identify any new impacts that qualify as significant, and clarifies the effect of the project on Alameda whipsnake foraging habitat located generally between the woodpiles and certain open space lands west of the proposed development footprint, and potential habitat enhancements that support the draft EIR's conclusion that the effect of the project on Alameda whipsnake would be less than significant.

This further information does not require any material changes to the draft EIR, but will be reflected in this final EIR under Impact BIO-1 (Section 4.4 Biological Resources, page 4.4-33). Mitigation Measure BIO-1a will also be clarified, but these refinements do not considerably differ from the original mitigation measure included in the draft EIR.

Impact BIO-1: Grading and construction of the project has the potential to result in harm or mortality to individual Alameda whipsnake, if present in woodpiles or under other debris along the western boundary of the project site (Less than Significant with Mitigation).

Suitable breeding, foraging, and hibernation habitat for Alameda whipsnake is present in the designated open space and critical habitat west of the project site, including the potential wetland mitigation area. CDFW indicated that impacts to Alameda whipsnake habitats require compensatory mitigation in the form of conserved lands at a 5:1 ratio for roadways, a 3:1 ratio for all other permanent impacts, and a 1:1 ratio for temporary impacts. The project, as designed, compensates for the aforementioned impacts to marginal foraging habitat (where this marginal foraging habitat consists of 0.51 acres permanently altered, and 0.05 acres temporarily altered). In addition to the permanent conservation of 41 acres of open space, of which 38.55 acres are designated Alameda whipsnake critical habitat, the project would include the removal of existing pavement, structures and lawn from Parcel C, thereby providing 0.68 acres of new open space, including 0.45 acres within designated Alameda whipsnake critical habitat. Overall, the project, by design, would entail the protection and creation of more than 41.6 acres of Alameda whipsnake habitat, whereas it would impact less than 0.6 acres (or 1.4 percent, with a compensatory ratio of almost 70:1).

Marginal food resources for Alameda whipsnake are present in the two small woodpiles west of the existing residential estate onsite. Construction has the potential to adversely affect an individual Alameda whipsnake if an individual attempted to forage in or seek temporary cover in one of the woodpiles that are present along the western boundary of the project site. Annual mowing, weed whacking, grazing and disposal of woody debris to manage defensible space in

the open space west of Lots 8, 9, 28-33, and the residences bordering Parcel A may adversely affect an individual AWS if a snake was seeking temporary cover in woody debris, or moving through herbaceous/graminoid or shrubby vegetation during vegetation management activities. With implementation of Mitigation Measures BIO-1a through BIO-1h and HAZ-3, this impact would be reduced to a less-than-significant level.

Mitigation Measure BIO-1a: The project proponent shall consult with the USFWS and CDFW regarding potential impacts of the project on Alameda whipsnakes, and shall obtain the appropriate take authorization (Section 7 Biological Opinion and/or 2081 permit or 2080.1 consistency determination) as specified by the USFWS and CDFW prior to initiation of construction activities. The project proponent shall comply with all terms of the endangered species permits including any mitigation requirements, and provide evidence of compliance to the County prior to issuance of a grading permit. Consistent with previous consultation processes, on-site Alameda whipsnake protection would likely be accomplished through the development and implementation of a habitat management plan to identify the following:

- Location and implementation measures for all habitat restoration activities;
- Management measures to ensure that adjacent land uses would not adversely affect the ecological functions and values of the habitat management lands. Such measures may include the use of fencing to prevent unauthorized access, and signage describing the sensitive nature of the habitat management land;
- Species, quantity, and location of plants to be installed in areas of habitat enhancement, as well as management measures required to ensure successful establishment;
- Enhanced habitat in new and existing habitat areas, such as the installation of rock piles, planting native oaks to expand oak woodland habitat adjacent to the development, and planting native scrub/chaparral species outside the 100-foot defensible space, thereby increasing habitat for prey species to improve habitat values for Alameda whipsnakes;
- Adaptive management measures that may be employed as needed to ensure the success of the habitat management plan, including management of invasive species, domestic pets, and fuels, and;
- Management and maintenance activities, including weeding, supplemental irrigation, and site protection.

(A)5-4: While mitigation in the draft EIR was adequate to reduce environmental impacts, the County acknowledges CDFW's recommendations to add nesting bird assessment and avoidance language with slight modifications. These modifications would improve the coordination of pre-construction surveys and communications with CDFW staff while achieving the intended integrity of the surveys and thorough impact avoidance. A revised Mitigation Measure BIO-2 that includes selected portions of the existing measure integrated into CDFW's recommendation is provided below. This revised mitigation measure is not considerably different from the original Mitigation Measure BIO-2 included in the draft EIR.

Mitigation Measure BIO-2: Prior to the initiation of construction activities, including ground disturbing activities and tree removal scheduled to occur between February 1

and September 11, the qualified biologist shall conduct a habitat assessment and nesting survey for nesting bird species no more than seven (7) days prior to the initiation of work. Surveys shall encompass all potential habitats (e.g., grasslands and tree cavities) within 250 feet of the project site, as well potential nest trees within 0.5 mile for golden eagle, 1,000 feet for Swainson's hawk. If construction-related site disturbance commences between February 1 and August 31, a qualified biologist shall conduct a pre-construction bird nesting survey. If nests of either migratory birds or birds of prey are detected on or adjacent to the site, a no-disturbance buffer (generally 50 feet for passerines, 0.5 mile for golden eagle, 1,000 feet for Swainson's hawk, and 300 feet for other raptors) in which no new site disturbance is permitted shall be observed up to August 31, or until the qualified biologist determines that the young are foraging independently.

The qualified biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures for birds known to nest in the project site. Surveys shall be conducted during periods of peak activity (early morning, dusk) and shall be of sufficient duration to observe movement patterns. Survey results, including a description of timing, duration, and methods used, shall be submitted to CDFW for review 48 hours prior to the initiation of the project. If a lapse in project activity of seven days (7) or more occurs, the survey shall be repeated and no work shall proceed until the results have been submitted to CDFW.

If nesting birds are found as described above, then no work shall be initiated until species-specific buffers have been established in consultation with CDFW. If CDFW does not respond within four (4) days of receiving the survey, construction activities may proceed consistent with the qualified biologist's recommendations on nest buffers. Buffer areas shall be demarked from work activities and avoided until the young have fledged, as determined by the qualified biologist. Active nests found inside the limits of species-specific buffer zones or nests within the vicinity of the project site showing signs of distress from project activity as determined by the qualified biologist shall be monitored daily during the duration of the project for changes in bird behavior. Buffer areas of active nests within the vicinity of the project site showing signs of distress or disruptions to nesting behaviors from project activity, as determined by the qualified biologist, shall have their buffers immediately adjusted by the qualified biologist until no further interruptions to breeding behavior are detectable. The size of the no-disturbance buffer shall be determined by a qualified biologist, and shall take into account local site features and existing sources of potential disturbance. If more than 15 days elapse between the survey and the start of construction, the survey shall be repeated. If vegetation removal, building demolition, or earthwork stages are phased over multiple years, the pre-construction survey and nest-avoidance measures described above would need to be repeated.

If vegetation removal, building demolition, or earthwork stages are phased over multiple years, the pre-construction survey and nest-avoidance measures described above would need to be repeated.

(A)5-5: Based on a review of reported sightings of Swainson's hawk in eBird and the California Natural Diversity Database (CNDDDB) the nearest reported Swainson's hawk nest is an 1898 record on Mt. Diablo (CNDDDB). All nesting reported in the Breeding Bird Atlas is in eastern Contra Costa County east of the Diablo Range. While Swainson's hawk are periodically observed within approximately 5 miles of the project site, observations reported in eBird¹⁵ are of individual birds, not active nests. As noted in Section 4.4, Biological Resources, Table 4.4-2 in the draft EIR, the project site is outside the typical nesting range of the species. Given the absence of Swainson's hawk nest records west of the Diablo Range since 1898, the surveys consistent with the Swainson's Hawk Technical Advisory Committee, which entail at least six surveys over at least a month, are not warranted. Mitigation Measure BIO-2, as detailed above in the **Response to Comment (A)5-4** would ensure that nests, if present would be observed, and that additional mitigation would be provided during consultation with CDFW.

(A)5-6: While mitigation in the draft EIR adequately reduced environmental impacts were supported by substantial evidence, the County accepts CDFW's recommendations on work windows to ensure that potential impacts to bat species. An updated Mitigation Measure BIO-3, outlined below, is recommended for inclusion in the final EIR; this revised mitigation measure is not considerably different from the original Mitigation Measure BIO-3 included in the draft EIR.

Mitigation Measure BIO-3a: A qualified biologist knowledgeable about local bat species and experienced with bat survey methods shall inspect all structures and trees that could support bats at the project site prior to the start of site disturbance (e.g., demolition, vegetation removal, and earthwork). Surveys should be conducted during appropriate weather to detect bats (i.e., not in high winds or during heavy rain events). One daytime and up to two nighttime surveys (starting at least 1 hour prior to dusk) should be conducted to determine if bats are present. If bats are detected, additional surveys utilizing acoustic monitoring or other methods may be necessary depending on the recommendations of the bat biologist.

Mitigation Measure BIO-3b: Preconstruction surveys for bats should be conducted within two weeks prior to the removal of any trees or structures that are deemed to have potential bat roosting habitat. If bats are detected on site and would be impacted by the project, then appropriate mitigation measures would be developed with approval from CDFW. Mitigation measures would include one or more of the following methods: using one-way doors to exclude non-breeding bats, opening up roof areas of structures to allow airflow that would deter bats from roosting, and taking individual trees down in sections to encourage bats to relocate to another roost site. Typically, this work is conducted in the evening when bats are more active, and this work should be conducted under the guidance of an experienced bat biologist.

Mitigation Measure BIO-3c: Should bat species be confirmed on the project site either through the habitat assessment or during surveys, building demolition, or tree trimming, tree removal should only be conducted during seasonal periods of bat activity: between

¹⁵ 1976-04-13-off Redfern Dr. in Alamo; 2018-05-05 -2124 Abington Ct, Walnut Creek; 2015-01-17 -Danville Place; 2017-07-16 - Moraga; 2018-05-17 -St Mary's College, Moraga;
<https://ebird.org/map/swahaw?neg=true&env.minX=&env.minY=&env.maxX=&env.maxY=&zh=false&gp=false&ev=Z&mr=l-12&bmo=l&emo=12&yr=all&byr=1900&eyr=2018>

August 31 and October 15, when bats would be able to fly and feed independently, and between March 1 and April 15 to avoid hibernating bats, and prior to the formation of maternity colonies. Mitigation for impacts to a maternity bat roost, if detected, would be determined through consultation with CDFW and may include construction of structures that provide suitable bat roosting habitat (i.e., bat houses, bat condos) for the particular species impacted.

(A)5-7: The project has been designed to minimize the removal of native trees, including oaks. Additional tree removal could compromise the ability of the project proponent to meet the project objectives stated in Chapter 3.0, Project Description, in the draft EIR.

Table 2-2 quantifies the number of oak tree removals by diameter class, the CDFW-recommended mitigation ratios, and the number of replacement trees that would be required to achieve the CDFW-recommended oak mitigation ratios. Achieving CDFW's recommended oak mitigation ratios would require 331 native oak plantings, which would substantially increase the number of tree mitigation plantings above those already required by the Mitigation Measure BIO-8 mitigation ratios (3:1 for riparian trees, 2:1 for drought tolerant trees, and 1:1 for non-drought tolerant trees). Given the preference for on-site planting, the number of trees planted to achieve CDFW's recommended ratios would result in an over-stocked site with the related adverse effects of increased water demand during tree establishment, maintenance, crowding, and the development of poorly formed trees with canopies that would ultimately increase fuel loads and fire hazards on the project site.

Table 2-2 Oak Tree Removals and CDFW Mitigation Ratios

Diameter	# of trees	CDFW Mitigation ratio
6-3/8-10 inches	19	4:1
>10-15 inches	9	5:1
>15 inches	14	15:1
Total	42	-

CDFW's recommendations for oak mitigation are informed by the fact that native oaks take decades to mature, and that oak woodlands provide important habitat for a wide range of native species. The higher tree replacement ratios recommended by CDFW are intended to offset the time required to replace the oak woodland habitat that would be removed by the project by specifying a higher tree replacement ratio. The County acknowledges these concerns and recommends the use of a graduated crediting scale based on the size of the containerized planting stock as a means of mitigating for the loss of oak trees and oak woodland habitat.

Credit for oak tree replacements would be awarded based on the crediting scale detailed in **Table 2-3**. One-gallon trees would receive a one-tree replacement credit, which would facilitate the use of smaller oak tree container plants in areas that cannot accommodate larger container size plants due to steep topography (e.g. riparian areas, embankments) or access limitations that hinder the use of large containerized planting stock. One-gallon or the functionally equivalent Dee pot 40 (D-40) trees are commonly used to achieve a one-tree mitigation credit in CDFW Streambed Alteration Agreements.

One-gallon or D-40 container oaks would be the minimum container size used to achieve the mitigation ratios recommended by CDFW. The maximum container size for mitigation oaks would be a 48-inch box.

Table 2-3 Tree Mitigation Credit Based on Container Size

Diameter	Mitigation trees
1-gallon	1 tree
5-gallon	2 trees
15-gallon	4 trees
24-inch box	8 trees
36-inch box	16 trees
48-inch box	32 trees

There is empirical evidence to support these ratios, even to suggest they are conservative. According to data collected by the Western Chapter of the International Society of Arboriculture in their publications *Species Classification and Group Assignment*, the average trunk cross-section area of a 24-inch boxed tree (3.22 square inches) is over four times the average cross-section area of a 15-gallon tree (0.799 square inches). The recommended credit scale in **Table 2-3** conservatively suggests the equivalency of two 15-gallon trees and a single 24-inch boxed tree. The average trunk cross-section of a 48-inch boxed tree is 16 times that of the 15-gallon tree (i.e., 12.8 inches). Based on an assessment of one-gallon and D-40 oaks, the stem cross-section area of one-gallon or D-40 oaks is 1/50th of the stem cross section area of a 15-gallon tree. This does not suggest that a 15-gallon tree is "worth" 50 one-gallon trees, but it does support the conservative conclusion that a 15-gallon oak should earn at least four times the credit of a one-gallon oak.

The County proposes to adopt the graduated crediting scale noted in **Table 2-3** as a means of mitigating for removal of native oaks under the proposed project. The use of larger containerized stock would ensure that replacement trees would more rapidly provide the habitat values of the 42 oak trees that would be removed by the project. To incorporate the foregoing clarifications and CDFW's recommendations, the County proposes the following revision to Impact BIO-8 and Mitigation Measure BIO-8 in the draft EIR:

Impact BIO-8: Several protected trees would be removed to allow for project construction (Less than Significant with Mitigation).

The project site contains trees that are protected per the County's Tree Protection and Preservation Ordinance. Of the approximately 3,489 native and non-native trees on the project site, approximately 469 trees are proposed for removal, including approximately 32 riparian trees and approximately 25 trees in the Parcel D staging area. Approximately 36 percent of these trees would be cleared to construct the project, while the remaining approximately 64 percent are proposed for removal because of unsuitability factors such as poor health, mechanical failure, crowding or interfering with the development of a healthier tree, a

maladapted species, or of a species generally unsuited to the Alamo climate. In addition, the project also proposes to slightly impact approximately 205 trees through pruning, hydrologic modification, or other disturbances that would not entail tree removal.

The County does not maintain a fixed tree replacement ratio to mitigate for the removal of protected trees. For this project, the replacement ratio for non-riparian trees would be either 2:1 or 1:1, depending if they are drought or non-drought tolerant. As previously discussed in Mitigation Measure BIO-6a, the planting ratio will be 3:1 for trees that are removed from riparian areas. Considering that the total number of trees to be removed is 469, the project sponsor will have to replant substantial additional trees to satisfy the tree ratio requirement.

Due to size limitations, the lower portions of the project site proposed for residential development may not be reasonably capable of supporting mitigation trees for approximately 469 tree removals. Installation of all mitigation trees on the lower portions of the project site could result in overcrowding and prohibit safe development of the house sites. Utilizing a combination of box sizes (where in for non-oaks, one 24-inch boxed tree equals two 15 gallon trees, or one 36-inch boxed tree may be equivalent to two 24-inch boxed trees) a 36-inch boxed tree is equivalent to two 24-inch boxed trees, a 48-inch boxed tree equals two 36-inch boxed trees, a 60-inch boxed tree equals two 48-inch boxed trees, or a 72-inch boxed tree equals two 60-inch boxed trees; for oaks, a 15-gallon is equivalent to four one-gallon trees, a 24-inch box equals eight one-gallon trees, a 36-inch boxed tree equals 16 one-gallon trees and a 48-inch boxed tree equals 32 one-gallon trees, could meet the same mitigation requirements with fewer trees without irresponsibly overstocking the landscapes. For native oak trees, the largest equivalent box tree shall be a 48-inch box. One-gallon oak trees will be planted where the biologist determines that a 15-gallon or larger tree cannot feasibly be installed or sustained, such as on a creek bank. Such size substitution strategies are often used by public agencies to balance agency requirements with the best use of the site. If the project site cannot sustainably support the required number of replacement trees, the County would coordinate with the project sponsor and a county-approved biologist to determine offsite replacement ratios and locations.

To comply with the County's Tree Protection and Preservation Ordinance, Mitigation Measure BIO-8 outlines the project's replanting requirements.

Mitigation Measure BIO-8: ~~A Tree Replacement Plan shall be submitted to and approved by the County p~~ Prior to the removal of trees and/or prior to the issuance of a grading permit, the project sponsor will submit to the County a Tree Replacement Plan designating the approximate location, number, and sizes of replacement trees to be planted on the project site. Prior to submittal of a building permit for each home, a licensed landscape architect shall submit a landscape plan designating the final location and species of trees in general conformance with the Tree Replacement Plan. Trees shall be planted prior to final occupancy of each building.

Mitigation for the removal of any native oak trees by the project, regardless of location, will be achieved by the following ratios: 4:1 replacement for trees 6-3/8-10 inches in diameter, 5:1 replacement for trees >10-15 inches in diameter, and 15:1 replacement

for trees >15 inches in diameter. The replacement ratio for non-oak trees shall be as follows: shall be 3:1 for trees that are removed within riparian corridors, 2:1 for drought tolerant trees, and 1:1 for non-drought tolerant trees.

The Tree Replacement Plan shall identify the total number and size of trees to be replanted in accordance to the ratios discussed above. CDFW replacement ratios are based on the diameter of the removed tree, with no minimum container size for replacement trees. To fulfill CDFW recommendations, the oak mitigation credit shall be calculated based on the scale outlined in Table 4.4-3.

Table 4.4-3 Tree Mitigation Credit Based on Container Size

Container Size	Oak tree replacement credit	
1-gallon	1 tree	1 credit to CDFW
5-gallon	2 trees	2 credits to CDFW
15-gallon	4 trees	4 credits to CDFW
24-inch box	8 trees	8 credits to CDFW
36-inch box	16 trees	16 credits to CDFW
48-inch box	32 trees	32 credits to CDFW

~~The Tree Replacement Plan shall designate the approximate location, number, and sizes of trees to be planted on each lot. In addition, prior to submittal of a building permit for each home, a licensed landscape architect shall submit a landscape plan designating the final location and species of trees in general conformance with the Tree Planting Plan. Trees shall be planted prior to final of building permit.~~

Replacement plantings shall consist of locally appropriate native species and non-invasive species. Tree species identified as a pest species by the California Invasive Plant Council shall not be used as replacement plantings.

~~In designing the Tree Replacement Plan, the arborist shall review the final project grading plans to ensure that adequate tree preservation methods, guidelines, and conditions are in place. The project arborist shall host pre-demolition meetings with the general contractor and demolition contractor to determine clearance pruning, stump removal techniques, fencing placement and timing, and tree protection. The arborist shall conduct post-demolition meetings to review and confirm tree protection fencing for grading and construction. The arborist shall incorporate standard protocols set forth in the American National Standards Institute (ANSI) A300 Standard, Part 5 (2005) and the International Society of Arboriculture's *Best Management Practices: Managing Trees During Construction* (2008).~~

Planting shall conform to the American National Standards Institute (ANSI) A300 Standard, Part 6 (2012) Tree, Shrub and Other Woody Plant Management Standard

Practices (Planting and Transplanting), or later versions as they are published and to the companion International Society of Arboriculture (ISA) Best Management Practices (BMP) Tree Planting, Second Edition, or later versions as they are published. Tree selection and planting shall be overseen by an International Society of Arboriculture Certified Arborist familiar with the practices in the Standard and BMP. Irrigation of the mitigation trees shall be dedicated to the specific tree, not part of a broader area irrigation.

The County will determine project sponsor will prepare an Offsite Tree Replacement Plan outlining the number, location, and sizes of replacement trees to be planted offsite if the project site cannot sustainably support the required number of replacement trees. All trees that are planted offsite or within common or open space areas on the project site shall be planted upon completion of the site improvements. The project sponsor will monitor offsite plantings for a period of five years to ensure at least 80 percent tree survival.

The updates to Mitigation Measure BIO-8 outlined above also resulted in the following change to Mitigation Measure BIO-6a on page 4.4-40 of the draft EIR:

Mitigation Measure BIO-6a: The removal of riparian trees and shrubs will be avoided and minimized to the extent feasible. Hazard reduction associated with structurally unsound trees, and the risks of failure given proximity to improvements proposed in the project shall be considered and addressed through tree removals and pruning specified by a certified arborist. Mitigation to compensate for the removal of riparian trees shall be accomplished through replacement plantings of locally native trees at not less than a 3:1 replacement to loss ratio within the project site or an alternative location approved by CDFW. ~~With regards to riparian trees, this mitigation measure shall supersede other mitigation included in this draft environmental impact report that prescribe tree replacement ratios to reduce other impacts.~~ With regards to oak trees, replacement shall conform with the ratio discussed in **Mitigation Measure BIO-8.**

A riparian restoration plan detailing the following elements shall be prepared:

- The number, species, and location of riparian mitigation plantings that will be planted in the restoration area;
- Performance standards requiring a minimum ~~80~~75 percent survival rate; average of good vigor and positive height growth of riparian mitigation trees after ten years; seasonal planting timing; and method of supplemental watering during the establishment period;
- The monitoring period, which shall be not less than 10 years for riparian restoration;
- Adaptive management procedures that may be employed as needed to ensure the success of the restoration project. These include, but are not limited to, exotic and invasive plant species control, the use of browse barriers to protect riparian plants from wildlife damage, replacement plantings and management of the supplemental watering system to support the attainment of the foregoing performance standards;

- Management and maintenance activities, including weeding, supplemental irrigation, site protection; and
- Responsibility for maintaining, monitoring and ensuring the preservation of the mitigation site in perpetuity.

In replacing riparian trees, the arborist shall review the final project grading plans to ensure that adequate tree preservation methods, guidelines, and conditions are in place. The arborist shall conduct pre-demolition site meetings with the contractor to determine clearance pruning, stump removal techniques, fencing placement and timing, and tree protection. The arborist shall have site meetings after demolition to review and confirm tree protection fencing position for the grading and construction portion of the subdivision. The arborist shall be guided by the standard protocols set forth in the *American National Standards Institute (ANSI) A300 Standard, Part 5 (2005)* and the *International Society of Arboriculture's publication Best Management Practices: Managing Trees During Construction (2008)*.

(A)5-8: The comment regarding the CNDDDB is noted. The County will comply with all CEQA requirements. Because this comment does not relate to the adequacy of this EIR, no further comment is required.

Letter (A)6: Lou
Ann Teixeira/Local
Agency Formation
Commission

From: Lou Ann Teixeira
Sent: Friday, October 26, 2018 3:33 PM
To: Jennifer Cruz <Jennifer.Cruz@dcd.cccounty.us>
Cc: Kate Sibley <Kate.Sibley@lafco.cccounty.us>
Subject: Ball Estates Project

Hi Jennifer,

Thanks for sending LAFCO the *Notice of Availability* and *Notice of Public Hearing* (Draft EIR) for the Ball Estates Project.

(A)6-1

In reviewing the project, it appears that property has fire, sewer and water services, and that no LAFCO action will be needed.

Thanks again!

Response to Comment Letter (A)6: Lou Ann Texeira/Local Agency Formation Commission

(A)6-1: Thank you for your comment.

Letter (A)7: Michael
Meloy/California
Department of
Transportation

From: Meloy, Michael@DOT <Michael.Meloy@dot.ca.gov>

Sent: Tuesday, October 30, 2018 3:05 PM

To: Jennifer Cruz <Jennifer.Cruz@dcd.cccounty.us>

Subject: Regarding Review of Ball Estates Subdivision Draft Environmental Impact Report

Ms. Cruz:

I hope this finds you well. Please find attached a PDF copy of the Caltrans review letter regarding Ball Estates Subdivision Draft Environmental Impact Report.

The original letter has been mailed to you at

Contra Costa County
Dept. of Conservation and Development
Community Development Division
30 Muir Road
Martinez, CA 94553-1229

Thank you for including Caltrans in the environmental review process.

Should you have any questions regarding this letter or require any additional information, please feel free to contact me with a reply or at (510) 286-5433.

All the best,

Michael Meloy
Associate Environmental Planner
Local Development- Intergovernmental Review
Caltrans District 4

DEPARTMENT OF TRANSPORTATION

DISTRICT 4
 OFFICE OF TRANSIT AND COMMUNITY PLANNING
 P.O. BOX 23660, MS-10D
 OAKLAND, CA 94623-0660
 PHONE (510) 286-5528
 FAX (510) 286-5559
 TTY 711
 www.dot.ca.gov



*Making Conservation
 a California Way of Life.*

October 30, 2018

Jennifer Cruz, Senior Planner
 Contra Costa County
 Dept. of Conservation and Development
 Community Development Division
 30 Muir Road
 Martinez, CA 94553-1229

GTS # 04-CC-2018-00256
 GTS ID: 12581
 Post Miles: CC-680-9.27

Subject: Regarding Review of Ball Estates Subdivision Draft Environmental Impact Report

Ms. Cruz:

Thank you for including the California Department of Transportation (Caltrans) in the review process for the Ball Estates Subdivision. In tandem with the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), Caltrans' mission signals a modernization of our approach to evaluate and mitigate impacts to the State Transportation Network (STN). Caltrans' Strategic Management Plan 2015- 2020 aims to reduce Vehicle Miles Traveled (VMT) in part by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments are based on the Draft Environmental Impact Report for the Ball Estates Subdivision that you sent to this office for review.

Project Understanding

This is a major subdivision of approximately 61-acres located in the unincorporated Alamo area of Contra Costa County. The applicant requested a vesting tentative map for 35 residential lots located on approximately 20 acres in the lower northeastern portion of the project site. The construction of roads, utilities, and ancillary services associated with the residential homes is part of the project, as well as the removal of the two existing residences, office building, and auxiliary structures. The property addresses are 300 and 333 Camille Avenue. The site is between the City of Walnut Creek and the Town of Danville, approximately ½ mile west of Interstate 680 at Post Mile 9.27.

Environmental Planning—Cultural Resources

(A)7-1

In Section 4.5. Cultural and Tribal Resources, the studies referred to in Appendix F and Appendix G are outdated having been written in 2008 and 2012 respectively. The professional standard to update such studies is every five years. We recommend that Contra Costa County conduct updated cultural resource studies that at a minimum include a records search at the Northwest Information Center of the California Historical Resources Information System

Jennifer Cruz, Contra Costa County Dept. of Conservation and Development
Page 2

(A)7-1, | (CHRIS), Native American consultation, and a field survey of the project area by a qualified
cont. | archaeologist.

If you have any questions, please contact Michael Meloy, Associate Environmental Planner, at
(510) 286-5433 or michael.meloy@dot.ca.gov.

Sincerely,

Ansa Carboni

for PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

Response to Comment Letter (A)7: Michael Meloy/California Department of Transportation

(A)7-1: Thank you for your comment. Holman & Associates archeological consultants originally prepared the project's Cultural Resources Study in 2012. In July 2017, Holman & Associates verified that the original 2012 Cultural Resources Study evaluated all potential historical and archeological resources on the project site, and determined that the conclusions within the 2012 Cultural Resources Study are still valid. Furthermore, implementation of Mitigation Measures CUL-1 and CUL-2 (discussed in Section 3.5, Cultural Resources, pages 4.5-12 and 4.5-14 in the draft EIR) would protect any currently undiscovered resources that could be unearthed during construction. Therefore, these measures provide adequate evaluation and protection for cultural resources on the project site.

2.3 RESPONSES TO COMMENTS FROM INDIVIDUALS

This section addresses comments from individuals. A copy of the original comment letter is provided followed by the County's response.

From: Andy Murrer <amurrer@worldwise.com>
Sent: Thursday, September 27, 2018 1:32 PM
To: Jennifer Cruz
Cc: Supervisor Candace Andersen
Subject: Ball estate project #SD12-9338 EIR

Jennifer,

Oddly enough I found I had you in my Email records.
So I have communicated with you before.
I am the owner of a home on 950 Underhill Drive in Alamo adjacent to the Ball Estates.
Also to note a consistent voter and backer of Candace Anderson.

On the Ball State Project Environmental Impact Report I have some comments:

4.10 Hydrology and Water Quality

(I)1-1

I reviewed the proposal on mitigating run off from the site.
I still have a concern as the claim in the proposal is that the change in drainage will mitigate the flooding issue that exists in the adjacent properties.
A reference is made that it is adequate for 100 and 500 year flooding potential.
Nowhere does it address as to the flooding that has occurred between the houses that face Underhill and Forest that receive the runoff that flows from under Camille Lane. That has occurred once in the last twenty years and twice in the last 30 years.
It is not a 100 or 500 year occurrence.
Having lived here 20 years I can attest to the one occurrence and I have witness several times minor flooding on a more frequent basis between my house and the neighbors facing Forest.
So I am not confident of their plans especially with the intention of filling in the wetlands in Wetlands 2,3,4, and 5.

4.16 Transportation and Traffic

(I)1-2

I noticed in this section that as it pertains to Camille Avenue there is no mention of the fact that Forest Lane exits into Camille.
There are several roads that likewise empty into Forest Lane.
Why was this not in the EIR?

(I)1-3

I likewise question the traffic study as it utilizes averages for single family residences to justify the minimum impact that these homes have on Camille traffic.
The reality is that these will not be, as Alamo is not ,your typical small single family homes.
These will be upper income homes and along with that type of home comes lawn services, laundry services, multi car homes, delivery services,
that you do not typically find in other middle to lower income single family homes.
So the whole premise that this study is based on gives a false sense of traffic level.

(I)1-4

Also to be very specific Camille is what I call more of a walk street.
You typically will not see that in other streets in Alamo.

(I)1-4,
cont.

On any day morning and evening you will see a lot of families with children and dogs walking this street.

Partly because it is connected to Iron Horse Trail but also because people use it as a main walk street to the trails and the surrounding neighborhoods.

So it is a heavy pedestrian street.

This has to be taken into consideration.

(I)1-5

4.17 Utilities & Service System

I read this section and nowhere does it say what the impact will be on the water pressure or the sewer capacity specifically in the area.

I will tell you that for my home I see a considerable drop off of pressure at certain periods of the day.

Adding 35 homes to existing water connections has got to reduce the level of water pressure available to existing homes.

(I)1-6

Likewise, I saw no report on the adequacy of the sewer lines in the area to take on the additional loads from these homes.

There was only broad discussion of utility company capacities and capabilities.

(I)1-7

4.1 Aesthetic

I saw in this section a mention only of single family home structures.

No mention is made of restricting the height levels of these homes.

Most of our homes are single story construction.

That is the aesthetics of the neighborhood.

But in their later photo demonstration against Underhill and Iron Gate what I saw were tall two story construction.

That is not compatible with the homes in the neighborhood.

I do not want to see the mega structures that are being currently built on Hemme.

5.0 Alternatives

(I)1-8

I am going to strongly recommend that if this proposal goes forward that alternative 2 with the preservation of the wetlands be done.

I have several reasons for this.

The trail along Camille Lane is truly a treasure of the neighborhood.

When you start that trail at the beginning of the road it takes you immediately to a feeling that you are entering a park.

It is the best part of the lead in to Madrone Trail.

This should be preserved for everyone.

I want to preserve the wetlands and the aesthetics that go with it.

It is already established as an area for the local wildlife.

Filling it in would be a crime.

(I)1-9

I also believe that filling it in would cause additional flooding between myself and my neighbors house despite all the claims made of mitigating flooding through water redirection plans they have.

Finally, and this goes back to an original issue I had with the Ball Estates.

The area of wetlands 2,3,4,5 were a nesting site in past years for Blue Heron and had been for years. The Ball Estate came out a few years ago that they were cutting down the trees because they represented a hazard for local hikers.

I debated that assumption with them and felt I presented a compromise to preserve the nesting sites which allowed the trees to be cut that the birds were nesting in by proposing to them that they replace with poled nesting sites.

They said they would consider but never really went forward.

They cut the trees and eliminated the nesting sites.

I was amazed that they got away with it for such an important wildlife.

I claimed back to them that they did this just so they could develop the site.

They sent back a nasty note to me in regards to that charge, but obviously I was prophetic about their intentions.

(I)1-10

I saw in one of their writeups a proposal to further cut back the Eucalyptus trees even in the park. My hope is this is not allowed as I suspect this is proposed to prevent the birds from ever returning to their nesting sites.

Filling in the wetlands and building homes there would certainly further prevent these birds return.

That is something I do not want to see happen.

We need to give them a chance to reestablish their rookery.

I am sorry for the lengthy writeup but this is important to me.

What I want to have answered is all the questions left unanswered in the above commentary on the EIR.

If they cannot be adequately answered then this project should be scaled back.

At a minimum if it goes forward I believe Alternative 2 is a better proposal to preserve what we have in wetlands, aesthetics, and flood control.

Respectfully,
Andy Murrer
950 Underhill Drive
Alamo, Ca.

Response to Comment Letter (I)1: Andy Murrer

(I)1-1: Refer to **Master Response 4** for a discussion of drainage modifications proposed by the project.

(I)1-2: Refer to **Master Response 7** for a discussion of this topic.

(I)1-3: Refer to **Master Response 5** for a discussion of this topic.

(I)1-4: Refer to **Master Response 8** for information regarding this topic.

(I)1-5: As stated in Section 4.17, Utilities and Service Systems, page 4.17-12 in the draft EIR, the Central Contra Costa Sanitary District (CCCSD) identified that the existing wastewater sewer lines serving the project vicinity have sufficient capacity to accommodate projected wastewater flow volumes. The applicant will coordinate directly with CCCSD to determine to amount of impact fees necessary to maintain, rehabilitate, and operate CCCSD's facilities.

The County coordinated with the East Bay Municipal Utility District (EBMUD) to evaluate the adequacy of water service in the area and determined that project-specific infrastructure improvements would be necessary. EBMUD stated that most projects do not require off-site improvements; however, the project applicant would need to provide final development plans and apply for a Water Service Estimate (WSE). Typically, WSE's are obtained as the site is actually undergoing development, after the environmental review process. The applicant could request a WSE today, but the WSE expires after a year. Furthermore, the San Ramon Valley Fire Protection District would need to determine the fire flow requirements to serve the project (e.g., number of hydrants, locations of hydrants, and required flow/duration from the hydrants). Once this information is available, EBMUD will determine if there is adequate flow and pressure available.

When the development plans are finalized, the project sponsor would coordinate with the EBMUD New Business Office and request a water service estimate to determine conditions for providing water service to the project and ensuring that there is capacity at water supply infrastructure to provide sufficient water pressure.

Offsite improvements could be required if the project reduces water pressure to unacceptable levels; however, without the final development plans and subsequent input from the San Ramon Valley Fire Protection District, an environmental impact analysis of such improvements would be speculative. Thus, the draft EIR adequately analyzes known impacts regarding the construction of new water or wastewater facilities.

(I)1-6: The comment regarding sewer line capacity is noted. As stated in Section 4.17, Utilities and Service Systems, page 4.17-12 of the draft EIR, CCCSD identified that the existing wastewater sewer lines serving the project vicinity have sufficient capacity to accommodate projected wastewater flow volumes. Prior to full development and occupancy of the project, the applicant will coordinate directly with CCCSD to determine impact fees necessary to maintain, rehabilitate, and operate CCCSD facilities within the project vicinity. This coordination would ensure that no local sewer capacity effects would occur.

(I)1-7: Refer to **Master Response 2** for responses to this comment.

(I)1-8: Thank you for your recommendation regarding Alternative 2.

(I)1-9: Refer to **Master Response 4** for a discussion of drainage modifications proposed by the project.

(I)1-10: As discussed in Section 4.4, Biological Resources, page 4.4-36 in the draft EIR, Mitigation Measure BIO-2 will require the establishment of a no-disturbance buffer in which no new site disturbance is permitted if migratory bird nests, including great blue heron, are detected on or adjacent to the site. Implementation of this mitigation measure would avoid impacts to nesting great blue herons and their young, if present during project construction. Because great blue heron is not listed in federal or state endangered species acts, CEQA does not require the preservation of existing habitat utilized by this species.

Jennifer Cruz

From: Charles Ortmeyer <cortmeyer@cpolawoffice.com>
Sent: Thursday, October 04, 2018 11:50 AM
To: Jennifer Cruz
Cc: Supervisor Candace Andersen; David Aungle; Alice Schultz; jenbeckcarter@aol.com
Subject: Ball Estates Subdivision -- Pedestrian Access Through EVA

Dear Jennifer:

I live at 231 Camille Avenue, a block down from the Ball property. I spoke at the Alamo MAC meeting on October 2, 2018.

Under the plan set forth in the draft EIR, the Camille side of Ironwood Place would be blocked day and night by a gate preventing access to the extension of Ironwood Place. On the other side of that gate, the Emergency Access Road leading to the Hemme side of Ironwood Place would itself be blocked by an 8 foot fence and locked gate.

I am in favor of giving pedestrians and bikes access through the Emergency Access Road. Similar pedestrian walk-throughs exist at the top of Kirkcrest Road (giving walking access from the Upper Camille neighborhood through Danville neighborhoods), the bottom of Camille Avenue (allowing walking access to Hap McGee Park), and the bottom of Kuss Road (giving walking access to the Eugene O'Neill Tao House).

(I)2-1

1. A walk-through would allow the Upper Camille neighborhood a more direct walking route to Rancho Romero School, and would mitigate the dangers associated with small kids riding bicycles down Camille Avenue to the Iron Horse Trail.
2. It would open up hiking loops using Madrone Trail, Ringtail Cat Trail and Staging Area , Iron Horse Trail, Hap McGee Park, and adjacent neighborhoods.
3. Upper Camille is a walking neighborhood. Hundreds of people walk and bicycle in front of my house every week. (Our neighborhood would have been seriously diminished if some way had not been found to allow pedestrian traffic to Hap McGee Park.)
4. It would provide an emergency escape foot route to the northwest. This would make more safe the entire upper Camille, Forest Lane, and Kirkcrest neighborhoods. And Lots 15 through 34 on the other side of the Ball development are also blocked from accessing Ironwood Place, and have the same problem. People died in Hiller Highlands during the 1991 Oakland fire because there weren't good escape routes.

(l)2-2

It seems clear that the EVA is blocked because of opposition from the Hemme-side Ironwood Place residents, who don't want any foot traffic on their private street. It might be that they have the legal right to insist on this, given that they have a private street. (Even so, an 8 foot fence?) The Hemme-side Ironwood Place residents have obviously struck some deal with the Ball Estate allowing the EVA in the first place. Perhaps the Ball Estate should be encouraged to talk more with the Ironwood Place community to see whether they could be incented to permit pedestrian access.

Regards,

Charles Ortmeyer

Charles P. Ortmeyer
Law Office of Charles P. Ortmeyer
231 Camille Avenue
Alamo, CA 94507
415/740-6890 (mobile)
cortmeyer@cpolawoffice.com

Response to Comment Letter (I)2: Charles Ortmeyer

(I)2-1 & (I)2-2: Refer to **Master Response 1** for a discussion of this topic.

From: Susan Wingard <swingard115@gmail.com>
Sent: Thursday, October 04, 2018 10:02 AM
To: Telma Moreira <Telma.Moreira@dcd.cccounty.us>
Cc: davidaungle@gmail.com; Charles Wingard <cwingard115@yahoo.com>; jenbeckcarter@aol.com
Subject: Ball Estate - Gates on Property

Hello Telma,

Thank you for your time to attend the MAC meeting and for listening to concerned residents.

My thoughts are in regards to gates. The gate to enter the property on Camille Ave and the emergency access gate on Hemme.

Gated Community

(I)3-1

The various subdivisions or street neighborhoods off Camille Avenue are all open access. Not a single neighborhood street is "Gated". A gated community within the Camille Ave area is inconsistent with the neighborhood social/economic structure. A few homes are single gated but not a whole street or mini-community. While there is a compromise to keep the gate open between dawn and dusk I still find it more than a bit elitist. Elitist is not how one would consider the Camille Avenue neighborhoods. Actually, on the west side of Alamo I cannot think of a single gated community until you get almost north to Walnut Creek. And that street is directly off the busy Danville Blvd. Please address the need for the gate and how it is compatible in our neighborhood.

Emergency Access Gate - Pedestrian Access

(I)3-2

A gate for emergency vehicle access to Hemme is appropriate.

I do have an issue with not allowing pedestrians to walk between the new subdivision and Hemme Avenue. Throughout the west side of Alamo we have open movement between side streets. And these are even via private property and private lanes. To walk between Hemme and Camille will increase the enjoyment of the area. There are many residents who walk for exercise, walk their dogs and bicycle in grand loops. The loops include the Iron Horse Trail up an access street toward the hills, across where no cars travel and back down a different access street. . This would provide one more point of enjoyment, enhancing our community.

You will find walking/bicycle access between access streets off Danville Blvd at the following locations:

(l)3-2,
cont.

- End of Kirkcrest becomes a private driveway extension with little plank bridge that crosses the creek. This connects Camille Ave to Roberts Pl/Cordell and back via the Iron Horse Trail. (Heavily used loop for Camille area residents.)
- End of Lark Lane connecting via a dirt path to South Ave. The dirt path is between homes and has big round "railroad" ties to prevent vehicles. This connects Las Trampas Ave to South/La Serena and back via the Iron Horse Trail.
- The east end of South Ave, which is a private lane, opens up to the Iron Horse trail without issue.
- Underhill has access a little asphalt path between two homes to cross Camille Lane and then walk either down to Camille Ave or up to the Las Trampas trail head.
- Coming off Cordell in Danville, we walk on a private road around to Camino Amigo, Harford and the Iron Horse Trail back to Camille.
- Also just across the creek crossing on Kirkcrest, heading south, Kirkcrest ends into a dirt path behind houses and connects to Harper Lane, then down and about to the Iron Horse Trail. (The only homeowner issues is a request for people to pick up after their dogs.)
- The access to Tao House (National Historic Site) has a vehicle gate and specific access to pedestrians to walk around the gate to get in and out. Further downhill in Danville on Kuss Road has a private gate. Once again pedestrian access around the gate is generously provided. This is a long and glorious walk from Camille Ave up through open space and down to the Iron Horse Trail or back via the private crossing points noted above.

You can see by my comments that my husband and I walk all of these various loops. So do many other Alamo residents.

(l)3-3

Please review the recorded easements on Ironwood Place. A pedestrian right of way may be stipulated. We live on Muir Lane. The easements on our private lane specifically allow for running cattle, goats and pigs. I think pedestrians is a given compared to livestock.

We look forward to seeing the response in the EIR. We are more than happy to go on any of these walks with you also.

Best Regards,

Sue & Charlie

Susan K. Wingard
Charles P. Wingard
115 Muir Lane
Alamo, CA 94507
Cell: 925-708-1468
swingard115@gmail.com
<http://www.linkedin.com/in/suewingard>

Response to Comment Letter (I)3: Susan & Charles Wingard

(I)3-1 through (I)3-3: Refer to **Master Response 1** for a discussion of this topic.

(l)4: David Aungle

From: Jen Quallick
Sent: Thursday, October 04, 2018 9:45 AM
To: David Aungle <davidaungle@gmail.com>
Cc: Supervisor Candace Andersen <SupervisorAndersen@bos.cccounty.us>; Telma Moreira <Telma.Moreira@dcd.cccounty.us>
Subject: Re: Ball Estate

Good morning Mr. Aungle,

Thank you for again highlighting your concerns regarding traffic and safety along Camille. I have included Telma Moreira in this correspondence as she can continue to work with County Transportation teams to work through those concerns.

I do know the project has been condensed/modified in size from its initial design and am unaware if current codes and/or ordinances would indicate or require it would need to be done so again. That is a better question for Ms. Moreira.

As for the MAC, the Supervisor has all the faith that the individuals she appoints is able to provide to her a clear and thoughtful recommendation. Each comes with a background very well equipped to review such matters and they take their position as her representative very seriously. She will offer her comments if and when it were to reach the full Board.

Please do continue to be a part of the public process. It is important and we do appreciate your thoughtful comments.

Please let me know if I can be of any other assistance.

Best regards,

Jennifer

Jennifer Quallick
Field Representative
Office of Supervisor Candace Andersen
Contra Costa County, District 2



309 Diablo Road
Danville, CA 94526
(925) 957-8860 voice
(925) 820-3785 fax
jen.quallick@bos.cccounty.us

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Candace Andersen



@AndersenCandace

This message is being sent on a public e-mail system and may be subject to disclosure under the California Public Records Act.

From: David Aungle <davidaungle@gmail.com>
Date: Wednesday, October 3, 2018 at 5:18 PM
To: Jen - Office <Jen.Quallick@bos.cccounty.us>
Cc: Supervisor Candace Andersen <SupervisorAndersen@bos.cccounty.us>
Subject: Re: Ball Estate

Dear Ms. Quallick,

(l)4-1

(l)4-2

Thank you for following up from our conversation of last night. You are correct in your read that we are frustrated. While there are forums in which we are able to voice our concerns, it appears that those concerns are not being heard. What leads to that conclusion? To take one example, we have been consistent - for years, in writing as well as in person - in listing road safety as one of our top concerns; yet we have a draft EIR that makes no assessment of pedestrian/cyclist safety along the Camille corridor, and which contains the assertion that pedestrian and cyclist traffic on Camille is "minimal". To take a second, related point, we have a traffic study that assessed the impact of the project on a distant intersection (Danville Blvd and El Cerro) but makes no evaluation of the incremental risk impact at Camille and Ironwood (already a hazardous intersection, as many neighbors have attested). Despite our efforts in raising concerns, the project remains unchanged in scale since its first iteration, and the EIR process seems to be oriented towards paying little attention to factors which might lead to considering a reduction in the magnitude of the proposed project. As you must be aware, there is a strong feeling in this community that the interests of developers outweigh community impact; our experience to date does little to counter that perception.

We will attend the Zoning Administrator hearing on the 15th (but not in the numbers that you saw last night, for obvious reasons related to time and location), and we will also put our complete list of EIR comments in writing as the process requires. I truly appreciate that, in the meantime, you will do your best to convey the tone as well as the content of the MAC meeting. However, I believe that there is no substitute for hearing people in person; hence my suggestion that it would have been valuable to the Supervisor to have attended the MAC.

Regards,

David

On Wed, Oct 3, 2018 at 2:06 PM Jen Quallick <Jen.Quallick@bos.cccounty.us> wrote:

Good afternoon Mr. Aungle,

Thank you for attending the MAC meeting last night and for your comments as they related to the Ball Estate. Our team knows that this project has proved frustrating for many and it is incredibly important to have the community's input heard.

I wanted to assure you that both myself and county planning staff keep the Supervisor very well aware and apprised of the on-going issues that have surrounded the Ball project from its inception. You are welcome to email me at any time, along with planning staff, should you wish to voice any other concerns regarding the project. As was mentioned last night, please provide your comments and questions to myself and/or staff by October 29th, so that they can be

factored into the FINAL EIR for the project. Again, the Zoning Administrator will hear the project (no decision will be made at this hearing, only testimony) on Monday, October 15th. I suspect you might have received a formal hearing notification as I know you have kept in touch with planner, Jennifer Cruz.

Thank you again for your participation last night.

Best regards,

Jennifer

Jennifer Quallick
Field Representative
Office of Supervisor Candace Andersen
Contra Costa County, District 2
[cription: Description: Seal - no background - small]
309 Diablo Road
Danville, CA 94526
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Response to Comment Letter (I)4: David Aungle

(I)4-1 & (I)4-2: Refer to **Master Response 8** for a discussion of this topic.

Letter (I)5: Ken Rowland

Mr. Rowland, it was my pleasure to meet with you at the MAC meeting last night. I appreciate your thoughtful and knowledgeable responses. I will be sure to make a copy of your comments and use them in my report to the Board. I will also make a copy of your comments and use them in my report to the Board.

-----Original Message-----

From: Ken Rowland <ken_rowland@att.net>
Sent: Wednesday, October 03, 2018 1:21 PM
To: Telma Moreira <Telma.Moreira@dcd.cccounty.us>
Cc: davidangle@gmail.com; Susie Rowland <scrowland@att.net>; candice.andersen@bos.cccounty.us; jenbeckcarter@aol.com; jennifer.cruz@dcd.cccounty.usa
Subject: Ball Estate Project

Ms Moreira,

Re: Ball estate project

First, I want to thank you for your participation at the MAC meeting last night. Your thoughtful, and knowledgeable responses were appreciated.

(I)5-1

I think I was clear about the traffic on Camille Ave that may not have been adequately addressed in the DEIR: children; walkers; tradesmen; utilities; and horses. But I failed to mention deliveries including: UPS; FEDEX; and Amazon. Every delivery for the entire neighborhood must use Camille Ave. In fact, all such activities, including neighborhood vehicles, must use Camille Ave. It's the only way in or out.

Assuming this project goes forward I would like to expand on my list of "wants".

(I)5-2

BETTER RESTRICTIONS OF TIME OF DAY FOR ALL SITE-PREP, CONSTRUCTION, AND DELIVERIES TO THE CONSTRUCTION SITE. I believe the county already has time-of-day restrictions; which I think are 7:00am to 6:00pm. I'm asking for a tighter variance to the current restrictions. Ideally, 9am - 5:00pm. But very importantly, the restriction must apply to the use of Camille Ave for any related traffic including delivery of equipment, material, supplies, and workmen.

(I)5-3

I failed to bring mention this last night, but Camille Ave should not be used for construction parking, idling, or staging.

(l)5-3, cont. | Before I moved to Alamo I would visit my in-laws in a neighboring town. Construction delivery trucks would grind up the hill starting at 3:30 am. After making their delivery they would roar down the hill.

(l)5-4 | STRONG ROAD BOND FOR DAMAGE TO CAMILLE AVE. As I've already stated, Camille Ave is the only way in or out. I have to believe this project will damage the road.

(l)5-5 | HEAVY EQUIPMENT TO BE LEFT ON-SITE. To some extent this minimizes the traffic and road damage.

(l)5-6 | LIMITS TO THE NUMBER OF VEHICLE TRIPS PER DAY. At the MAC meeting I suggested bussing all workman to and from the site. But anything that reduces the number of vehicle trips will improve safety, reduce noise, and damage.

(l)5-7 | RETENTION BASIN. Frankly I was glad to see this included in the project. But I'm concerned that it will not be maintained. The purpose of a retention basin is to trap water, mud, and debris. At some point mud and debris will fill the basin leading to overflow and flooding along Camille Ave. A number of years ago, when I lived in Southern California, we had an unusually rainy winter. One of the retention basins filled up three times that winter. The basin was cleared after the first but not the second. The third rain brought a wall of mud into the neighborhood destroying several houses.

So, with the Ball Retention Basin: who is responsible for keeping it clear; who makes the decision when to clear it; and how long are they responsible? I don't think a one-year bond adequately addresses this issue.

Again thank you for your participation.

Ken Rowland
156 Camille, Ave
Alamo, CA 94507
ken_rowland@att.net

cc Candice Andersen, county supervisor
Susie Rowland, 156 Camille Ave
David Aungle
Jennifer Carter MAC
Jennifer Cruz Senior Planner

Response to Comment Letter (I)5: Ken Rowland

(I)5-1: Refer to **Master Response 5** for a discussion of this topic.

(I)5-2: Refer to **Master Response 3** for a discussion of this topic.

(I)5-3: Refer to **Master Response 3** for a discussion of this topic.

(I)5-4 and (I)5-5: Wear on public roadways serving the project site as a result of project construction would be monitored by the Contra Costa County Public Works Department. The project applicant will be required to repair any damage incurred from construction activities.

(I)5-6: Refer to **Master Response 3** and **Master Response 6** for information regarding this topic.

(I)5-7: Refer to **Master Response 1** and **Master Response 4** for a discussion of this topic.

From: Lisa Thomas <lapeanuta@aol.com>
Sent: Wednesday, October 03, 2018 1:30 PM
To: Telma Moreira <Telma.Moreira@dcd.cccounty.us>
Subject: Re: Camille Avenue

Ms. Moreira,

My name is Tom Thomas and I attended the meeting you were at last night at the Alamo Women's Club. I have two suggestions: #1 - Shouldn't warning lights be installed at the intersection of the Iron Horse Trail and Camille Avenue. #2 Shouldn't curb side parking be restricted on Camille Avenue except emergencies and PG&E or East Bay Mud maintenance?

My wife and I have been in our house in Alamo for over 30 years, and are daily users of Camille Avenue and the Iron Horse Trail. Camille Avenue is the only access to our house as it is for over 200 residences in our area. We use Camille Avenue sometimes multiple times daily.

I will now present my case on the two suggestions I've made:

(I)6-1

#1 My wife and I use Camille Avenue sometimes multiple times daily, as does all the other neighbors in our area. I walk the Iron Horse Trail daily for exercise and have for years. Consequently we cross the Iron Horse Trail at the intersection with Camille often. People who live in our area know how potentially dangerous this intersection is and when driving and we always stop to make sure the intersection is clear before driving on. That is not the case with visitors to the area, maintenance people or construction workers. Although the intersection is marked to stop, hardly any do. I have personally observed more than a few "Close Calls." Mostly involving Iron Horse Trail walkers, bikers or Children crossing to get on the Iron Horse Trail to go to Rancho Romero School and those drivers who DO NOT stop. In my opinion it's just a matter of time before an accident happens. An accident that could be fatal. A warning light needs to be installed just as there is at the Iron Horse Trail intersections at Hemme Avenue, Las Trampas Avenue and Stone Valley Road.

(I)6-2

#2 Camille Avenue is a two lane street, but not a wide two lane street. When someone parks on Camille Avenue it immediately becomes a one lane street where that vehicle is parked, and of course takes up the whole bikers lane. When PG&E or East Bay Mud does maintenance on Camille Avenue and park on one side to the road they post flag people at each end of their work area in order to direct the one lane traffic. When Camille Avenue becomes a one lane street due to vehicles curb side parked it becomes dangerous and this happens often when construction workers curb side park for the entire day. In those situations there is no flag people posted. For some reason these construction workers always park on Camille Avenue even when their work is on a side street. Perhaps it's because the side street isn't wide enough to accommodate their vehicles and allow people living on that side street to pass. Regardless, curb side parking should be restricted on Camille Avenue except for emergencies and PG&E or East Bay Mud maintenance. Curb side parking on Camille Avenue creates a dangerous situation because it's difficult to see around the curb side parker, and it causes the children on their bikes to swing wide into the on coming one lane traffic. Perhaps an exception can be made for curb side parking on Camille Avenue west of Forest Drive in order to allow staging parking for those who access Las Trampas Regional Park from that location

Response to Comment Letter (I)6: Tom Thomas

(I)6-1: Refer to **Master Response 7** and to **Master Response 8** for a discussion of this topic.

(I)6-2: Refer to **Master Response 5** for a discussion of this topic.

Jennifer Cruz

From: David Aungle <davidaungle@gmail.com>
Sent: Monday, October 15, 2018 7:55 AM
To: Jennifer Cruz
Cc: Candace Andersen; Telma Moreira
Subject: Ball Estates DEIR SCH #2013082081 – County File #SD13-9338
Attachments: Comment Letter to County Ball DEIR 101518.pdf

Dear Ms. Cruz,

Please see the attached letter regarding the Draft EIR for the proposed Ball Estates Subdivision.

Sincerely,

David Aungle

David and Tanya Aungle
1001 Ironwood Place
Alamo, CA 94507

October 15, 2018

Jennifer Cruz
Contra Costa County Conservation & Development Department
Community Development Division
30 Muir Road
Martinez, CA 94553

jennifer.cruz@dcd.cccounty.us

SUBJECT: Ball Estates DEIR SCH #2013082081 – County File #SD13-9338

Dear Ms. Cruz,

This letter presents the views of myself, my wife, and a group of concerned residents (listed in the attached sheet), all of whom live in the immediate vicinity of the proposed Ball Estates Subdivision (SD 13-9338) which is the subject of the "Project" evaluated in the County's DEIR published on 8/30/18. The Project consists of:

- (1) Subdivision of a 61-acre site located in the westerly portion of unincorporated Alamo, at the dead-end terminus points of Camille Avenue, Ironwood Place (north), Ironwood Place (south), and Underhill Drive.
- (2) Mass grading of 26,000 cubic yards of soil directly adjoining the Northern Calaveras Earthquake Fault, including regrading of previous fill in the area of proposed Lots 11-20, removal of 469 trees, and completion of various site improvements.
- (3) Subsequent fine grading and development of 35 large homes of unspecified size and design within approximately 20 acres of the site over an estimated period of 10 years.
- (4) Development and operation of a public recreational staging area on a 0.52-acre parcel to be created within the southwesterly portion of the subdivision, including 19 parking spaces, public restroom facilities, and trail access improvements.
- (5) Management and operation of 39.6 acres of the site to be contained within three separate parcels, potentially including unspecified future development and use by the association of owners proposed to be created, consistent with County open space standards.
- (6) Variances and Exceptions from various County development standards, allowing an excessively long dead-end street system, reduced setbacks, diversion of storm water created by the Project, and reduced-width streets and sidewalks, all intended to accommodate the proposed subdivision and uses.
- (7) Adjustments to existing property lines to accommodate development of an additional 3 lots on Ironwood Place (bringing the total number of proposed lots to 38).

Given the proximity of the Project to our homes and its relationship to our neighborhood, we are concerned that the DEIR has not fully evaluated the extent of impacts in several areas discussed below and already identified in the DEIR as "significant". In addition, we are also concerned that the DEIR has failed to identify additional potentially significant impacts (also identified below). Consequently, we are concerned that the current DEIR has not conducted any evaluation of these "new" and "elevated" significant impacts, and has therefore also not contemplated any feasible means by which to avoid or mitigate these anticipated significant effects of the Project.

The following list of new and elevated potentially significant impacts of the current Project is not intended to be all-inclusive; rather it reflects our concerns based on an early review of the DEIR in preparation for your hearing on October 15th. While do not wish to register a position in favor or opposition to the Project at this time, we believe it is essential that additional meaningful analysis be conducted for this Project, prior to any consideration of the requested entitlements, in order to address the issues below. We wish to be notified of the availability of any revised plans, as well as all notices and scheduled meetings for this Project. In addition, we reserve the right to offer additional comments at the Commission and/or Board level when the Project is reviewed. Our further comments will hinge on how well the following significant impact issues have been addressed through subsequent analysis and amendment of the DEIR.

1. **Traffic Safety:** The DEIR has not addressed safety impacts to children specifically, and pedestrians and bicyclists in general, along the unique Camille Avenue corridor (see attached photographs). The Traffic section of the DEIR fails to consider the potentially significant traffic safety impacts which the proposed Project would cause based on the following:

(l)7-1

a) The actual impacts to safety from this Project's operational volumes have been underestimated, particularly during the PM peak-hour period and when children are present. A PM peak hour rate of 0.68 vehicles per unit has been used in the DEIR, whereas actual volumes are likely to be substantially higher (at least 1.01 vehicles per large single-family home as published by ITE).

(l)7-2

b) The Project includes a public Staging Area on Parcel D with 19 proposed parking spaces and accommodations for many more people accessing the site via bicycle or on foot. However, the Traffic section of the DEIR has failed to consider the potentially significant individual and cumulative safety effects of this added vehicular and non-vehicular operational traffic along the Camille Avenue corridor.

(l)7-3

c) The Project's traffic safety impacts are further underestimated based on the DEIR's disclosure that construction traffic will continue over a period of 10 years. The DEIR

- (I)7-3, cont. | should reevaluate impacts based on full operational traffic, in addition to this unique potential for added long-term construction traffic, including large commercial vehicles.
- (I)7-4 | d) The added Project traffic throughout the day and during peak hour periods when children are present also has the potential to cause significant delays and reductions in service levels along the unsignalized Camille Avenue corridor intersections. Such delays elevate the potential for significant safety impacts as added Project passenger vehicles and heavy equipment would need to share a narrow roadway with poor visibility at intersections and where cars are parked.
- (I)7-5 | e) The potentially significant impacts to children and bicycle safety from irregular paving, poor signage, poor visibility, the absence of adequate bicycle and pedestrian facilities, and the absence of sufficient lighting during early and late periods, have not been disclosed or evaluated in the DEIR.
- (I)7-6 | f) No traffic counts and no meaningful analysis of existing conditions are presented in the DEIR to support the “blind assumption” of a less-than-significant impact to traffic safety.
- (I)7-7 | g) The potentially significant safety impacts caused by the Project at the high-volume pedestrian/bicycle crossing on Camille Avenue at the Ironhorse Trail were not examined. Visibility is particularly constrained at this crossing, and the potential for serious accidents or deaths is elevated by the cumulative effects of added Project operational traffic and long-term construction traffic, including heavy vehicles with longer stopping distances.
- (I)7-8 | h) The DEIR has not considered the potentially significant safety impacts associated with adding Project operational and construction traffic along the intersections on Camille Avenue where sight distance is unusually limited. As an example, visibility of cross traffic, including pedestrians and bicyclists, is fully compromised for Project vehicles heading east on Camille Avenue at Ironwood Place. The potential for serious accidents or deaths at this and other intersections with compromised visibility is considered high based on these unusual existing conditions which have not been considered in the DEIR.
- (I)7-9 | i) The DEIR analysis failed to consider the fact that “peak” AM and PM hour volumes associated with school access are different for pedestrian and bicycle movements than for passenger vehicles along Camille Avenue. The volume and peak periods of such existing as well as future non-vehicular traffic have not been addressed in the DEIR.

(l)7-10 | j) Having failed to consider these potentially significant traffic safety impacts, the DEIR offers no mitigation and no alternatives to lessen or avoid the serious life-safety effects of the Project.

2. **Construction Activities:** Construction impacts have not been adequately addressed in the DEIR, leading to an underestimation of potentially significant impacts in the following areas:

(l)7-11 | a) Construction traffic may significantly impact the capacity and safety of parking, vehicular movements, and pedestrian/bicycle movements along the entire Camille Avenue corridor.

(l)7-12 | b) Parking for construction workers and equipment vehicles over the estimated 10-year period has not been adequately addressed. These vehicles may park all along Camille Avenue, exacerbating safety and service levels. No consideration was given to use of an off-site parking facility with shuttle service to move workers to and from the site to minimize impacts along the Camille corridor.

(l)7-13 | c) Construction noise has been estimated in the DEIR to be sustained over a period of 10 years, yet the DEIR lacks any program for sustained mitigation and enforcement to reduce the Project's otherwise significant impacts.

(l)7-14 | d) The Project will elevate security risks for the surrounding neighborhood, given the long-term exposure to construction activities. The DEIR has not considered the potentially significant, sustained long-term effects of exposing surrounding residents to theft and/or property damage caused by this unusually long period of construction traffic and visitors. Consequently, no consideration was given to requiring 24/7 security, locked gates during evening hours, or other means by which to mitigate the Project's impacts.

(l)7-15 | e) The DEIR has not examined the physical capacity of narrow street sections (particularly with parked vehicles on both sides of the streets) along Camille Avenue and at the Ironwood Place intersection to accommodate large construction vehicles. The current substandard conditions create the potential for Project construction traffic to cause significant damage to both public and private improvements, and for an elevated potential of accidents involving pedestrians and bicyclists.

(l)7-16 | f) The DEIR has not considered the long-term disrepair to local public streets caused by heavy construction vehicles over a 10-year period. No assessment has been made of the structural condition of Camille Avenue which will carry the bulk of this traffic. The potential exists for the roadway base to be seriously damaged, leading

(l)7-16,
cont.

to uneven pavement and/or potholes and an increased risk of accidents for both bicyclists and drivers.

(l)7-17

3. **Parking:** The DEIR has not addressed the effects caused by added Project traffic and parking demand along the Camille Avenue corridor. Parking currently shares space on this sub-standard major collector street with bicycles and pedestrians (a substandard walkway exists on one side of the street only). The cumulatively added Project operational, staging area, and construction traffic will increase vehicular and non-vehicular volumes, while demand for use of the staging area and lack of sufficient on-site parking will substantially add to the number of vehicles parked along Camille Avenue. These combined factors have the potential to significantly degrade service levels at non-signalized intersections, while significantly elevating the risks to pedestrian and bicycle safety (see attached photographs).

(l)7-18

4. **Emergency Access:** The DEIR has not considered the reduced level of emergency vehicle access within the surrounding neighborhood, or the impaired capacity of local streets to accommodate timely evacuation of residents in an emergency. As proposed, and without sufficient mitigation, the Project would have the following potentially significant emergency access impacts:

a) The narrow Project roadways and additional parking along Camille Avenue may significantly compromise response times, as well as time needed to evacuate residents in the event of a major fire, utility emergency, or natural disaster.

(l)7-19

b) The Project includes a locked gate blocking ingress/egress from Ironwood Place/Hemme Avenue. This gate, the narrowed internal streets, and the added traffic may significantly hamper emergency access on an already substandard dead-end street system, placing people's lives and homes at risk.

(l)7-20

c) The Project will add a substantial amount of additional traffic and street parking on a long dead-end extension of Camille Avenue with substandard-width private streets serving 21 additional lots and no emergency access accommodation. Directly to the east and south of proposed Lots 15-18 and 27-28 is Camille Lane, a similar dead-end extension from the westerly end of Camille Avenue. Consideration should be given to inter-connecting Camille Lane with a southerly extension of either Court A or B in order to improve emergency vehicle circulation and opportunities for evacuation in the event of an emergency.

(l)7-21

5. **Traffic Volumes Underestimated:** The DEIR relies on the developer's traffic analysis (Abrams Associates) to estimate total daily and peak-hour traffic volumes from this Project. The DEIR has under-reported volumes, both individually and cumulatively as noted earlier, associated with Project operations (especially during the PM peak-hour),

- (l)7-21, cont. | the Project's added daily and AM/PM peak-hour traffic associated with the Staging Area, and the Project's sustained long-term added construction traffic volumes. Taken together, these omissions in the DEIR lead to new significant impacts to service levels along Camille Avenue's unsignalized intersections (which were not modeled), and at the five signalized and unsignalized intersections along Danville Boulevard. The DEIR should be revised to consider the following new potentially significant impacts:
- (l)7-22 | a) Unsignalized intersections along Camille Avenue (not modeled in the DEIR) are likely to experience peak periods of side street delays in excess of one minute.
- (l)7-23 | b) Delays caused by the collective Project components have the potential to significantly reduce the level of service at the 5 intersections along Danville Boulevard from reported LOS C/D to LOS E/F.
- (l)7-24 | c) The DEIR did not take into account the added traffic and congestion caused by the proposed Staging Area.
- (l)7-25 | d) The DEIR substantially under-reported peak-hour trip rates for the Project component involving large individual single-family homes, especially during the peak PM period (assumption of 0.68 trip per home is in conflict with ITE Standards for conventional housing which identify a rate of 1.01 trip per home).
- (l)7-26 | e) The DEIR failed to consider the likely higher than average trip rates to be expected from the much larger homes anticipated in the Project.
- (l)7-27 | f) The DEIR failed to take into account the added traffic from construction vehicles (including heavy equipment), persisting (as the DEIR states) over a 10-year period. The discussion on Page 4.16-20 inappropriately dismisses consideration of construction traffic volumes concurrently with operational traffic because of the (incorrect) assumption that "*The number of trips generated during construction be temporary and substantially below trips generation during project operation.*" There is a strong probability, given the unusually long build-out period, that construction traffic will continue to generate daily and peak hour trips concurrently with operation of a substantial portion of the Project.
- (l)7-28 | g) The DEIR may not have adequately accounted for increased background traffic associated with other approved but not yet occupied projects in the area.
- (l)7-29 | **6. Open Space Usage and Management:** The DEIR provides inadequate documentation for management and future use of the open space to be retained under ownership of the Project HOA, and the potential for future development, including additional traffic generators such as future recreation facilities, intensive agricultural

- (I)7-29, cont. activities, and additional homes developed at County open space density. Consideration of the traffic and land use compatibility impacts of these future uses may not be deferred to a later time; a reasonable, good faith estimate of added traffic, noise, aesthetic, parking and related effects should be included in a revised DEIR.
- (I)7-30 7. **Staging Area:** The Project's proposed Staging Area component poses the potential for elevated significant impacts in the areas of safety, traffic, noise, odors (bathroom facilities), excess parking (overflow), public access over narrowed private streets, and facility ownership and management. The DEIR also lacks consideration of potential safety impacts associated with use of the public restrooms by transients and accessibility to children. The DEIR should be revised to address these issues, and to present mitigation measures and/or alternative off-site options to reduce impacts.
- (I)7-31 8. **Visual Resources and Aesthetics:** The ultimate presence of large two or three-story homes on lots with elevated pads backing up to existing single-story homes has not been considered in the DEIR. This proposed relationship along the northerly boundary of the Project poses potentially significant building height and massing compatibility and change in neighborhood character issues which should not be deferred for evaluation at a later time (such as when design review occurs). Rather, a good faith analysis should be conducted now, as part of a revised DEIR, using reasonable height and bulk assumptions, and building in the proposed elevated pads. In addition, the DEIR should be revised to consider the significant loss of localized views to Las Trampas Ridge from Irongate Court which would be lost due to the future homes on elevated pads. Analysis of these potentially significant impacts should not be deferred (segmented) to a later stage of County review (see attached photographs).
9. **Drainage:** The Appendix N Drainage Study prepared by the developer's engineer and relied on in the DEIR is deficient in the following areas, and may therefore under-report the potential for significant drainage impacts from the current Project:
- (I)7-32 a) Appendix N draws its conclusions as to the capacity of the existing downstream drainage system based on design parameters for 10-year and 100-year storm events developed prior to 1969 (over 40 years ago). Rainfall documentation gathered over the past 40 years should have been used to test the capacity of the original system design.
- (I)7-33 b) The physical condition of the downstream system was not analyzed in Appendix N or the DEIR, particularly in light of reported localized flooding from larger (10-year+) storms over the past 40 years (without the added flows from the proposed Project).
- (I)7-34 c) The discussion in Appendix N suggests that the proposed Project will have a smaller total increase in peak flows than assumed in 1969 for the affected

- (I)7-34, cont. | watersheds. However, this 2016 analysis was based on the former project design, and not the current proposal. Changes included in the current Project call for additional improvements in the Staging Area and also raise the potential for future improvements and uses on the HOA-owned and operated open space parcel which may have added impervious surface implications (and added runoff during storms).
- (I)7-35 | d) The 1969 impervious area and runoff assumptions relied on in the 2016 Appendix N Drainage Study (reference Figure 3A) were based on considerably smaller individual homes than now contemplated in this Project. The Drainage Study should be revised to take into account homes of 5,000 to 6,000 square feet in size with considerably more hardscape improvements including additional tennis courts and pools, and larger driveways and patios (resulting in greater runoff coefficients).
- (I)7-36 | e) While the DEIR points to mitigation of “peak” flows (through use of detention), it fails to consider the likely significant effect of the Project to cause much longer sustained flows from proposed detention facilities following storms. These Project-induced effects would defeat the capacity of already inadequate down-stream facilities (which back up and overflow under current conditions).
- (I)7-37 | f) The 2018a “Stormwater Control Plan for Ball Estates” referenced 1n DEIR sections 4.10.3 and 4.10.5 has been omitted from the document and should have been provided for independent review.
- (I)7-38 | g) The conclusion on DEIR page 4.10-11 that the Appendix N Drainage Study “*demonstrates that there is adequate capacity in downstream infrastructure for this additional flow*” from the Project is not supported by any substantial evidence. As noted in the earlier points, Appendix N fails to provide a meaningful analysis of the actual drainage impacts from the current Project components, and relies on 40-year old assumptions.

Based on the foregoing concerns of our neighborhood residents, we ask that the Zoning Administrator take the following specific actions:

- (I)7-39 | a) **Traffic Study for Camille Corridor:** Direct that the DEIR be revised to incorporate the findings of a County-prepared traffic safety and capacity analysis for the Camille Avenue Corridor. This analysis should include daily and peak hour counts (over 24 hours when schools are in session) of vehicular and non-vehicular traffic along the Camille Corridor including various periods of peak use. The analysis should evaluate the impacts of the added future traffic from all four components of this development (traffic from 38 large homes, long-term added construction traffic,

(l)7-39,
cont.

staging area traffic and parking, and future open space uses) using verifiable ITE trip rates, as well as unaccounted-for cumulative development. Particular attention should be given to pedestrian and bicycle traffic safety issues, existing and future parking conditions and their effect on travel lane functionality, and sight-distance issues at each of the Corridor cross streets and at the Ironhorse Trail crossing.

(l)7-40

b) **Revised Analysis of DEIR Traffic Service Levels, Traffic Safety, Construction, Parking, Emergency Access, Open Space Usage, Visual Resources, Staging Area, and Drainage Impacts:** Direct further evaluation of each of the above-listed potentially significant impacts, to be addressed in a Revised Draft EIR.

c) **Recirculation of RDEIR:** Pursuant to CEQA Guidelines Section 15088.5, direct the preparation of a supplemental Notice of Availability for the Revised DEIR, and accommodate a new 60-day period for review and comment on the amended RDEIR chapters. Note that Section 15088.5(a) provides that:

(l)7-41

"A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term "information" can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. "Significant new information" requiring recirculation include, for example, a disclosure showing that:

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance."

Sincerely,

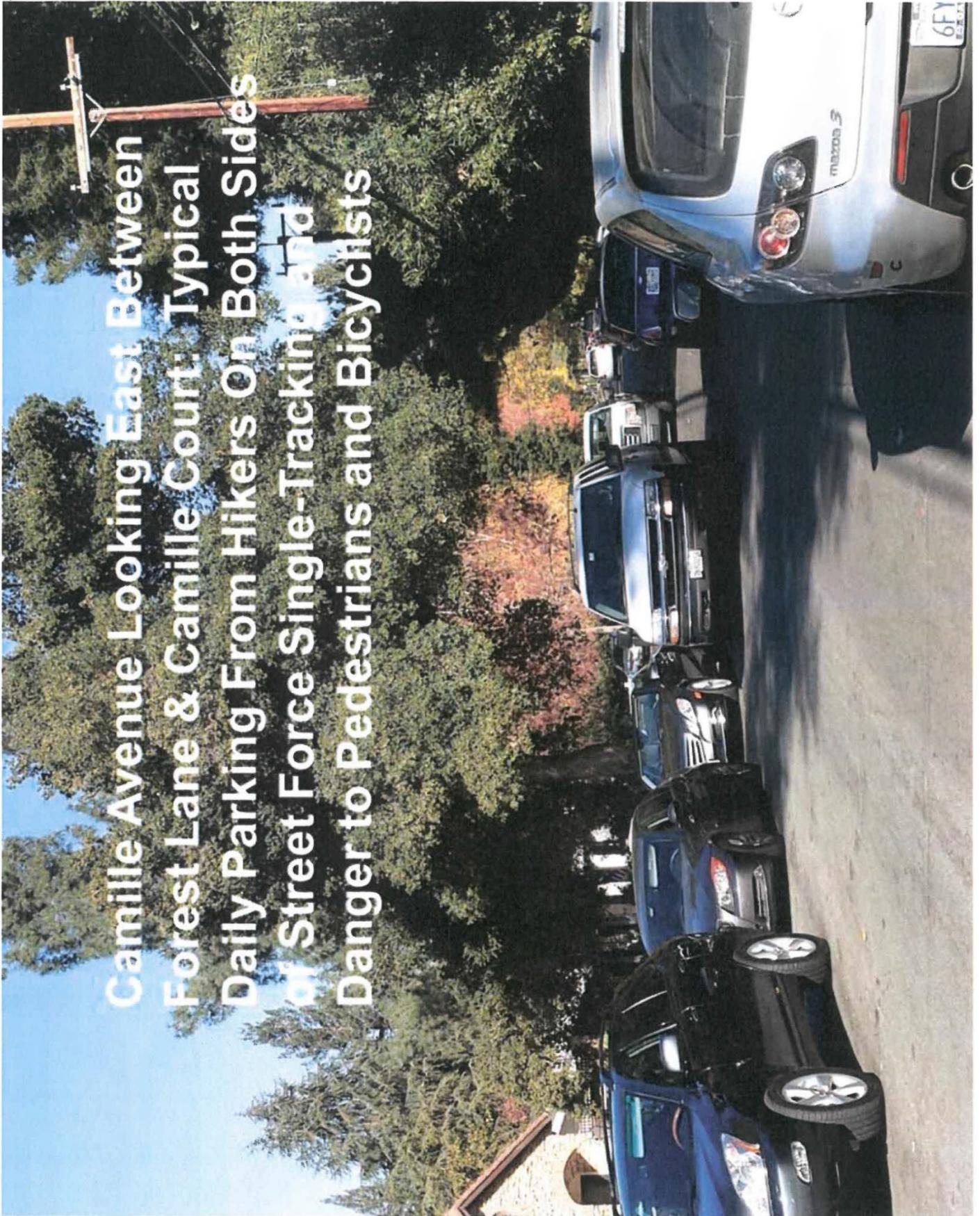
David Aungle

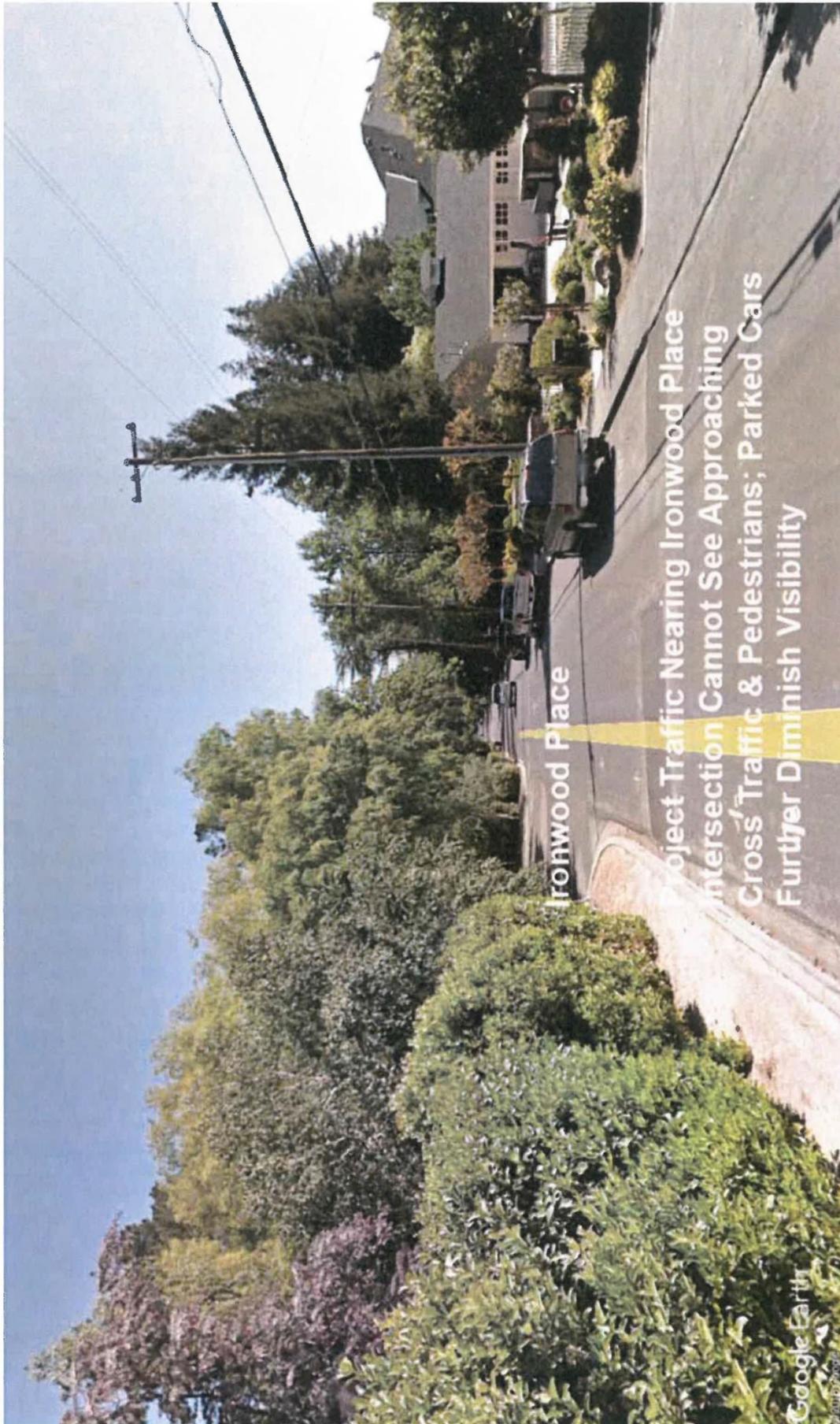
cc: Supervisor Candace Andersen (candace.andersen@bos.cccounty.us)
Telma Moreira (telma.moreira@dcd.cccounty.us)

List of co-signing neighbors:

Bill and Kathy Coll, 969 Forest Lane
John Fraser, 112 Irongate Court
Tom and Linda Reiser, 101 Muir Lane
Catherine Reichhold, 171 Daniel Drive
Tim and Bonne Wersel, 136 Irongate Court
Alice and Larry Schultz, 209 Camille Avenue
Sara and Marcus Maita, 107 Muir Lane
Will and Ryka Lovis, 155 Camille Court
Lawrence and Silvia Lin, 921 Kirkcrest Road
Kevin and Kimberlee Fugere, 333 Abbott Lane
Ken and Susan Rowland, 156 Camille Avenue
Jon and Patricia Whalen, 921 Camille Lane
Jennifer and John Moed, 965 Underhill Drive
Rosita Wraith, 120 Irongate Court
Kristie Turoff and Charles Ortmeyer, 231 Camille Avenue
Brian and Judy Blond, 160 Camille Avenue
Susan Talon-Mazer and Marc Mazer, 887 Forest Lane
Heidi and Matt Corkern, 904 Kirkcrest Road
Kelly Connelly, 121 Irongate Court
Jeff and Cathi Wooden, 1000 Ironwood Place
Scott and Cindy Clark, 145 Irongate Court
George and Lucia Foster, 7 Gary Way
Neil and Sarah Gunn, 925 Underhill Drive
Molly and Frank Napolitano, 920 Camille Lane
Tom and Tracy Lickiss, 129 Irongate Court
Kriste and Dan Michelini, 104 Irongate Court
Kathy and Pat Galloway, 137 Irongate Court
Molly and Jason Salzetti, 111 Muir Lane
Chuck and Vanessa Baumann, 104 Muir Lane
Mike and Cathy Dunn, 940 Underhill Drive
Penny and Greg Pickett, 111 Irongate Court
Sally and Terry McDaniel, 144 Irongate Court
Marci Severson, 271 Camille Avenue
Ruth Feldman, 22 Gary Way

**Camille Avenue Looking East Between
Forest Lane & Camille Court: Typical
Daily Parking From Hikers On Both Sides
of Street Force Single-Tracking and
Danger to Pedestrians and Bicyclists**

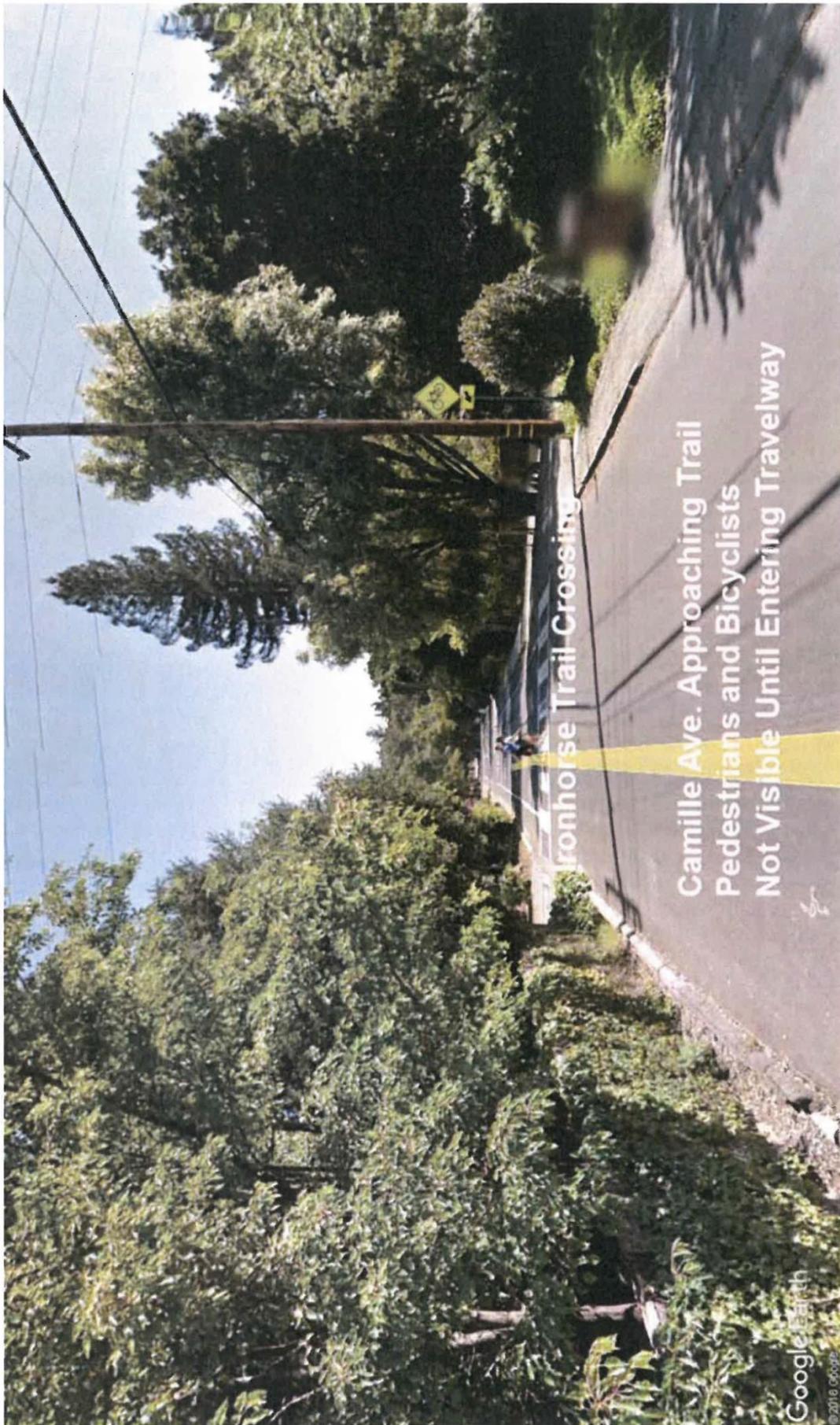


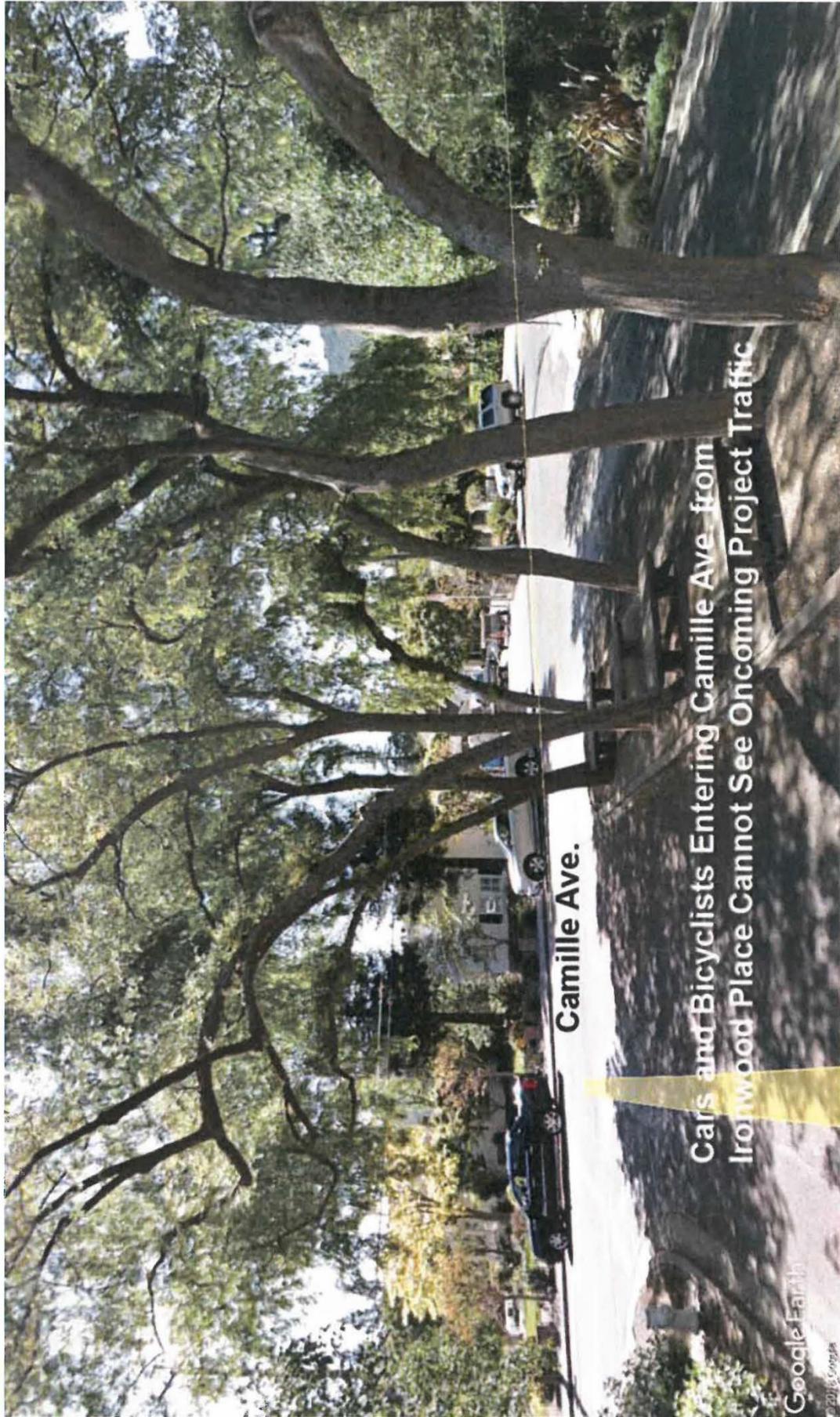


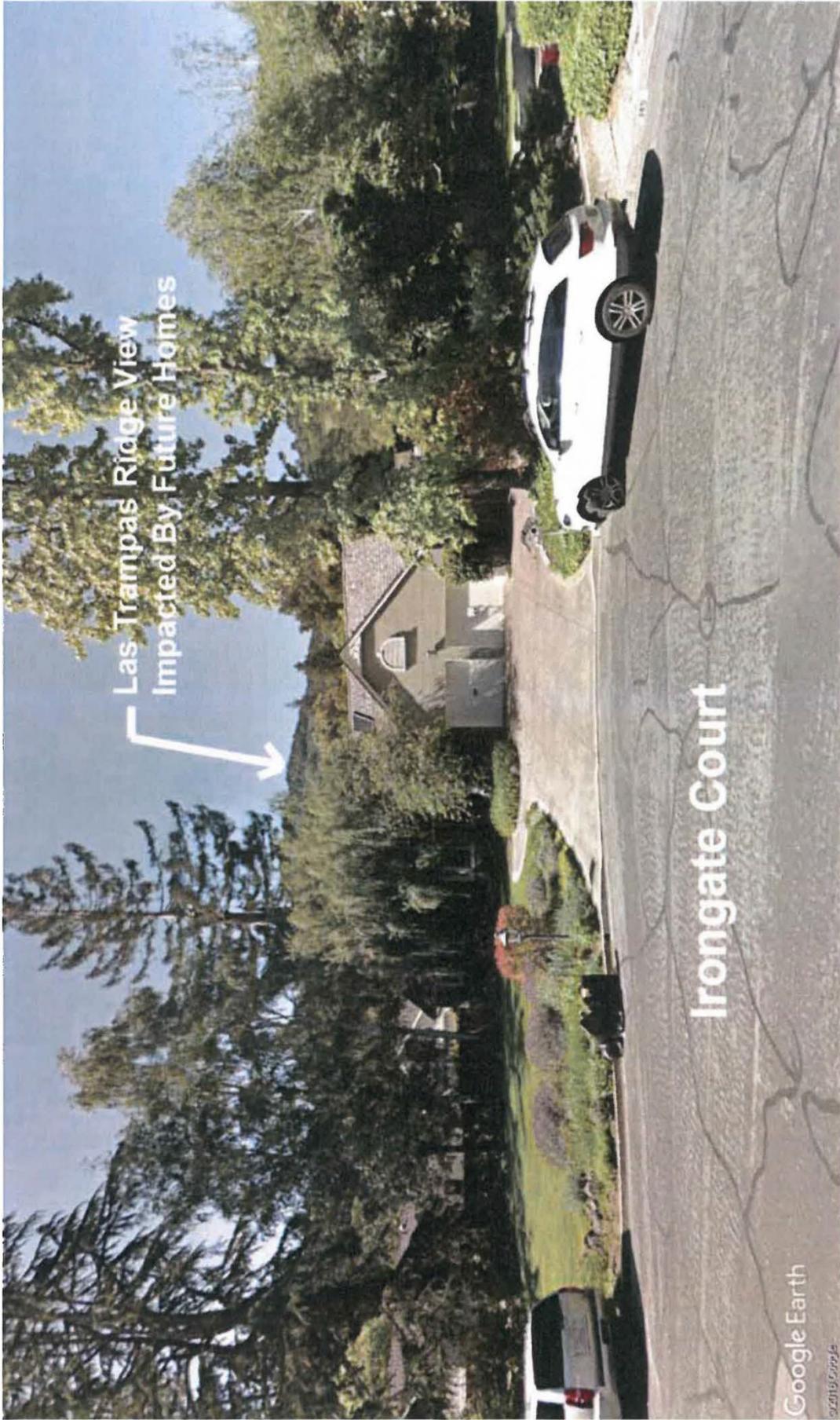
Ironwood Place

Project Traffic Nearing Ironwood Place
Intersection Cannot See Approaching
Cross Traffic & Pedestrians; Parked Cars
Further Diminish Visibility

Google Earth
© 2015 Google



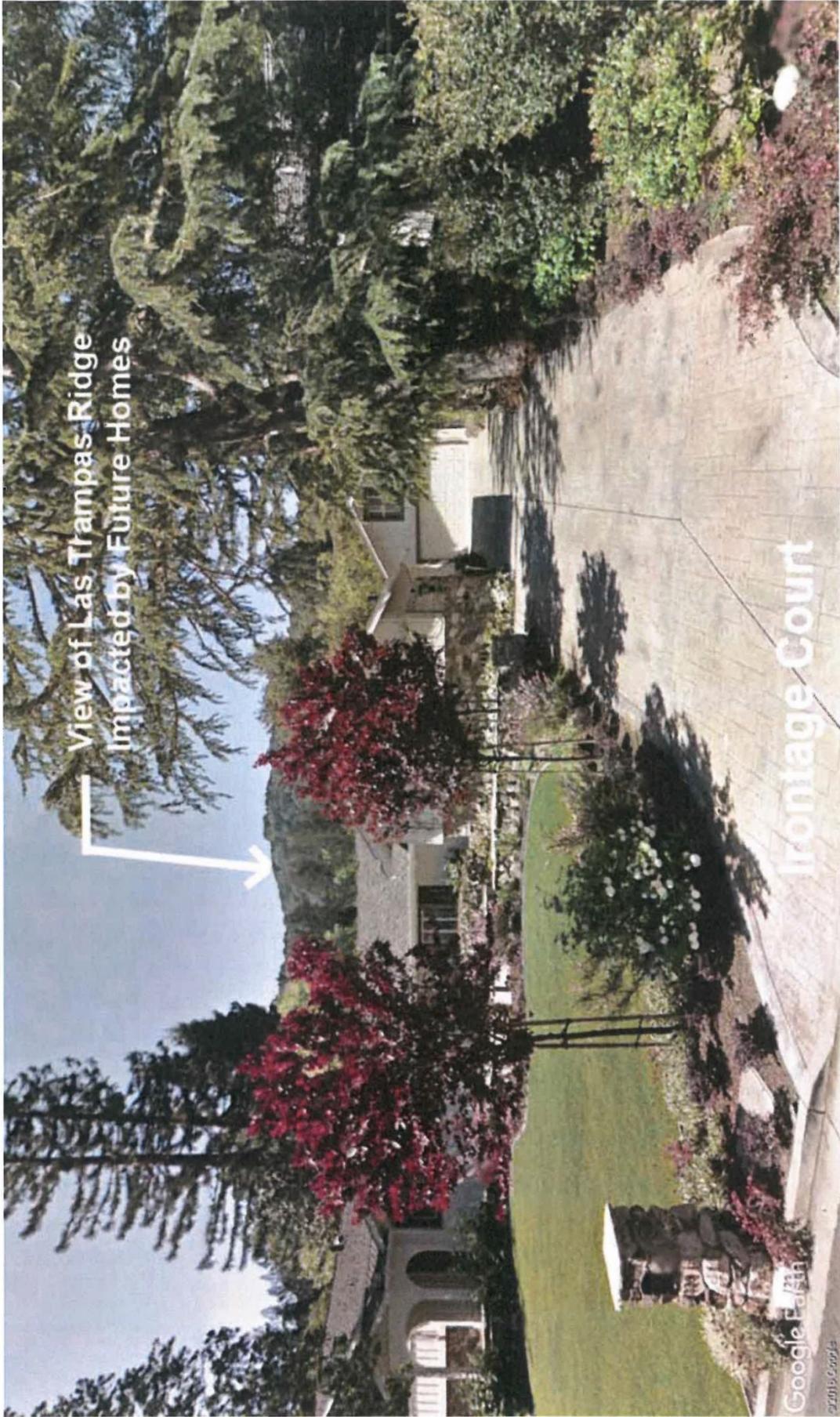




Las Trampas Ridge View
Impacted By Future Homes

Irongate Court

Google Earth
© 2016 Google



View of Las Trampas Ridge
Impacted by Future Homes

Ironstage Court

Google Earth
© 2015 Google

Response to Comment Letter (I)7: David Aungle & Co-Signers

(I)7-1: Refer to **Master Response 5** for a discussion of this topic.

(I)7-2: As discussed in Section 4.16 Transportation and Traffic, page 4.16-19 in the draft EIR, the proposed staging area would provide 19 public parking stalls. Currently, recreationalists using the Madrone Trail and the EBRPD Las Trampas Regional Wilderness areas park vehicles along Camille Avenue and enter Madrone Trail by walking west along Camille Avenue (draft EIR Section 4.16, Transportation and Traffic, Figure 3-3). The May 2014 and June 2015 traffic observations noted 6 to 8 cars parked along Camille Avenue on weekdays, and 10-14 cars parked along Camille Avenue on weekends, with the highest concentration of parked cars in the morning (Appendix P, of the draft EIR). The proposed staging area could encourage increased usage of Madrone Trail and could result in small number of new trips along Camille Avenue. However, traffic generation that results from trail users is very light, occurs primarily on weekends and in the morning, and does not coincide with the 'peak commute' traffic flow. As such, operational traffic associated with the staging area would not contribute to a significant environmental impact.

(I)7-3 through (I)7-12: Refer to **Master Response 5** through **Master Response 9** for a discussion of these topics.

(I)7-13: Refer to **Master Response 3** for a discussion of this topic.

(I)7-14: Security is not an environmental resource protected by CEQA.

(I)7-15: Refer to **Master Response 5** and **Master Response 8** for a discussion of this topic.

(I)7-16: Wear on public roadways serving the project site as a result of project construction would be monitored by the Contra Costa County Public Works Department. The project applicant will be required to repair any damage incurred from construction activities.

(I)7-17 through (I)7-23: Refer to **Master Responses 5 through 9** for a discussion of these topics.

(I)7-24: Refer to **Response to Comment (I)7-2** for a discussion of this topic

(I)7-25: Refer to **Master Response 5** for a discussion of this topic.

(I)7-26: Refer to **Master Response 5** for a discussion of this topic.

(I)7-27: Refer to **Master Response 6** for a discussion of this topic.

(I)7-28: The Traffic Impact Study (Appendix P of the draft EIR) evaluated cumulative traffic conditions (Scenario 6) by adding project-related trips to the estimated 2030 transportation network. This analysis is based on the existing turning movements plus the addition of growth estimated by the Contra Costa Transportation Authority's traffic model. Based on the model forecasts, the 2030 cumulative traffic volumes were developed by applying a 0.5 percent per year increase to the background traffic models. Figure 10 in Appendix P in the draft EIR shows the cumulative (no project) traffic volumes at each of the project study intersections while Figure 11 depicts the cumulative plus project traffic volumes. Table 10 in Appendix P of the draft EIR shows that, under cumulate plus project conditions, study intersections would continue to operate at acceptable levels of service during the weekday a.m. and p.m. peak hours, resulting in less-than-significant cumulative traffic impacts.

(I)7-29: Refer to **Master Response 1** for a discussion of this topic.

(I)7-30: Refer to **Master Response 1** for a discussion of this topic.

(I)7-31: As noted in **Master Response 2:** Aesthetics, the project site would contain 35 residential lots ranging from approximately 20,000 square feet to approximately 52,000 square feet in area. Each of the 35 residential lots would be sold and developed with custom single-family homes on a lot-by-lot basis. Given the custom nature of the future single-family homes, the exact size and height of each structure is yet to be determined. To ensure visual consistency with the existing character of the surrounding neighborhood, Mitigation Measure AES-1, as described on page 4.1-17 in the draft EIR, would require custom homes to undergo design review to evaluate specific elements of each proposed custom structure, including size, scale, massing, and setback.

In addition, Section 4.1, Aesthetics, in the draft EIR, includes visual simulations of the project generated using reasonable height and bulk assumptions. These images (Figure 4.1-3, Viewpoint A2 and Viewpoint B2) depict views of the project site from Underhill Drive and Ironwood Place under pre-project and post-project conditions and illustrate the approximate scale of proposed structures on the project site from nearby public viewpoints. Although Las Trampas Ridge and other nearby viewpoints may currently be visible without obstruction from private residences, such views from privately-owned locations are not protected as environmental resources under CEQA.

(I)7-32 through (I)7-38: Refer to **Master Response 4** for a discussion of drainage modifications proposed by the project.

(I)7-39: Refer to **Master Responses 5 through 9** for a discussion of these topics.

(I)7-40: This document responds to issues raised during public review of the draft EIR, including the following topics:

- traffic service levels (see **Master Response 5**)
- traffic safety (see **Master Response 7**)
- construction (see **Master Response 3**)
- parking (see **Master Response 5**)
- emergency access (see **Master Response 1**)
- open space usage (see **Master Response 1**)
- visual resources (see **Master Response 2**)
- the proposed staging area (see **Master Response 1**)
- drainage (see **Master Response 4**)

Refer to the responses herein regarding these concerns.

(I)7-41: Based on the responses provided herein, the County determines that existing environmental analysis contained in the draft EIR sufficiently evaluates and mitigates potential impacts associated with the project in accordance with CEQA.

Jennifer Cruz

From: John Whetten <John.Whetten@challengedairy.com>
Sent: Monday, October 15, 2018 10:13 AM
To: Jennifer Cruz
Cc: Candace Andersen; Jen Quallick; Jennifer Carter; rjdomo@aol.com; john and becky whetten
Subject: Ball Estate EIR
Attachments: IMG_20181015_0002.pdf

Der Ms. Cruz,

Attached is information we would like to have you include in the EIR. I will be giving this information at the ZA meeting today at 3:30 pm

Thank you.

John D. Whetten



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John D. Whetten
2383 Ironwood Place
Alamo, CA 94507
925-837-8685
johnwhetten@sbcglobal.net
October 15, 2018

Jennifer Cruz
Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

Dear Ms. Cruz,

This letter supplements the letter you have received from our Ironwood and Hemme Private Road Neighborhood Chairman, Robert J. Dominici.

1. We have owned a private road of Ironwood Place and upper Hemme for 35 years.
2. We have worked with the Ball family, Fire Department, Sheriff's office, and Supervisor Candace Anderson to come up with an EVA gate with keys to be provided to EV and neighbors for emergency use of the road only.
3. We will not allow a pedestrian gate in the EVA for safety of the school children and our neighborhood.
 - A. There are no sidewalks on any of the private road, nor on much of Hemme that is County owned (there is a sidewalk only from Danville Blvd to the school, but no further, i.e., no sidewalks where school children would have to walk from the PW to school).
 - B. It is not safe for children to walk to school using our private roads.
--Hemme from Via Copla/La Sonoma Way to almost Ironwood Place is so narrow that if anyone parks in front of those houses, we can only drive single file up that section.
 - C. A Pedestrian Walkway (PW) could become the pathway for park hikers accessing both park entrances, including parking cars everywhere on our private street as well as in the Ball Estate new development area.
 - D. A Pedestrian Walkway could lead to an increase in crime and a reduction in home values and the loss of our privacy.

(l)8-1

(1)8-2

- E. There are no children living on our private road that even go to Rancho Romero Elementary School.
- F. It seems questionable that there will be a lot of people who can afford to buy homes in the Ball Estate who will be families with children going to Rancho Romero. Plus it is probably a 10 year project to build all the houses.

The answer for children safety is using the Ironwood Horse Trail, which now with safety guards is much safer.

Sincerely,



John D. Whetten

Cc: Candace Anderson
Jennifer Quallick
Robert J. Dominici

Response to Comment Letter (I)8: John D. Whetten

(I)8-1 & (I)8-2: Refer to **Master Response 1** for a discussion of this topic.

Letter (I)9: Jennifer
Carter

Jennifer Carter
950 Forest Lane
Alamo, CA 94507

October 15, 2018

Department of Conservation & Development
30 Muir Road
Martinez, CA 94553
Re: SD13-9338
Site: Ball Estate – Alamo, CA

Dear Ms. Cruz,

I am writing with regard to the Ball Development and wanted to share a couple thoughts with you. This development is going to exacerbate some existing challenges. It seems like an opportune time to address these issues before they become even more pronounced.

(I)9-1 First, we have safety challenges on Camille Avenue. It is a highly used street filled with children biking to school, neighbors walking dogs, hikers parking cars on both sides of Camille to access the Las Trampas trail turning Camille into a one-lane street, equestrians, delivery men, neighbors driving in and out, and constant workmen. The traffic study referenced in the Draft EIR seems to grossly underestimate the current traffic conditions. With a development of this size happening in the Camille neighborhood, Camille Avenue will take a toll from heavy equipment and hauling of materials. I would recommend a couple things to help alleviate some of the problems. Parking on only one side of Camille Avenue would allow the street to remain a two-lane street. In addition, a pedestrian/biking crossing light at the Iron Horse Trail such as on Hemme Avenue and Del Amigo Road would prevent accidents with the increased traffic. Improving the sidewalk on Camille and road repair by developers following the completion of the project should be looked at. Given that this development will generate \$2 million for Contra Costa County, let's allocate a portion of it to solving problems impacted in the area where the money is generated.

(I)9-2
(I)9-3 Second, I went to the Pipeline Safety Meeting in Alamo a number of months ago, and have been concerned ever since then that Camille has no alternative exit. Although I do not believe that a breezeway or pedestrian pathway from Camille to Ironhorse Place makes sense for school children to use regularly given road conditions on Hemme Avenue, I do believe it would be smart from an emergency perspective to have a walking escape route if needed so that people can exit Camille if necessary on foot. It would also be nice for people walking the neighborhoods to have similar through access that other west Alamo streets have.

Many thanks for considering these issues!

Best regards,



Jennifer Carter
Alamo MAC Member

Response to Comment Letter (I)9: Jennifer Carter

(I)9-1: Refer to **Master Responses 5, 7, and 8** for a discussion of this topic.

(I)9-2: Wear on public roadways serving the project site as a result of project construction would be monitored by the Contra Costa County Public Works Department. The project applicant will be required to repair any damage incurred from construction activities.

(I)9-3: Refer to **Master Response 1** for a discussion of this topic.

Letter (I)10: John D.
Whetten

From: John Whetten <johndwhetten@sbcglobal.net>
Sent: Monday, October 15, 2018 10:44 PM
To: Jennifer Cruz <Jennifer.Cruz@dcd.cccounty.us>
Cc: johndwhetten@sbcglobal.net
Subject: FW:

Dear Ms. Cruz,

At the end of the hearing today, we discussed whether you had received this earlier email. On the one I sent to you today, you sent a confirming email that you had receive it. So you said to resend it.

As we discussed, I couldn't hear all the wording of the agenda, i.e., was our concern for an ongoing obligation by any future property owner of Parcel A (behind our house) to maintain the fire trail and remove the dead trees, etc.

It sounded like Parcels B and C were the obligation of a future owner, but I am not clear whether Parcel A is.

It wasn't clear in the EIR, which is why I wrote the attached email, which included Parcel A, B, and C.

Thanks for helping us. We appreciate it.

John Whetten

From: John Whetten <John.Whetten@challengedairy.com>
Sent: Tuesday, October 2, 2018 4:18 PM
To: jennifer.cruz@dcd.county.us
Cc: john and becky whetten <johndwhetten@sbcglobal.net>; rjdomo@aol.com
Subject:

Dear Ms. Cruz,

Please see our comments to the EIR of the Ball Estate.

Thank you for incorporating this into the EIR.

John D. Whetten

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John D. Whetten
2383 Ironwood Place
Alamo, CA 94507
925-837-8685
johndwhetten@sbcglobal.net

Sept. 28, 2018

Jennifer Cruz
Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

Dear Ms. Cruz,

Thank you for providing the Notice of Availability and Notice of Public Hearing for Ball Estates Project Draft Environmental Impact Report.

I am writing on behalf of the following homeowners who live close to Parcel A, B and C. They are as follows:

Mark and Nancy Vanderhagen
Kevin and Susan Flemming
Bob and Pam Dominichi
Rick and Cathy Bowling
Frank and Lisa Bernie
John and Becky Whetten

We would like to request that the following sentence be added to this EIR:

"Pertaining to Parcels A, B and C, the contractor/builder or land conservation organization will be responsible to handle abatement and other problems associated with these Parcels until a HOA is organized and any Parcel becomes the responsibility of the HOA or land conservation organization."

(l)10-1

As homeowners adjoining or living in close proximity to Parcel A, B and C, we need this protection from fire hazards and other maintenance of these Parcels. The Ball family has assumed this responsibility in the past years.

Thank you.



Response to Comment Letter (I)10: John D. Whetten

(I)10-1: Refer to **Master Response 1** for a discussion of this topic.

Letter (I)11: David
Aungle

From: David Aungle <davidaungle@gmail.com>

Sent: Tuesday, October 16, 2018 12:19 PM

To: Aruna Bhat <Aruna.Bhat@dcd.cccounty.us>

Cc: Jennifer Cruz <Jennifer.Cruz@dcd.cccounty.us>; Supervisor Candace Andersen
<SupervisorAndersen@bos.cccounty.us>

Subject: Ball Estate DEIR SCH #2013082081 – County File #SD13-9338; Request for Notification of Decision

Dear Ms. Bhat,

This email is to request that you provide us with written notification of your decision regarding our request, submitted in a letter and in testimony at the hearing yesterday.

(I)11-1 Specifically, our group of concerned residents requested that additional focused studies be conducted of potentially significant traffic, safety, hydrology and aesthetic issues which we believe the DEIR failed to address. We asked that these supplemental studies be prepared to determine the validity of our contentions, as supported by evidence at the hearing, that the currently proposed project has the potential for additional and/or elevated significant effects on the environment.

We ask that your decision be made available as soon as possible, and before proceeding to prepare simple responses to comments in a Final EIR. The importance of this decision is to allow the public to understand whether a revised Draft EIR will be prepared with this significant supplemental information, allowing our review and further comment.

Thank you for reviewing our concerns. We look forward to your reply.

Sincerely,

David Aungle

Response to Comment Letter (I)11: David Aungle

(I)11-1: This document responds to issues raised during public review of the draft EIR, including the following:

- traffic (see **Master Response 5**)
- safety (see **Master Response 7**)
- hydrology (see **Master Response 4**)
- aesthetics (see **Master Response 2**)

Refer to the responses herein regarding these concerns.

Letter (I)12: Tom &
Tracy Lickiss

From: lickiss@wellsfargo.com <lickiss@wellsfargo.com>

Sent: Tuesday, October 16, 2018 5:45 PM

To: Jennifer Cruz <Jennifer.Cruz@dcd.cccounty.us>

Subject: Ball Estates DEIR

Dear Ms. Cruz,

Please find the attached letter from my wife and I regarding the Draft Environmental Impact Report for the proposed Ball Estates Subdivision in Alamo. We request that you take these issues into account in your review process.

Many thanks,

Tom and Tracy Lickiss
129 Irongate Court
Alamo, CA 94507
415-971-6372

October 11, 2018

Tom and Tracy Lickiss

129 Irongate Court, Alamo CA 94507
Phone: 925-362-1557
tomlickiss@comcast.net
tracylickiss@gmail.com

► **M s. Jennifer Cruz**

Jennifer.cruz@dcd.ccounty.us

Dear M s. Cruz,

My wife Tracy and I are writing this letter to you to address the recent serious issues that have come to light as a result of the draft Environmental Impact Report published 8/30/2018 for the proposed Ball Estates Subdivision (SD 13-9338).

My wife and I purchased our home at 129 Irongate Court in June 2016. When we were conducting due diligence on the home, we learned of this potential development and were concerned of the possible impacts to our property. As a part of the review process we contacted the County and were told that the impact of these homes would be minimal and all of the houses intended were to be single story. Upon review of the DEIR, it appears that the impact will be much more significant and potentially for 10 years or longer.

We have a few specific concerns we would ask that you please review and address:

- 1) Views and Aesthetics - According to the DEIR, the project is intended to reverse grade directly behind our home by adding 5-6 feet of dirt at our rear property line and have a slope toward the street for drainage. This raised pad causes several concerns including:
 - (I)12-1 a. Elevated Pad - The current orchard is a higher elevation than our current home. Adding additional dirt to this area would raise the property and then add a solid 6 foot fence on top of it, effectively eliminating our existing scenic view of the hills, blocking light, and reducing the look and feel of our yard. This is a direct environmental impact.
 - (I)12-2 b. Privacy – By adding a home on top of this raised pad, the home would look directly into our yard eliminating all privacy of our children in our yard and pool and my wife and me in our bedroom. We will go from a circumstance with complete privacy to one with none, which has a direct environmental impact.
 - (I)12-3 c. Design Review – As noted above, when we purchased our home we were informed a single story home was possible behind us. There was no discussion of regrading. However, in the DEIR it appears design review is left to the individual property owner after the base construction is complete. I would implore you to reconsider this approach. Adding a two story home to the property behind our house would materially impact our view, privacy and property value negatively. We would not be able to maintain any privacy in the short or long term in this circumstance, would lose all sunlight, and it would block our existing views which we purchased with this home.

- (l)12-4 2) Drainage – The DEIR states that the project will funnel all runoff through the existing drainage designed and installed over 4 decades ago. The Ball Estate has been a constant water issue for the neighbors on Irongate Court with water regularly flowing into our yards and mud into our pools. In early 2017, with the heavy rains, water from the Ball Estate flooded my garage and mud filled my pool causing thousands of dollars in damage. Additionally, the existing drainage pipe bordering Camille floods annually. The existing drainage is simply not designed to take the amount of hard surface water that would be required for a project of this size. The county is risking serious flooding issues for the existing homes in the community if this is not reevaluated and addressed.
- (l)12-5 3) Traffic Volumes and Safety – the DEIR does not account for traffic on Camille Ave nor the impact of adding 33 homes. The DEIR accounts for a fraction of one car in the morning and a fraction of a car in the evening coming to or from each home. Further the DEIR does not include a traffic study of Camille Ave itself, rather it relies on a traffic study of the nearby arteries to assess impact. This approach is incorrect and does not account for the additional volume of traffic that will impact the residents of the existing community during the ten year build nor on an ongoing basis. Homes in this neighborhood have at least two whole vehicles that drive in the morning, evening, and throughout the day. Adding any additional vehicles will have an impact.
- (l)12-6 a. Camille Ave – Camille Ave is a gateway to the Las Trampas Trail and the Iron Horse Trail and, as a result, we have regular traffic from pedestrians, horses and cars moving through our neighborhood to access the trail. All of this takes place on a street that is smaller than standard width without proper sidewalks. On a regular day, if a car is stopped on one side of the street, traffic grinds to a halt while cars maneuver around the parked vehicle. Adding one additional car to this traffic flow is an impact.
- (l)12-7 b. Children’s Safety – my wife and I have four children who walk and ride their bicycles on Camille Ave, Ironwood Place, and Irongate Court daily. We enjoy taking our children and dog out for hikes, but already have to deal with speeding vehicles on a regular basis. Adding additional cars and construction vehicles to that flow without proper controls will place our children at risk. This must be accounted for in the traffic study and it is not today.
- (l)12-8 c. Emergency Vehicle Access – the DEIR does not account for the impact of existing or additional traffic on Camille Ave and the surrounding streets and the accessibility of Emergency Vehicles. As noted above, if a car is parked on one side of the street today, traffic on Camille Ave is directly impeded. If an emergency vehicle needs access to the new development, or our existing homes, with the additional flow of vehicles, they may not be able to reach the people in need.
- (l)12-9 d. Ironwood and Camille Ave – the current intersection at Ironwood and Camille is perilous, with regular near misses as it is a blind intersection. As recently as last week I came close to being broadsided by a sheriff’s deputy who couldn’t see me coming out of Ironwood Place. Adding additional cars as a main artery to this development using Ironwood Place will result in traffic incidents that must be accounted for.

In Summary – we, along with our neighbors, are very concerned about the direct impact of this potential development. Most significant of all will be the impact on privacy, sunlight, views, home values, drainage, traffic, and safety. We humbly ask that you please require the DEIR be revised to account for these very real and serious concerns.

Respectfully,

Tom and Tracy Lickiss

Response to Comment Letter (I)12: Tom & Tracy Lickiss

(I)12-1: CEQA requires an EIR to analyze public views of scenic resources. For example, draft EIR Section 4.1, Aesthetics, Figure 4.1-3 depicts views of the project site from public vantage points along Underhill Drive and Ironwood Place. However, CEQA does not consider views from privately-owned locations as protected resources. Therefore, the loss of private views would not constitute a significant environmental impact.

(I)12-2: CEQA does not consider privacy to be a protected environmental resource topic, and the loss of privacy would not constitute a significant impact.

(I)12-3: As noted by the commenter and discussed in Section 4.1, Aesthetics, in the draft EIR, each of the 35 residential lots proposed by the project would be sold and developed with custom single-family homes on a lot-by-lot basis. To ensure visual consistency with the existing character of the surrounding neighborhood, Mitigation Measure AES-1 (page 4.1-17 in the draft EIR) would require custom homes to undergo design review to evaluate specific elements of each proposed custom structure, including size, scale, massing, and setback. Refer to **Response to Comment (I)12-1 and (I)12-2** for a discussion of private views and privacy, respectively.

(I)12-4: Refer to **Master Response 4** for a discussion of drainage modifications proposed by the project.

(I)12-5 through (I)12-9: Refer to **Master Responses 5 through 9** for a discussion of these topics.

From: David Barclay <dbarclay.bcg@comcast.net>
Sent: Tuesday, October 23, 2018 1:29 PM
To: Jennifer Cruz <Jennifer.Cruz@dcd.cccounty.us>
Subject: Ball Estates Project - Draft EIR - Alamo

Dear Ms. Cruz,

As a concerned resident of Alamo and a member of the Alamo Municipal Advisory Council, I have the following comments on the proposed Ball Estates Project.

- (I)13-1 • Traffic: Since this is going to be a long term project between 10 to 15 years, I recommend the county require a detailed construction management plan addressing construction traffic. This plan would ultimately be a condition of approval associated with the tentative map.
 - (I)13-2 • Noise: Regarding Mitigation Measure NOI-3, I recommend construction work hours of 7:00 am to 4:30 pm, Monday through Friday and 10:00 am to 4:00 pm on Saturdays. Since most construction workers come from east county and beyond, workers want to start early and leave early to avoid peak traffic conditions on the freeways. While this may appear to be less restrictive than the proposed work hours of 8:00 am to 5:30 pm, it is better for the overall community and will result in less conflict between workers and neighbors. Realistically speaking, the construction workers will show up between 7:00 am and 7:30 am even if the work hours are stipulated to start at 8:00 am. Setting practical expectations for neighbors from the beginning will result in less conflict down the road.
 - (I)13-3 • Prior to tentative map approval, a detailed set of new home design standards should be created and available for public review along with a definitive process for approving each new house design.
- Overall, I support the project and look forward to a very rigorous set of approval conditions that will address many of the concerns expressed by the neighbors and community.

Regards,

David Barclay

David L. Barclay
Greenpoint Homes, LLC
dbarclay.bcg@comcast.net
Cell: 925-348-4024

Response to Comment Letter (I)13: David Barclay

(I)13-1: As discussed in **Master Response 6**, construction-period traffic would not result in significant environmental impacts.

(I)13-2: Refer to **Master Response 3** for a discussion of this topic.

(I)13-3: As discussed in **Master Response 2**, Mitigation Measure AES-1 would require custom homes to undergo design review to ensure consistency with the existing character of the surrounding area. This process will evaluate elements of each proposed custom home, including size, scale, massing, setback, and color. The design review process would be developed by the County after environmental approval but prior to the issuance of grading permits for the project. With implementation of Mitigation Measure AES-1, the design review process would ensure that developed portions of the project site are visually compatible with the surrounding single-family neighborhoods.

Letter (I)14: Ken Rowland

-----Original Message-----

From: Ken Rowland <ken_rowland@att.net>
Sent: Wednesday, October 24, 2018 4:42 PM
To: Jennifer Cruz <Jennifer.Cruz@dcd.cccounty.us>
Cc: dauidaangle@gmail.com; Susie Rowland <scrowland@att.net>
Subject: Ball Estate/Camille Ave corridor

Ms Cruz,

DEFICIENCIES IN THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)

There is a perception if the word environment is in the title that the report is about trees and snakes. It is also about people and their neighborhood.

TRAFFIC

(I)14-1 There is no consideration for the safety of our neighborhood children who walk or ride bikes to school. All of whom must use Camille Ave

There is no consideration for the impact on the walkers, hikers, bikers, joggers, dog walkers, or horsemen; all of whom use Camille Ave

(I)14-2 There is no consideration for the increase in services that will support the new development: UPS; FedEx; Amazon; PG&E; Comcast; ATT; tradesmen; landscapers; gardeners; house cleaners; pool maintenance and trash. All of whom must use Camille Ave.

DRAINAGE, DRAINAGE, DRAINAGE

(I)14-3 A retention basin is included in the plan. I believe it is under sized and should be sized for a 500 year event.

(I)14-4 It appears that the basin belongs to the Home Owners Association (HOA). You are left with the impression of clear water and lily pads. Retention basins fill with silt and debris. It's only a matter of time. It might take 10 years or the first big rain. Is the HOA responsible for maintenance and cleaning? How often? Who monitors them?

The basin is vulnerable during site-preparation and before a functioning HOA is established. The dirt is disturbed, trees removed, and road built. If it takes 10 years to complete the development, surely the first houses aren't responsible for the entire cost. The developer should be responsible for the drainage and basin until all houses are built and there is a functioning HOA. And there should be a bond that covers at least 10 years.

DAMAGE TO CAMILLE AVE, IRON GATE AND SURROUNDING STREETS

(I)14-5 It's likely there will be damage to our streets during site-prep and construction. The developer should provide a bond that covers the 10 year length of the project.

TRAIL PARKING LOT OF 19 SPACES IS UNDERSIZED

(I)14-6 At the Zoning Administration meeting Ms Connelly said that she had counted parked cars on two different days: 24 and 27 cars respectively. Did anyone actually study the size requirements? Or did they simply sacrifice one lot and hope no one would notice. This is a design that will fail. .

APPROVED BUT NOT OCCUPIED AREAS

This is very vague. It appears the HOA owns this land. Can they build soccer fields and host regional tournaments? Either the developer should donate the land to the county now; or there should be restrictions on future use since this use is not included in the DEIR.

(I)14-7 For the sake of argument let's assume the project goes forward; I offer the following thoughts.

1) First there will be site preparation: moving dirt, felling trees, building roads. Followed by a long period of construction. This is a formula for mud slides. I would ask that the developer seed the raw dirt with something to stabilize the soil in the interim. Maybe prairie grass and wild flowers. The developer should be responsible for drainage. (above and beyond an orange cyclone fence and some sand bags)

2) During site prep and construction there will be increased traffic on Camille Ave, Iron Gate, and surrounding streets. I know the county has restrictions on hours. I would ask for a variance to tighten the window to 9-5.

(I)14-8 3) Further to 2 above. The window must include all deliveries of materials, men, and machines. I think it is common to schedule deliveries at times before work is to start: 4:00 am.

4) All staging should be restricted to the Ball property. No standing/idling trucks on Camille Ave or surrounding streets.

5) Bus all men from an off-site parking lot to the job site.

Ken Rowland
156 Camille Ave
Alamo, CA 94507

Response to Comment Letter (I)14: Ken Rowland

(I)14-1: Refer to **Master Response 8** for information regarding this topic.

(I)14-2: Refer to **Master Response 5** for a discussion of this topic.

(I)14-3: Refer to **Master Response 4** for a discussion of drainage modifications proposed by the project.

(I)14-4: Refer to **Master Response 1** for a discussion of this topic.

(I)14-5: Wear on public roadways serving the project site as a result of project construction would be monitored by the Contra Costa County Public Works Department. The project applicant will be required to repair any damage incurred from construction activities.

(I)14-6: Refer to **Master Response 1** for a discussion of this topic.

(I)14-7: The construction period would be divided into two distinct phases, starting with an approximately 6-month site preparation phase to install 35 empty lots and associated infrastructure. At the end of the 6-month site preparation phase, each of the 35 residential lots would be sold and developed with custom single-family homes on a lot-by-lot basis. Since lot-by-lot sale would be driven by market conditions, the draft EIR assumed that custom home construction could take up to 10 years, which would result in up to 35 vacant lots on the project site awaiting sale for development.¹⁶ Drainage facilities would be installed during the initial six-month site preparation phase to capture and convey stormwater generated on the project site. In addition, an erosion control plan would be developed to stabilize exposed soils within the project site. These construction-period measures would prevent potential hydrologic impacts or associated hazards throughout the lot-by-lot custom home construction period.

(I)14-8: Refer to **Master Response 3** for a discussion of this topic.

¹⁶ As discussed in Chapter 3.0, Project Description, page 3-7 in the draft EIR, project construction is conservatively assumed to occur over a 30-month period, which includes grading, infrastructure installation (including streets and storm drain facilities), and the construction of the residential homes. However, actual construction of the single-family homes would be market driven and may be less than a 10-year period.

Letter (I)15: Donald & Alice
Whiteneck

From: Don Whiteneck <donwhiteneck@gmail.com>

Sent: Friday, October 26, 2018 10:18 AM

To: Jennifer Cruz <Jennifer.Cruz@dcd.cccounty.us>

Cc: jenbeckcarter@aol.com; Beverly Lane <beverlywane@gmail.com>

Subject: MAC meeting October 2,2018 - Ball subdivision -SD13/9338

Attached is a letter expressing our primary concerns regarding the project.

Donald and Ally Whiteneck

Donald and Alice Whiteneck
940 Camille Lane
Alamo, CA 94507
925-820-7203

October 26,2018

Jennifer Cruz
Contra Costa County Conservation & Development Department
Community Development Division
30 Muir Road
Martinez, CA 94553 jennifer.cruz@dcd.cccounty.us

Re: Application SD 13-9338, Ball Estate Subdivision

Dear Ms. Cruz,

As a followup to the MAC meeting on Tuesday, October 2, our primary concerns regarding the Ball Estate Subdivision are:

- (l)15-1 | 1) Trail user parking lot should: **a)** be accessible from a public street **b)**, be hidden from view with landscaping including a dirt berm **c)** have video surveillance and night security lighting (with minimal impact on surrounding neighbors) **d)** prohibit horse staging (with signage).
The parking lot should be completed as soon as possible and not be dependent on the Ball development. It is a safety issue on Camille Avenue.
- (l)15-2 | 2) Camille avenue should have significant improvements including: **a)** parking on one side only (red line on other) **b)** yellow line defining traffic lanes **c)** widen sidewalk to 6 feet **d)** bike lane **e)** stop signs at Iron Horse trail crossing.
- (l)15-3 | 3) Drainage at the southeast corner of the Ball property. The Ball's representative stated drainage at the southeast corner of the Ball property will be collected and rerouted to the Camille Avenue drain system. It is imperative that this is done and that water not be allowed to run onto Camille Lane.
- (l)15-4 | 4) We are also concerns about the grading plan on the southeast corner of the Ball property which appears to increase the grade 5 to 6 feet. This is excessive in our opinion.

Sincerely,

Donald and Alice Whiteneck

cc: MAC - Jennifer Carter <jenbeckcarter@aol.com>
EBRPD - Beverly Lane <beverlywane@gmail.com>

Response to Comment Letter (I)15: Donald & Alice Whiteneck

(I)15-1: Refer to **Master Response 1** for a discussion of this topic.

(I)15-2: Refer to **Master Responses 5** through **9** for a discussion of transportation related impacts.

(I)15-3: Refer to **Master Response 4** for a complete discussion of drainage modifications proposed by the project.

(I)15-4: As noted by the comment, portions of the project site proposed for development would entail mass grading to level and prepare each of the 35 lots for single-family homes. Although the exact post-project elevation would vary across the project site, potential environmental impacts associated with the grading plan are captured in the draft EIR.

-----Original Message-----

From: Jennifer Carter <jenbeckcarter@aol.com>

Sent: Thursday, October 25, 2018 5:08 PM

To: Jennifer Cruz <Jennifer.Cruz@dcd.cccounty.us>; Telma Moreira
<Telma.Moreira@dcd.cccounty.us>

Subject: Response to Draft EIR: Ball Development

Dear Telma and Jennifer,

Attached is my response to the Draft EIR for the Ball Estate Project as well as a photo documenting one issue mentioned in my letter. Thank you for your diligent and thorough work on this project!

Best,

Jennifer Carter

Alamo MAC Member

Jennifer Carter
950 Forest Lane
Alamo, CA 94507

October 25, 2018

Department of Conservation & Development
30 Muir Road
Martinez, CA 94553
Re: SD13-9338
Site: Ball Estate – Alamo, CA

Dear Ms. Cruz,

I am writing with regard to the Ball Development and wanted to share a couple thoughts with you. This development is going to exacerbate some existing challenges in the Camille neighborhood. It seems like an opportune time to address these issues before they become even more pronounced.

(I)16-1

First, we have **safety challenges** on Camille Avenue. It is a highly used street filled with children biking to school, neighbors walking dogs, hikers parking cars on both sides of Camille to access the Las Trampas trail turning Camille into a one-lane street, equestrians, delivery men, neighbors driving in and out, and constant workmen. The traffic study referenced in the Draft EIR seems to grossly underestimate the current traffic conditions. With a development of this size happening in the Camille neighborhood, Camille Avenue will take a toll from heavy equipment and hauling of materials. I would recommend a couple things to help alleviate some of the problems. Parking on only one side of Camille Avenue would allow the street to remain a two-lane street. In addition, a pedestrian/biking crossing light at the Iron Horse Trail such as on Hemme Avenue and Del Amigo Road would prevent accidents with the increased traffic. Improving the sidewalk on Camille and road repair by developers following the completion of the project should be looked at. Given that this development will generate \$2 million for Contra Costa County, let's allocate a portion of it to solving problems impacted in the area where the money is generated.

(I)16-2

Second, I went to the Pipeline Safety Meeting in Alamo a number of months ago, and have been concerned ever since then that Camille has **no alternative emergency exit**. Although I do not believe that a breezeway or pedestrian pathway from Camille to Ironhorse Place makes sense for school children to use regularly given road conditions on Hemme Avenue, I do believe it would be smart from an emergency perspective to have a walking escape route if needed so that people can exit Camille if necessary on foot. It would also be nice for people walking the neighborhoods to have similar through-access that other west Alamo streets have.

(I)16-3

Third, the Camille neighborhood experiences **drainage issues** during periods of heavy rainfall, and I think we can anticipate that increasing as a result of the development. The conclusion that the Appendix N Drainage Study makes “that there is adequate capacity in downstream infrastructure for this additional flow” that would occur from the Ball Development is not supported by substantial evidence.

(I)16-4

Lastly, a **gated community** is counter to the character of the surrounding neighborhood. As far as I am aware, there is no gated community in Alamo south of Stone Valley and west of Danville

(I)16-4,
cont.

Boulevard. If we keep consistent with the neighborhood character, this development would not be gated.

Many thanks for considering these issues.

Best regards,
Jennifer Carter
Alamo MAC Member



Example of parking hazard created when cars park on both sides of Camille.

Response to Comment Letter (I)16: Jennifer Carter

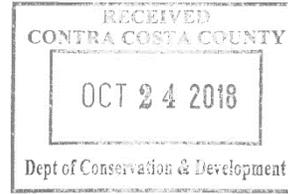
(I)16-1: Refer to **Master Responses 5, 6, and 8** for a discussion of this topic.

(I)16-2: Refer to **Master Response 1** for a discussion of this topic.

(I)16-3: Refer to **Master Response 4** for a discussion of drainage modifications proposed by the project.

(I)16-4: Refer to **Master Response 1** for a discussion of this topic.

Marci Severson
271 Camille Avenue
Alamo, CA 94507



September 22, 2018

Jennifer Cruz
Contra Costa County Conservation & Development Department
Community Development Division
30 Muir Road
Martinez, CA 94553

SUBJECT: Ball Estate DEIR SCH #2013082081 – County File #SD13-9338

Dear Ms. Cruz,

I have lived at 271 Camille Ave in Alamo for 35 years. My house is adjacent to the Ball property. Ours is a very peaceful and quiet neighborhood. Basically the Ball property has always been a single family home with a second unit for a caretaker and even though there is an office building on the site the cars generally arrive in the morning and leave at the end of the work day and traffic has not been a major issue. The addition of 35-38 more homes plus a staging area and restrooms will change the neighborhood drastically.

(I)17-1 | The Draft Environmental Impact Report (DEIR) does not adequately address the issues of pedestrian, bicycle and equestrian safety. Nor does it address the issues of increased noise, overflow parking for trail use, maintenance and future use of the staging area and open spaces, the increase in vehicular traffic and drainage issues.

(I)17-2 | The DEIR states that there are 160 homes in the Camille Avenue neighborhood. There are, in fact, 216-220 homes which includes some second units on properties. It also states that the traffic from the new homes will not have a significant impact on the Camille Avenue area. There will be much more traffic generated by the addition of 35 + homes. Each of these homes, if they reflect current patterns of the rest of the neighborhood, will generate several car trips in and out daily as will the service vehicles associated with those homes (gardeners, house cleaners, repair vehicles, pool maintenance firms, delivery vehicles as well as the usual mail delivery and garbage service vehicles).
(I)17-3 | Each of those new residents, in addition to the current population, will only have one egress in the event of a fire or other major emergency.

(I)17-4 | One of the biggest concerns that I have and that I share with other neighbors who have been affected, is flooding and drainage from the Ball property. I have had multiple incidents of flooding over the years. I have had mud covering my front garden and lawn

(I)17-4,
cont.

and coming all the way down my driveway to the garage. The mud flows all the way down Camille Ave, into side streets, swimming pools and blocks storm drains. It flows across the orchard and into homes and yards on the other side of Camille Lane as well as into the Irongate Court properties. I have tried to redirect knee deep water and mud in the middle of the night along with other neighbors and emergency workers. The county spends days cleaning up the streets and storm drains after these events. The Ball family have been very cooperative and helpful and have taken measures to mitigate this problem but we all want to be very certain that this will never happen again.

(I)17-5

One thing that has changed over the past 20+ years is an increase in traffic and noise largely due to the EBRPD trailhead at Camille Avenue and Camille Lane. Hikers have always used the Camille Avenue access to the Las Trampas Hills even before it was an official trailhead. Mostly it was used by local residents with the occasional car parked in front of my house. Since a 10' trail easement was granted to the EBRPD by the Ball family, use has dramatically increased as have the associated parking and traffic issues. Trail users park on both sides of Camille Ave several times a day, blocking sight lines for residents trying to get out of their streets and driveways, often blocking access to Camille Lane by parking too close to and directly across from the entry. It particularly causes problems for large delivery and service vehicles as well as emergency vehicles. I have had cars block my driveway and they block mail boxes and garbage cans awaiting pickup. Hikers often gather very early in the morning and congregate on the street and start of the trail access as they wait for friends. They unload dogs which are often unleashed and have to call out to them loudly to round them up. They are oblivious to the fact that bedroom windows for two homes are within earshot.

A major impact on this end of Camille Avenue is the addition of a proposed EBRPD staging area with restrooms. Adding a staging area to the project takes most of the present day parking off the street but does not address the issue of overflow parking in the future as the trailhead becomes even more attractive with the addition of the new facilities. It does not address who will maintain and police those areas when EBRPD staff is not present.

(I)17-6

When many of the current residents bought property here we did not buy into a staging area concept. There are two proposed sites for this staging area, Parcel D and an alternate site, lot 21. Parcel D creates issues for the residents of Camille Lane. They do not like the proximity to their homes as well as the added fire risk from weeds which are not kept adequately trimmed.

The residents at the end of Camille Avenue do not like the alternate site, lot 21 at the entry to the project. We have already served as the informal staging area for many years. Adding restrooms makes it even less desirable. I do feel that the new project should bear the responsibility of the staging area and provide screening for the neighbors on Camille Lane as the new residents will be buying into a situation they are aware of. I personally prefer the original proposed Parcel D site.

(l)17-6,
cont.

As I understand it the new project will be gated though the gates will be left open during the day. I am not sure why there are even gates on the development as it is not in character with our neighborhood. There are gates on some homes in the neighborhood, primarily to keep deer out, but this has never been a gated community and this changes the entire nature of our neighborhood.

(l)17-7

Speed on Camille Avenue has always been an issue. Many residents and visitors speed and the two stop signs I know of on Forest Lane and Daniel Drive are often not heeded. There are many school children and parents on foot and bikes using Camille Ave/Iron Horse Trail to get to Rancho Romero, The Creative Learning Center and San Ramon Valley High School. There are many walkers and joggers in the neighborhood. The sidewalks are in very poor shape and only on one side of the street forcing pedestrians to step out into the street to get by. Though there are small stop signs for trail users at The Iron Horse Trail crossings, cyclists and joggers rarely stop and there are many close calls. Most residents slow down and stop at those crossings but it is just a matter of time before a serious accident occurs. Additional traffic on Camille Avenue will only add to this problem.

(l)17-8

I have concerns about some of the trees slated for removal as the project begins. Some of those trees provide privacy for my property and those of others. I would very much like to have the arborist who prepared the report review those recommendations with me and any neighbors who share my concerns. There is a beautiful cedar at the trailhead which appears to be marked for removal but it is very difficult to actually see on the plans if this is the case. A few trees have already been removed due to failing health and I suspect there are several more that threaten the safety of hikers and drivers along Camille Lane and those should be considered for removal sooner than the onset of the project. I would also be interested to know who will be responsible for those trees along Camille Lane should there be any issues as we have had in the past.

(l)17-9

There are many issues regarding the effects the actual construction of this project will have on our quiet residential area and I believe those have been addressed at various meetings and in a letter from David and Tanya Aungle and many of the area residents. From my own perspective I will have a front row seat to the noise and disruption as will all of the homes bordering the project. Many of us lived here when the 680 sound wall project was run out of the office building and remember the vehicles up and down the street at all hours. Freeway lighting and other equipment was brought in to be stored on site very early in the morning and taken back out when work resumed in the night time hours. Trucks parked in the lot and drivers left two-way radios on full volume day and night. It gave many of us a feel for what a construction project could be like even though that project was not actually done on the property.

Comments on Ball Estates DEIR, SCH #2013082081
October 22, 2018

I would encourage the planners to take another look at the DEIR for this project and to address these concerns. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Marci Severson". The signature is written in a cursive style with a large initial 'M' and a long, sweeping underline.

Marci Severson

cc: Supervisor Candace Andersen, Contra Costa County, District 2
Telma Moreira, Department of Conservation and Development

Response to Comment Letter (I)17: Marci Severson

(I)17-1: This document responds to comments raised during public review of the draft EIR, including the following:

- traffic service levels (see **Master Response 5**)
- increased noise impacts (see **Master Response 3**)
- drainage impacts (see **Master Response 4**)

Refer to the responses herein regarding these concerns.

(I)17-2: Refer to **Master Response 5** for a discussion of this topic.

(I)17-3: Refer to **Master Response 1** for a discussion of this topic.

(I)17-4: Refer to **Master Response 4** for a discussion of drainage modifications proposed by the project.

(I)17-5: Refer to **Master Responses 5** and **9** for a discussion of this topic.

(I)17-6: Refer to **Master Response 1** for a discussion of this topic.

(I)17-7: Refer to **Master Responses 5, 6, and 7** for a discussion of this topic.

(I)17-8: CEQA does not consider privacy to be a protected environmental resource topic, and the loss of privacy would not constitute a significant impact.

(I)17-9: Refer to **Master Response 3** for a discussion of this topic.

From: Alice Schultz <leoxxi@comcast.net>
Sent: Sunday, October 28, 2018 5:18 PM
To: Jennifer Cruz <Jennifer.Cruz@dcd.cccounty.us>
Cc: Candace Andersen <Candace.Andersen@bos.cccounty.us>; Telma Moreira <Telma.Moreira@dcd.cccounty.us>
Subject: Ball Estates DEIR SCH #2013082081 - county file #SD13-9338

Dear Ms. Cruz,

I am writing to urge that careful consideration and mitigating solutions be given to all aspects of community concerns with regard to the subdivision and development of the proposed Ball Estates Subdivision (SD 13-9338).

You have received much community input regarding same and the community awaits your response to each concern specifically; that is, how the concern will be mitigated to the satisfaction of the neighborhood, or, if not mitigated, reason(s) why not.

COURTESY in proceeding with this project, which may continue well into the next decade, is imperative. The community should be assured of STRICT **enforceable** rules for:

- (I)18-1 | - NO construction parking in Camille neighborhood; shuttle parking for workers offsite of neighborhood if not enough on site parking available
- (I)18-1 | -Forbidding heavy equipment deliveries between 10pm-6am (no obnoxious backing, unloading racket)
- (I)18-1 | -Hours of work restriction (weekdays 8-5, NO weekends or holidays)
- (I)18-2 | -Height restrictions in place to minimize impact on existing neighbors
- (I)18-3 | -Downlighting on all access streets and landscaping to prevent light pollution throughout the surrounding neighborhood
- (I)18-4 | The above along with other issues that have been submitted and remain to be addressed by the county including Traffic Safety, Emergency Access, REALISTIC Traffic Volume Estimates, Open Space Use and Management, Staging Area, Additional Visual Resources and Aesthetics, and Drainage require further impact evaluation and should be reason enough to merit suspension of project approval pending resolution of these topics of community concern.

Sincerely,

Alice Schultz

Response to Comment Letter (I)18: Alice Schultz

(I)18-1: Refer to **Master Response 3** for a discussion of this topic.

(I)18-2: As discussed in **Master Response 2**, Mitigation Measure AES-1 would require custom homes to undergo design review to ensure consistency with the existing character of the surrounding area. This process will evaluate elements of each proposed custom home, including size, scale, massing, and setback. With implementation of this Mitigation Measure AES-1, the design review process would ensure that developed portions of the project site are visually compatible with the surrounding single-family neighborhoods.

(I)18-3: The commenter requests down lighting on exterior lighting within the project to prevent nighttime light pollution in the surrounding neighborhoods. As stated in Section 4.1, Aesthetics, page 4.1-18 in the draft EIR, Mitigation Measure AES-2 requires the exterior lighting be directed downward and away from adjacent properties and public/private right-of-way to prevent glare or excessive light spillover. Furthermore, bulbs would be limited to low-intensity lights, including lighting for identification purposes. These requirements would adequately reduce potential nighttime light pollution.

(I)18-4: This document responds to issues raised during public review of the draft EIR, including the following:

- traffic safety (see **Master Response 7**)
- emergency access (see **Master Response 9**)
- traffic volume estimates (see **Master Response 5**)
- open space usage and management (see **Master Response 1**)
- the proposed staging area (see **Master Response 1**)
- visual resources (see **Master Response 2**)
- drainage (see **Master Response 4**)

Refer to the responses herein regarding these concerns.

(I)19-1,
cont.

“box-canyon” and the proposed development will potentially add tremendous pressure on to an already impacted Camille Ave.

In light of the recent wildfires, emergency access and egress is of profound concern to our Westside neighborhood. An additional issue focuses on the Regional Park hikers parking on both sides of the road at the end of Camille Ave, thus reducing the road to one-lane. While I am aware that there is a proposal for a Staging Area that will contain 19 parking spaces; what will prevent the overflow number of cars, continuing to park on Camille Ave?

(I)19-2

A final concern involves maintenance of the Trailhead adjacent to Camille Lane. Currently and over the past several years, there remains an area of dry vegetation over six feet high, as well as multiple dead trees on the Regional Park property facing Camille Lane and between the Ball property and the trailhead. If the proposed Staging Area, is situated near the current Trailhead vs. within the development near the end of Camille Ave.; who will monitor the need for vegetation reduction that clearly impacts not only the physical safety of our homes, but also, the safety of the public?

Sincerely,

Jon and Patricia Whalen
October 27, 2018

Response to Comment Letter (I)19: Patti Whalen

(I)19-1: Refer to **Master Response 9** for a discussion of this topic.

(I)19-2: Refer to **Master Response 1** for a discussion of this topic.

*Patrick and Kathleen Galloway
137 Irongate Court
Alamo CA 94507*

Letter (I)20: Patrick
& Kathleen
Galloway

October 25, 2018

Jennifer Cruz

Department of Conservation and Development

Community Development Division

30 Muir Road

Martinez, CA 94553

jennifer.cruz@dcd.cccounty.us

RE: Ball Estate DEIR

Dear Ms Cruz,

My wife Kathleen and I have lived at 137 Irongate Court in Alamo for 39 years, raising our our family here. Our home, abutting the Ball property, continues to serve as the family gathering place for our three children and 10 grandchildren.

As you know, we have signed the Aungle's detailed correspondence of 10/15/18. We wholeheartedly agree that the proposed DEIR for the Ball project is deficient for the multiple reasons cogently set forth in that letter. As a result, we are hard pressed to believe that the project could be approved without further study of the identified concerns, particularly regarding traffic, fire and safety issues.

(I)20-1

Based on the DEIR and our attendance at the various MAC meetings regarding the proposed long term development, it is clear that the first homes to be constructed will be built behind our home, as well as well as the other homes on the westside of Irongate Court. This

raises significant concerns about our continued privacy, our view of Las Trampas Ridge, the loss of trees and sunlight, and the overall aesthetics that add to the inherent value of our properties.

(l)20-1,
cont.

The current elevation of the Ball orchard is higher than the lots on the west side of Irongate Court. In an apparent effort to combat the drainage and flooding issues from the orchard, well known to the Balls and neighborhood homeowners, the DEIR proposes significant earth movement. The proposal to level and raise the east side of the orchard, placing pads for new homes well above the current orchard level, will directly impact our residences. Raising the elevation, building a six to eight foot fence, and a two story home would significantly impact our privacy, views of Las Trampas Ridge, the overall aesthetics and, importantly, the property values of all the homes on the west side of Irongate Court. This significant issue was very well articulated in the Aungle letter (Page 7, paragraph 8) and will not be repeated herein. However, those potentially significant impacts should be analyzed as part of a revised DEIR. They should not be delayed to a later stage of County review. If the project is allowed to go forward, as currently outlined in the DEIR, and the infrastructure completed by the Balls, we believe that there should be specific guidelines and limitations in place for any future homebuilders, to protect the aforementioned concerns of the Irongate neighbors.

(l)20-2

Please consider these issues in evaluating the obvious need for additional information before approving the DEIR.

Sincerely,

Patrick and Kathleen Galloway

CC: Candace Andersen candace.andersen@bos.cccounty.us
Thelma Moreira thelma.coreira@dcd.cccounty.us

Response to Comment Letter (I)20: Patrick & Kathleen Galloway

(I)20-1: CEQA requires an EIR to analyze public views of scenic resources. For example, Section 4.1, Aesthetics, Figure 4.1-3, in the draft EIR, depicts views of the project site from public vantage points along Underhill Drive and Ironwood Place. However, CEQA does not consider views from privately-owned locations as protected resources. Therefore, the loss of private views would not constitute a significant environmental impact. Similarly, privacy is not a protected environmental resource and the loss of privacy would not constitute a significant impact under CEQA.

(I)20-2: As noted in **Master Response 2**, the project site would contain 35 residential lots ranging from approximately 20,000 square feet to approximately 52,000 square feet in area. Each of the 35 residential lots would be sold and developed with custom single-family homes on a lot-by-lot basis. Given the custom nature of the future single-family homes, the exact size and height of each structure is yet to be determined. To ensure visual consistency with the existing character of the surrounding neighborhood, Mitigation Measure AES-1 (page 4.1-17 in the draft EIR) would require custom homes to undergo design review to evaluate specific elements of each proposed custom structure, including size, scale, massing, and setback. The requirements stipulated in this design review process would ensure that developed portions of the project site are visually compatible with the surrounding single-family neighborhoods.

The design review process would be developed by the County after environmental approval but prior to the issuance of grading permits for the project. However, the specific guidelines and mechanisms related to this process do not require formal assessment as part of this environmental analysis. The current design review requirements, as stipulated by Mitigation Measure AES-1, provide sufficient detail to reduced potentially significant aesthetic impacts to a less-than-significant level.

Comment on Draft EIR Ball Estates Project – Country File Number SD13-9338

October 29, 2018

David Hammond

330 Canterbury Ct

Alamo, CA 94507

925 938-0503

Dhammond125@live.com

Letter (I)21: David
Hammond

Comments:

In my opinion the Draft EIR is inadequate in a number of specific areas related to the Biological Resources section in particular.

(I)21-1 | First an observation and overview: The entire Biological Resources section seems to be a carbon copy of the applicant's report rather than the county actually providing any actual analysis of their own. It seems the county basically accepted the applicant's report and just said "sounds good to us, go for it". It reads as if no new mitigation requirements are necessary. It allows nebulous language regarding actual impacts and mitigation measures, instead suggesting that actual mitigation will be determined in the future. It also suggests some possible need for offsite mitigation requirements but then in some instances does not clarify that some of this offsite mitigation is not even available in Contra Costa County. This is a lazy and irresponsible approach to a beautiful and important piece of property.

Section 4.4-39 Wetlands

(I)21-2 | The project would require the relocation, fill and restoration of 223 linear feet of seasonal creek and 295 feet of creek restoration and relocation. The language in this section suggests the State and Federal agencies will require avoidance, minimization, and compensatory mitigation for the loss of wetland habitat and yet there is no detail provided on such mitigation.

(I)21-3 | For example, in Mitigation Measure BIO-6a there is a broad list of replacement ratios of trees and a suggestion that a detailed riparian restoration plan will be created and yet there is no detail of what types of trees will be removed and what types replaced. Furthermore, there is no mapping of where these new trees will be planted and if there is adequate and proper siting available. Relying on words such as minimizing impacts and then failing to provide actual mitigation detail is unacceptable.

(I)21-4 | In Mitigation Measure BIO -6b the discussion of wetlands is also vague and bordering on negligent. Mitigation will be accomplished within the project site (where exactly?) or using an approved wetland mitigation bank or at another location within the Walnut Creek watershed. I am not aware of an approved wetland mitigation bank serving Contra Costa County. So, when exactly will the impacts and then the mitigation requirements be established?

(I)21-5 | On a broader basis the entire discussion of tree and shrub removal is inadequate. In Mitigation Measure BIO 6a the first sentence is "The removal of riparian trees and shrubs will be avoided and minimized to the extent feasible." Seriously? This is not a mitigation measure. It is a vague statement and in no way adequate for an EIR. What shrubs, what trees,

(l)21-5, cont. | how many, where are they located and what is the impact? Where will they be replaced? What kinds? Is there adequate space for the replanting and appropriate locations?

(l)21-6 | In Mitigation Measure BIO 6b the first sentence is "The fill of jurisdictional wetlands and unvegetated other waters will be avoided and minimized to the extent feasible." Again, where is the plan? What are the impacts and the resulting mitigations? This is all vague and there is no clarity on who decides what is avoided and then what mitigation is required. The county needs to be held to a higher standard than just rubber stamping the developer's Biological report.

(l)21-7 | In section 4.4-43 there is discussion of tree removal. Approximately 469 trees are proposed for removal including "several protected trees". What are those protected trees? Where are they and what exactly is the mitigation? This is also vague.

(l)21-8 | Due to size limitations, the lower portions of the project site may not be reasonably capable of supporting mitigation trees. It could result in overcrowding and prohibit safe development of the house sites. So why not reduce the number of lots? Their solution is to suggest that maybe larger sized trees could substitute for less trees being planted. Is this a viable approach? Taken to the extreme would our county accept the removal of 469 trees and then the replanting of one enormous tree due to the enormous box size of the tree? Would this be adequate mitigation? I think not. This whole discussion of replacement trees is inadequate. Some trees require 2 or 3 times the number removed as replacements and again where exactly will these be planted?

Unless the property can handle the actual mitigation requirements the project should be downsized and developed appropriately for the site. There is so much vague language that nobody can tell what impacts to expect and what mitigation measures will be required. And where this mitigation will occur, on site or elsewhere within Contra Costa County.

Just because a developer proposes 33 houses on a site does in no way suggest that number is appropriate. This site may only justify 20 houses and a draft EIR is supposed to help determine the appropriateness of the development plan. This Draft EIR is too vague in impacts and wishy-washy in mitigations.

(l)21-9 | One last comment is regarding remedial grading impacts. This is also an area where significant impacts will occur both in grading of the lots and streets but also in staging area impacts, creek restoration and remediation impacts and yet the amount and locations and degree of impacts are vague. When the impacts are vague then how can you even begin to identify proper mitigation measures.

I would urge the County to review the creek fill impacts, the tree and bush removal impacts and all grading impacts with an eye toward more detail and then requiring proper mitigation for these impacts.

Response to Comment Letter (I)21: David Hammond

(I)21-1: The applicant's biologists (Judy Bendix, M.S. Wildland Resource Science, U.C. Berkeley and Mark Jennings, Ph.D. Wildlife and Fisheries Science University of Arizona), who are experts in the fields of biological resources assessment, state and federal wetlands, and endangered species acts regulatory compliance and herpetology, possess the credentials to evaluate the project's impacts. The assessment of impacts is contained in Appendix C of the draft EIR, which includes the Biological Resources Report, Ball Family Property, 333 Camille Avenue Alamo, Contra Costa County (Mosaic Associates, April 2013, revised June 2016). This report was peer-reviewed by the County's expert biologists, the results of which were used by the County to prepare the biological resources section of the draft EIR. The draft EIR represents the County's determinations after an independent review of materials.

The level of detail in mitigation measures identified by the draft EIR and associated biological resources report is sufficient to prevent potentially significant impacts to ensure protection of biological and aquatic resources. As noted by the comment, Section 15126.4(a)(1)(B) of the CEQA Statute and Guidelines state the following: "formulation of mitigation measures should not be deferred until some future time". However, Section 15126.4(a)(1)(B) continues to state: ". . . measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way."

(I)21-2: As acknowledged in Section 4.4, Biological Resources, in the draft EIR, the project would require the relocation, fill, and restoration of approximately 223 linear feet of seasonal creek on the project site. Approximately 295 linear feet of creek channel would be created where the creeks would be relocated and restored through the removal of existing culverts. As described on pages 4.4-40 through 4.4-42 in the draft EIR, Mitigation Measure BIO-6a and Mitigation Measure BIO-6b would reduce impacts through the creation and enhancement of aquatic habitats with habitat functions and values greater than or equal to those that will be impacted by the project. These mitigation measures acknowledge that such mitigation would occur within the project site, at an approved wetland mitigation bank, or at another location within the Walnut Creek watershed approved of by the USACE, RWQCB, and CDFW.

The level of detail in mitigation measures identified by the draft EIR and associated biological resources report is sufficient to prevent potentially significant impacts to ensure protection of biological and aquatic resources. As noted by the comment, Section 15126.4(a)(1)(B) of the CEQA Statute and Guidelines state the following: "formulation of mitigation measures should not be deferred until some future time". However, Section 15126.4(a)(1)(B) continues to state: ". . . measures may specify performance standards which would mitigate the significant effect of the project and which may be accomplished in more than one specified way."

The mitigation measures within this draft EIR provide quantitative standards specific enough to ensure sufficient protection of environmental resources. For example, Mitigation Measure BIO-6b (page 4.4-41 in the draft EIR) would require a minimum 1:1 replacement ratio for wetlands and surface waters impacted by the project. Mitigation Measure BIO-8 (page 4.4-44 in the draft EIR) would require a 3:1 replacement ratio for trees removed within riparian corridors, a 2:1 replacement ratio for drought tolerant trees, and a 1:1 replacement ratio for non-drought tolerant trees. By defining such precise standards, this method of mitigation assignment is consistent with CEQA requirements regarding the mitigation of potential environmental impacts.

Furthermore, authorization for modifications that could affect aquatic resources are regulated by Sections 401 and 404 of the Clean Water Act and Section 1600 of the California Fish and Game Code. The removal of riparian vegetation is also regulated by CDFW under Section 1600 of Fish and Game Code. As such, the project would be required to comply with all relevant permitting processes established by CDFW, ACOE, and USFWS.

(I)21-3: As noted in the **Response to Comment (I)22-2**, the draft EIR anticipates that the consultation process required to fulfill state and federal regulations will result in riparian mitigation sufficient to meet CEQA, California Fish and Game Code, and other regulatory requirements.

Impact BIO-6 (page 4.4-39 in the draft EIR) notes that more than 30 riparian trees will be removed, and the Arborist Report by Joseph McNeil (Appendix D in the draft EIR) specifies the species and size of tree removals by lot number and staging area. This, coupled with Figure 4.4-1 (which shows the location of Drainages 1 and 2) provides an adequate means of assessing the location of tree removals.

As noted in **Response to Comment (I)22-1**, Mitigation Measure BIO-6a (pages 4.4-40 and 4.4-41 in the draft EIR), specific requirements that must be met for riparian mitigation to be accepted by the County as sufficient. The Riparian Restoration Plan required under Mitigation Measure BIO-6a will include prescriptive measures for the number of trees, species and location of mitigation plantings as well as performance standards, monitoring requirements, management activities and responsible parties.

(I)21-4: As noted in Section 4.4, Biological Resources, page 4.4-2 and Figure 4.4-1 in the draft EIR, the onsite wetland mitigation would be created in the open space area along Drainage 1. The draft EIR also notes that regulatory agency approval will be required prior to the fill of waters of the U.S. Impact BIO-6 (Section 4.4, Biological Resources, page 4.4-39) establishes that authorization for the discharge of fill into waters of the U.S. and State will be required under Sections 401 and 404 of the Clean Water Act and Section 1600 of the California Fish and Game Code. Furthermore, Mitigation Measure BIO-6b outlines the process and strategy for establishing wetland mitigation. Mitigation consistent with the draft EIR and agency requirements will become conditions of the regulatory permits, and Section 3.5, Project Description (page 3-7) in the draft EIR specifies that wetland mitigation would be accomplished concurrent with, or prior to wetland fill.

(I)21-5: Refer to **Response to Comment (I)21-02** regarding the sufficiency of draft EIR mitigation measures to protect trees and riparian vegetation. A riparian restoration plan, as specified in Mitigation Measure BIO- 6a (page 4.4-40 in the draft EIR), states that replacement plants will be within the project site or at an alternative location approved by the CDFW. A Tree Replacement Plan as described in Mitigation Measure BIO-8 (page 4.4-44 in the draft EIR) will describe planting locations, species, sizes, and implementation protocol consistent with the performance standards set forth in Mitigation Measure BIO-8. Please note, the foregoing performance standards include specific replacement ratios, and the arborist charged with implementing Project mitigation must follow the standard protocols set forth in the American National Standards Institute (ANSI) A300 Standard, Part 5 (2005) and the International Society of Arboriculture's publication Best Management Practices: Managing Trees During Construction (2008), as required on pages 4.4-40 to 4.4-41 in the draft EIR.

(I)21-6: Impact BIO-6 in the draft EIR (page 4.4-39) provides sufficient and specific detail on stream channel and wetland impacts, and Figure 4.4-1 (Section 4.4, Biological Resources, page 4.4-3) shows the location of the drainages and wetlands as well as lots in which development will occur, including the

wetlands in the eastern corner of the project site. Additional details on the location and size of potentially jurisdictional features are provided in the Delineation and Preliminary Jurisdictional Determination of Wetlands and Other Waters of the U.S. Under Section 404 of the Clean Water Act for the Ball Property, Alamo, Contra Costa County, CA (Appendix E in the draft EIR). Refer to **Response to Comment (I)21-2** regarding the sufficiency of mitigation measures to protect wetlands.

(I)21-7: All of the native and non-native trees on the project site enumerated in the draft EIR, including those trees designated for removal, are protected per the County's Tree Protection and Preservation Ordinance discussed in draft EIR Section 4.4, Biological Resources, Subsection 4.4.2. Various trees warrant enhanced protection because they are located, for instance, in riparian habitat, and this issue has been explained under Impact BIO-8 in the draft EIR, starting on page 4.4-43. Criteria used to identify protected trees, as well as their locations, are included in Appendices VI-VII of the Arborist Report (Appendix D of the draft EIR). Mitigation requirements are set forth in Mitigation Measure BIO-8 (page 4.4-44 in the draft EIR) include fixed mitigation ratios and the incorporation of protocols set forth in the American National Standards Institute (ANSI) A300 Standard, Part 5 (2005) and the International Society of Arboriculture's Best Management Practices: Managing Trees During Construction (2008).

(I)21-8: Refer to **Response to Comment (I)21-02** regarding the sufficiency of draft EIR mitigation measures outlining tree replacement. Refer to **Response to Comment (A)5-7** for additional information regarding tree replacement.

(I)21-9: As discussed in Chapter 3.0, Project Description of the draft EIR, project construction would require mass grading across the northeastern approximately 20 acres of the project site to create utility infrastructure, the staging area, and lots for new custom homes. The lower portion of the project site would be regraded prior to construction of new homes. In total, approximately 26,000 cubic yards of material would be excavated and balanced on the project site. This draft EIR anticipated such mass-grading activities as part of the environmental evaluation regarding impacts to creeks within the project site. The arborist has reviewed this plan, identified the trees for removal and retention, and provided comments on trees affected by grading that are to be retained, as reported in Appendix D of the draft EIR. Implementation of Mitigation Measures BIO-6 and BIO-7 (page 4.4-40 through 4.4-43 in the draft EIR) would avoid, minimize, and mitigate potential impacts to on-site creeks that result from mass grading on the project site. Refer to **Response to Comments (I)21-2, (I)21-6, and (I)21-7**, for information on creek and tree impacts and mitigation.

**TRANSCRIPTION OF PUBLIC COMMENTS RAISED AT THE ZONING ADMINISTRATOR MEETING HELD ON
OCTOBER 15, 2018**

Richard Lockey:

Good afternoon, my name is Richard Lockey. I'm a CEQA practitioner and an Urban Planner. I was retained back when the County first received the preliminary application on behalf of the Ball Estates to exam the environmental issues potentially effecting a group, a very large group of residence living in the surrounding neighborhood to the north, to the east and to the south. Today, you received a 16-page letter from those neighbors prepared by Mr. David Aungle, who is here with me this afternoon. I want to make it clear the residents who live in the area, neither oppose or support the project, but rather are concerned that the Draft EIR that has been prepared is woefully inadequate in terms of addressing potentially significant effects and also effects that are identified by the significant that simply haven't been analyzed at a level to expose the degree of significance. Their letter identifies 9 major issues that the analysis failed to adequately go through.

(I)22-1

And in particular there is a strong focus on an absence of traffic and safety analysis of congestion and that would occur along the Camille Avenue corridor and by the way their letter includes a number of useful photographs that have notations on them, so that the hearing officer perhaps following this hearing can look closely at the character of Camille Avenue. There is also concern about related construction activities that come with the project, about esthetics and lastly about the issues that effect drainage.

(I)22-2

The requests that these folks have submitted to you as the Zoning Administrator, is that you direct the preparation of the revised Draft EIR and analyze the specific issues dealing with the Camille Avenue corridor, traffic from all components of this project, not just the 35 homes that are defined as part of the application, but the additional housing that are made possible by this application. The operation of the staging area, the construction traffic that will occur what the Draft EIR estimates this as a 10 year period and the cumulative effect of all of those things on a dead end street system with parking along both sides of it. Very poor visibility, especially for pedestrians and bicyclists and also where the Iron Horse trail crosses. There is a whole series of unsignalized intersections along the Camille corridor that simply weren't even looked at in the draft EIR. So it's not surprising that this analysis fails to contemplate the significant effects that might occur from all components of this project over time let alone look at ways of avoiding or minimizing effects.

(I)22-3

The comments of this letter and I'm hear largely just to highlight the important issues to bear of significance. Also include concerns over esthetics, blocked views of Las Trampas ridge that the DEIR did not contemplate. One of the reasons the draft EIR did not contemplate these effects is that it deferred improperly deferred, analysis of the future construction that these initial entitlements would facilitate. In other words, approval of this subdivision was not submitted hand in hand with plan with the building heights and mass and scale of future homes. And so the effects of that subsequent development were not taken into consideration. That's improper under CEQA.

(I)22-4

The Draft EIR did not look at the issue of safety particularity to kids coming and going to school during the peak periods occur along this Camille Avenue corridor. The Draft EIR focused on signalized and unsignalized intersections along Danville Blvd.

(I)22-5 | The staging area operations were not looked at very closely.

(I)22-6 | In particular some of the safety related issues and parking overflow issues and parking overflow issues, use of public restrooms, access to the facility over narrow dead ended streets and drainage. This is a rather complicated issue and while Aliquot, the engineer for the applicants, did do a study, they base their analysis on 50 year old climate data which did not take into account new recorded information about peaked storms, 10 year 100 year storms that folks that live in that neighborhood understand fully have gotten much worse. It did not take into account because of this deferred analysis issue, that I raised a moment ago of the larger than 1960 typical home sizes that this project will bring and therefore the additional incurious areas and peaked runoff and sustain runoff that the project would bring. And lastly, with respective drainage, it did not look other than anecdotally from 1960 data at the capacity of the downstream drainage system. Not it's original design capacity but how if functions today. And whether or not it can manage, not only peak flows but sustain larger flows from the project once it's fully built out. This is a major area of concern not just looking at the initial approval of a subdivision of land, but the long term effects of building homes, operating the staging area.

(I)22-7 | What happens when the HOA takes title to these 40 plus acres of open space and contemplates recreation improvements there. Traffic related to those. These issues simply weren't looked at.

So again, I'm going to wrap up by saying our requests that the hearing officer directs the preparation of the amended draft EIR that begins with a county prepared traffic and safety study of the Camille Avenue corridor and then looks at these other issues as well. You will hear next from several of these folks who took time off from their work schedules and other commitments to focus on specific issues. Again I want to emphasize that there is at least 35 different families who have signed this letter who don't understand the County process, they don't understand the public resources code and CEQA. And they are looking to view the hearing officer, not to approve or deny this project. We understand what the process is, but rather to make sure there is an adequate base of information to fully judge significant effects that haven't been looked at here. Thank you.

David Aungle:

I brought with me a signed copy of the letter that I sent this morning. I live at 1001 Ironwood Place, which adjoins the Ball Estate. I would like to reinforce a few of the points that Mr. Lockey just made.

(I)22-8 | The first is that the omission of safety on Camille is really a big concern. The Ironwoods, as an example, the Ironwoods is actually with Camille, is one of today is blind, when you turn on to Ironwood from Camille, when you turn off of Ironwood onto to Camille, the visibility is limited. That is already a safety hazard and one that I think will be made worse by the additional traffic, that we will see with the development of this project. And the additional homes once it's completed. We are just surprised that not included in the traffic study. So the whole issue of safety along the Camille corridor I think that's a concern but on the streets as well like Daniel for example the other end of Camille where traffic comes off of Danville Blvd, spins around the corner onto Camille and then there is an immediate intersection with Daniel. So the concern for residents there is what is the impact going to be on safety of this project and how it's being analyzed. We don't see it being analyzed.

(I)22-9 | The staging area. The staging area. So the EIR includes, suggests that a typical parking day is a 14 vehicles on a weekend. For those who are accessing the trail end. And for those who lived there we

(I)22-9,
cont.

know that number is an understatement. It's not unusual to have over 20. I have a neighbor who have counted 28 I haven't counted that number myself but I have a neighbor who have counted 28 on some days. It's not only on weekends but it can be during the week as well. So we would like to see incorporation to the assessment for both the size of the staging area because that effects overflow and we are not clear from the EIR or the expectation of where the overflow parking would go to. But it ends up back on Camille and ends up on the same safety issue that we have right now with parking on both sides of the street. People parking their cars accessing the trail, a single flow traffic being possible through the middle of those two lines of parked cars. And overflow parking is an issue and a concern.

(I)22-10

And then finally, I want to highlight the issue of emergency evacuation. So we have today everybody who lives off the Camille corridor if there were a wildfire in our area, we would have to evacuate down Camille. There are no other way to exit from the community. And if you live on Camille Lane then you have to evacuate the area through the single lane road which is Camille Lane. And that is a major safety concern for the residents living there. We see the project is making essentially taking a bad situation and making it worse and there is no provision for mitigating that impact that we can see in the Environmental Impact Report.

(I)22-11

So um back to the staging area its important. The reality of how they the trail has use today is that people arrive as often as early as 6:00 in the morning, I know because I hear them. Their cars beeping and closing the conversations beginning in the street. And it's not clear as the parking area as defined or designed in the project plan is that going to be accessible as early as 6:00 in the morning. And if not where is the where is these people going to park. So it's just not a question of accessing the new staging area through the gates of the gated development ***** for example someone ***** one of the real conditions on the ground. The reality is it needs to be accessible or it needs to be some **** where people can park as early as 6:00 in the morning. And those are the issues I'd ***** . Thank you.

Ken Roland:

Good afternoon. Ken Roland 156 Camille Avenue. I have a front row seat on this project. I will limit my comments to two areas, traffic that I don't think was fully covered in the impact report and drainage and retention. I know Dick touched on both of these but I'll put in a little color commentary. I want to start with a review of the street layout and along Danville Blvd. in Alamo. I know that you are familiar with it but I think a shared mental image is helpful. So Danville Blvd is pretty much North and South. The streets that run west of Danville Blvd. are like a row of trees with roots on Danville Blvd., a trunk and branches. The branches don't connect so the only way in and out of these neighborhoods is the trunk. Camille Ave is the trunk for neighborhood for 220 homes. Ironhorse trail crosses Camille Avenue. From there its about a ½ mile to Rancho Romero Elementary School. Our neighborhood children go to school, come back from school, bring their friends home from school without ever using a motorized vehicle. They use bicycles, scooters, they walk. The younger ones often times are accompanied by a parent or grandparent, probably on a bicycle. But I don't think that's been addressed. It's not a vehicle that goes through a stop light anywhere. The elementary school ½ mile up is our polling place. In about 3 weeks, I will walk up to the Elementary School and cast my ballot in the November election. I'll be joined by many of my neighbors. It's an active area, there are walkers, joggers, bicycles people walking dogs. They are in the neighborhood or they are going to the regional park, which I think is Madrone Trail at that point. Or they are going on Ironhorse trail or over to Hap McGee Park. Ironhorse trail within 1 mile

either direction there are two Starbucks, numerous café's, shops, 2 farmer markets, 3 grocery stores and 2 schools at least. You know you could get a cup holder for a bicycle I saw those on Ironrose trail and I immediately bought one for myself, only it was on Amazon, speaking of Amazon there are delivery trucks, UPS, Fed – Ex, Amazon, one way up the trunk, in and out of the branches up and down in and out. Same with the utilities, PGE, Comcast, ATT, the tradesman, the landscapers, the housecleaners, the pool service and you know all of these go up and down and in and out and will have to go up to the new development adding more up and down and in and out. There is a pedestrian crossing at Camille Avenue and Danville Blvd. with direct access to Hap McGee Park. People walk their dogs up to the dog park, parents and grandparents take strollers with the kids through that so up and down in and out of the Camille what I am calling trunk. There is a horse crossing at Danville Blvd. You can park your horse trailer at Hap McGee ride the horse down, press the horse crossing button, and ride your horse up the Camille Avenue trunk, and on to that Madrone Trail. I see it on a regular basis. Now a word about Republic Services at the MAC meeting I took an unfair shot at Republic Services. Frankly they have a tough job. It's a big truck and these branch streets are dead end. Many of them do not have any ability to turn around at the end so Republic Service has to back up that big truck, down the dead end branch, back out to Camille Avenue, do a 3 – point turn, back down the next ****, in and out, up and down, 3 point turn, green truck, the blue truck, the black truck and I'm going to count one of these days, I think there are more 3 trucks involved. They are out, someone is laughing, they are out there all day long, in and out, up and down and they will be added to the new development too.

(I)22-12 | Kind of in summary of this part in my opinion, 449 trees, **** does not address the impact on this neighborhood. I am very concerned about the drainage and the retention. I'm glad to see retention is part of the project. I have questions about it. Let me say that I work 32 years for a major railroad. Between 1990 – 2009 when I retired, we experienced 2000 year floods. You'd think I'd be a little young to see 2 thousand year floods wouldn't you. I was in Kansas City in 1977. I will read you from the National Weather Service about the Sept 12th, 13th 1977 storms. As a result of two separate rainfall events occurring 8 to 12 hours apart, each of which exceeded the hundred year 24 hour rainfall standard, a total of up to 16 inches of rain fell in some sections of the metropolitan area. The first storm saturated the ground and caused a greater part of the second rainfall to run off resulting in peak discharges well in excess of the hundred year recurrence interval. Southern California 1980, first there was a fire on the hills, and it was a rainy year and there were a big retention pond. Three big rain storms, first one filled the retention with mud and it got cleaned out. Second one filled the retention with mud and it didn't get cleaned out. Third one had no where to go except in the neighborhood and destroy a lot of homes. And finally a little closer to home, you guys are familiar with the San Jose Creek 2017. You know in the railroad, in the real estate industry, I'm told there is a statement locaton, location. In the railroad industry it was drainage, drainage, drainage. So is it climate change or is it me? Seems like everywhere I go I've got a thousand year flood, 2 100 year rains in the same day, I am very concerned about the drainage. I'm glad to see a retention basin, I don't know if it's big enough I don't see who is responsible for keeping it clean. It's there to catch silk, it's there to catch mud. If it's not cleaned out urgently, over the top it will go. David is between me and retention basins so maybe he'll block some of it. That ends, I restricted it to those 2 things. Tahnk you so much.

(I)22-13 |

John Retten:

I live on Ironwood Place. So to use the analogy of the previous speaker, you have these tree on Camille. You go ½ mile away, you have Hemme off of Danville Blvd. the same tree. So what happens is that you go to the Rancho Romero's school on the tree on Hemme, there are sidewalks up to that. There are no sidewalks after that, where most of the people live. By far. You come to the end of Hemme and all of a sudden the County stops. And we as the owners of the homes beyond that have a private road. It goes up a hill and then spreads off Ironwood Place, there are new homes being built up there. The Park District has a staging area up there, an entrance and then you come to Ironwood Place, the last limb going over. That limb going over is going to connect to the Ball Property. I've been there for 34 years and that private road has been there at least 35 to 40 years. And we are here representing, I'm here representing all those people on that part of the private road.

(I)22-14

We have worked with the Ball Family, we have worked with the County Supervisor and her office, we have worked with the Fire Chief, we've worked with the Sheriff, we've worked with everybody. I have had meetings with the County Administrator and we have tried to come up with a solution with an emergency evacuation. That is the end of our private property, we would put in an emergency evacuation gate. And we would give keys to the Fire Chief, Fire Departments to Emergency vehicles to the police department. We would also give to the neighbors both on the Ball Estate and on to ours. So if there was a need, then they could get through. We have followed to a T your honor, that we have done what the Sheriff and the Fire Chief have specified that would make them happy and especially the Fire Chief has signed off 4 or 5 years ago on our plans for the gate. Now the question has come up, "well what about having in that fire gate, or the EVA gate, have pedestrian walk way". There are five reasons which I just presented to you why we would oppose that.

(I)22-15

The biggest one is the safety of the school children. What people don't realize without going on that street, on Hemme, when we start our private road and go up that hill, there are not children that can really walk, ride their bikes up there. A recent member of a prestige person you'd all recognize just took their children and tried it. They couldn't get their children up very far. Importantly, there are no sidewalks, no sidewalks to the east, going towards San Francisco, going up that private, the County road, and then up the private road and down the Ironwood Place. There are not sidewalks whatsoever. So the children couldn't walk there. Now going up that hill is very critical for people to understand. If someone has a guest and someone parks their car outside on Hemme on that hill there is no way that you can pass, except going single file. It's dangerous. And there is no way the children could walk there safely. And people who think we should do that just have not thought through the safety of children. There is no one in our neighborhood who even has children at Ranch Romero school and I'm personally putting in my own personal thought that someone who is going to buy a home in the Ball Estate probably is going to be a pretty expensive home. I don't know how many of them are going to have young children. The answer is really to go down Ironwood Place that they have, we have worked with the County, Administrator's Office to put in safety guards. And they're there. And we have improved the safety and we all are inconvenienced as neighbors at the end of school there, you can barely walk, you can barely drive through very slowly, like 2 miles an hour between the cars going up to Rancho and the cars going back to Danville Blvd. It is not a safe situation but there are sidewalks there to get them down to Ironwood Place and the kids can walk back to Camille. So um to make sure I, by the way we even paid not only the pavement of our roads, we paid for the lights on our streets. We pay for everything. The County came down by mistake and wanted the street cleaned and we stopped them. We are a private road we do not want any question that the County has any responsibility for us. And we've stopped

(I)22-16

them. Another point is that you put in a pedestrian walkway, then there is a concern among all of us, those who want to come and hike would come up our street and our private road and park in front of our homes and go through there and go through the Ball Estate to avoid a staging area off of Camille. Now we have had some real security concerns. And we think that if you put a pedestrian walkway through there our safety is lessened. And the Sheriff and his people have been out there and for years they have told us we are right. Let me give you 3 quick examples. One just happened. Vallejo Police Department in plain clothes came down trying to find somebody who stolen a car, ran up the Ball Estate and crashed the car then head off up in the hills, Parcel B, C, D and they came knocking on our homes and all the homes along the fence. Trying to find out had we seen this person. At 10:00 at night. You know what happened? He got away. In mean time, they brought helicopters the next day, we had police trying to search that. They did not find him, he escaped. Now we want a tall fence along there, do you know why? Because the next door neighbor right where that gates going to be had someone jumping over the fence, into their backyard ready to raid it. The parents came out and said "what are you here in our backyard for?" "oh we are looking for our lost dog". The top of Hemme on a private road, we just had a situation where two other people came and cased the place at 11:30 and started to break in and the women was in her bathrobe and didn't know what to do, her husband somehow showed up and scared him us. These are recent situations, we do not want to decrease our safety. We worked hard on that private road and we think a pedestrian walkway would enhance the danger to children and it would endanger us. We are more than happy and we work carefully for years to make sure that you are going to have a *** to get people in and out of. And people will have that protection. Thank you very much.

Kelly Conelly: Hi I'm Kelly Conelly, I'm at 121 Irongate Court. And I think I have a unique perspective in most of my neighbors that have spoken have lived here for 30 years, 20 years and I've just bought my house in January. So I went to the MAC meeting that was obviously very well attended, standing room only with my neighbors and I didn't speak then because I was just kind of learning about this but I heard the concerns so I'll be brief today. And I promise actually be very brief.

(I)22-17

I wanted to request the consideration around the design restrictions. I do live in one of the house that will be back to back with the new homes. And a couple of my neighbors brought up the fact that there is a suggestion to have the homes behind where I am actually be built up.

(I)22-18

Which not only has drainage concerns but I know that's a selfish request but kind of a golden rule request like if anyone lived in anyone of those houses I don't think they'd want a giant 2 story house looking into theirs. So I wouldn't imagine it would impact the success of the project just to have houses be one story or have a design restriction.

So again I know that's just a self serving for myself and my four neighbors that will be impacted but would ask for that consideration and second I'm part of the letter so I think it's eloquently written and I trust that you will read it and look into those comments but fire, traffic and drainage.

(I)22-19

My neighbor next door said mud drains into his yard. I haven't experienced that yet but he did mention the Ball family was very gracious and took care of that. But lets not ignore that they are our potential drainage issues.

(l)22-20

I think that needs to be really validated and what I got from the meeting when they talked about traffic, I was the neighbor this was the first time I heard they said 14 cars on the weekend. I have never counted I just moved there in January. I notice it's busy. But I'm the one who counted the last couple of weekends, 23 cars, 27 cars so again I don't think they are trying to anything wrong by saying there is 14 cars, its just not accurate so with the potential of the negative impact that can come, positive and negative.

I just ask that those things be considered and I think they did a nice job. Just asking a little bit more information. I don't think any of us, certainly not as a resident and I don't think the Ball family would want to be part of something that had some negative impact, whether it is traffic all of a sudden something happens to children or with fire, so just to make sure those things are mitigated so that's why I took the time to come here today just to voice that simple concern that things be really taken care and concern on this project. So thank you.

Response to Comment Letter (I)22: Transcription of Public Comments Regarding the Draft EIR Raised at the Zoning Administrator Meeting held on October 15, 2018

(I)22-1: This document responds to issues raised during public review of the draft EIR, including the following topics:

- traffic safety (see **Master Response 7**)
- emergency access (see **Master Response 9**)
- traffic volume estimates (see **Master Response 5**)
- open space usage and management (see **Master Response 1**)
- the proposed staging area (see **Master Response 1**)
- visual resources (see **Master Response 2**)
- drainage (see **Master Response 4**)

Refer to the responses herein regarding these concerns.

(I)22-2: This document responds to issues raised during public review of the draft EIR, including the following topics:

- traffic safety (see **Master Response 7**)
- new traffic trips generated by all components of project construction and operation (see **Master Response 5** and **Master Response 6**)

Refer to the responses herein regarding these concerns.

(I)22-3: Refer to **Master Response 2** for a discussion this topic.

(I)22-4: Refer to **Master Response 8** for a discussion of this topic.

(I)22-5: The project proposes staging area for public parking and access to the adjacent EBRPD property. The draft EIR analyzes all construction-period and operational impacts associated with this staging area.

(I)22-6: This document responds to issues raised during public review of the draft EIR, including the following topics:

- traffic service levels (see **Master Response 5**)
- traffic safety (see **Master Response 7**)
- construction (see **Master Response 3** and **Master Response 6**)
- parking (see **Master Response 5**)
- emergency access (see **Master Response 9**)
- open space usage (see **Master Response 1**)
- visual resources (see **Master Response 2**)
- the proposed staging area (see **Master Response 1**)
- stormwater runoff and drainage (see **Master Response 4**)

Refer to the responses herein regarding these concerns.

(I)22-7: The project would not develop the approximately 41 acres of open space west of the project site, which would be protected from future development.

- (I)22-8:** Refer to **Master Response 7** for a discussion of this topic.
- (I)22-9:** Refer to **Master Response 1** for a discussion of this topic.
- (I)22-10:** Refer to **Master Response 9** for a discussion of this topic.
- (I)22-11:** Refer to **Master Response 1** for a discussion of this topic.
- (I)22-12:** Refer to **Master Response 4** for a discussion of this topic.
- (I)22-13:** Refer to **Master Response 4** for a discussion of this topic.
- (I)22-14:** Refer to **Master Response 1** for a discussion of this topic.
- (I)22-15:** Refer to **Master Response 7** and **9** for a discussion of this topic.
- (I)22-16:** Security is not an environmental resource protected by CEQA.
- (I)22-17:** Refer to **Master Response 2** for a discussion of this topic.
- (I)22-18:** Refer to **Master Response 2** for a discussion of this topic.
- (I)22-19:** Refer to **Master Response 4** for a discussion of this topic.
- (I)22-20:** Refer to **Master Response 5** for a discussion of this topic.

Letter (I)23: Susan Rock/
Alamo Municipal
Advisory Council

From: Susan Rock <bocceballer@yahoo.com>
Sent: Monday, October 29, 2018 4:47 PM
To: Jennifer Cruz <Jennifer.Cruz@dcd.cccounty.us>; Telma Moreira
<Telma.Moreira@dcd.cccounty.us>
Cc: Jen Quallick <Jen.Quallick@bos.cccounty.us>
Subject: Comments to Draft Ball EIR

Dear Ms. Cruz and Ms. Moreira,

Attached are my comments to the draft EIR for the Ball estate in Alamo, California.
Please call me if you have any questions at 925-895-7540.

Thank you,
Susan Rock
Chairwoman, Alamo Municipal Advisory Council

Susan Rock
Chairwoman, Alamo Municipal Advisory Council
365 Miranda Lane
Alamo, CA 94507

October 29, 2018

Jennifer Cruz, Senior Planner
Contra Costa County
Department of Conservation and Development
30 Muir Road
Martinez, CA 94553

Re: Comments on Ball Estate Draft Environmental Impact Report

Dear Ms. Cruz,

On October 2, 2018, the Alamo Municipal Advisory Council (MAC), reviewed the draft Environmental Impact Report (EIR) for the Ball estate located at 333 Camille Ave., Alamo, during our monthly MAC meeting. Several residents attended, and we logged roughly 15 comments. After reviewing the draft EIR, hearing public comments and concerns, reaching out to the school community, and talking with other community stakeholders, I would like to make several comments regarding the draft EIR.

The Ball property is a beautiful property and has been owned by the Ball family for several decades. As with other local landowners within the property's vicinity, the Balls would like the opportunity to also sell the property for development. I am confident that we can mitigate any negative impacts by working together as a community and carefully listening to community concerns.

My comments focus on thoughtful planning of the park staging area and access, reducing disruption to the existing community, adequately accommodating growth, and maintaining Alamo's unique semirural character dominated by a leafy, green "urban forest" canopy.

Park Staging Area and Dedicated Land: The Ball family's generous dedication of land for public use is certainly an asset for the Alamo community. Ensuring continued access to the trail system behind the property and leveraging this in a practical manner that mitigates traffic issues on Camille and allows East Bay Regional Parks and law enforcement to easily manage the

(I)23-1,
cont.

staging area are important considerations. As such, I strongly recommend that the staging area for parking and any public rest rooms be located at the end of Camille near parcel 15 where the old orchard currently exists. The current trailhead is currently located there, providing easy access. The new development could be gated with the staging area outside the gates to the left of the entrance. This would encourage trail users to easily park next to the trailhead, versus on Camille, thus mitigating congestion on Camille. It would also allow easy access for maintenance and law enforcement monitoring. One example of this in Alamo is at Stonegate at the end of Livorna Road. The staging area is located to the left of the gates with trail access from the parking lot. In that case, the trail runs between the fences of both Stonegate homes and the adjacent, original neighborhood homes. It then continues to the open space trail system. As in the case of the Stonegate staging area, the parking lot can be landscaped attractively with berms, shrubbery, and trees so that it does not intrude on the aesthetics of the neighborhood.

(I)23-2

In contrast, locating the staging area centered at the end of Camille instead of to the left by the trail is not only too congested to allow adequate parking, but it would be more visible to the existing neighborhood, augmenting any negative impact on aesthetics. Locating it up the hill has too many issues with likely usage patterns of trail users, managing gate access, managing practical maintenance and law enforcement activities, etc. Further, I believe many trail users will continue to park in the existing neighborhood versus drive through the new neighborhood.

(I)23-3

So, while weighing the interests of adjacent neighbors with those of the Ball family and those of the community, I recommend the orchard location near and on parcel 15 for staging which I feel will be the most practical for the community as a whole. The staging area should be sized according to both current and anticipated future demand of trail users and to accommodate rest rooms if desired.

Reduction of Disruption to the Existing Neighborhood:

(I)23-4

- Camille Traffic Impacts: Clearly during our October MAC meeting, a recurrent theme was the impact to Camille. I personally walked the area and found it to be surprisingly busy with service cars and residents navigating an already narrow roadway around parked trail-user cars. In fact, my colleague was almost hit twice and this was midmorning on a week day. Once the parking area for the trail is developed, I would recommend, if feasible, that one side of Camille be restricted from parking near the end of the street so that it is no longer made too narrow during use. In addition, residents complained of a blind “corner” at Ironwood Court that should be mitigated if possible. Any other measures to widen or increase its safety should be explored.

(I)23-5

- Development Period: It appears that the development period could span over a decade. Such an extended period of building activity could only adversely affect existing neighbors. If there are time constraints defined in total calendar years that could be applied to time for development or even number of lots to be developed, these should be considered. Further, measures such as “reasonable” hours of construction activity, parking equipment on site, and limiting delivery hours to normal work day hours would be beneficial.

(I)23-6

- Drainage: While the applicant’s civil engineers have determined that the drainage will be sufficient, according to the neighbors, it is currently not. So, special attention to augmenting drainage capability beyond today’s infrastructure should be made. Measures should be taken not only in terms of future design but during the construction period.

(l)23-6,
cont.

“Temporary” measures often simply do not address the issue during construction as I can personally attest.

(l)23-7

Adequately Accommodating Growth: One of the material impacts that seems to have been omitted in the EIR is the impact to schools. A development of 35 large, family homes will most likely have an impact on nearby Rancho Romero Elementary School. The traffic congestion at school drop off and pick up on Hemme between Danville Blvd and the school property have been an ongoing safety issue for both the school community and Alamo community. Cars line Hemme and well onto Danville Blvd. When it rains, the line is even longer and extends to an area where there is little road shoulder on Danville Blvd, causing blockage of a major community thoroughfare for both commuters and first responders. As head of the Schools Subcommittee for the Alamo MAC, I have worked with county staff and the supervisor’s office to explore ways to widen the substandard sidewalk for children on Hemme (still a problem), time the light at Hemme and Danville for faster throughput, provide a crossing guard, improve signage, etc. I have asked the county to put Alamo in the queue for undergrounding utilities on Hemme so that we could mitigate traffic with a turn pocket for faster exit as well as widen the sidewalk from the Iron Horse Trail to the school, both actions enhancing safety for children as well as for Danville Blvd motorists. We have explored the possibility of safe routes to school grants and other grants. Needless to say, a good deal of energy has been expended to calm traffic and provide greater safety.

(l)23-8

However, this EIR appears to be inadequate in this respect. It does not appear to address the impact to the nearest school. Although 35 homes does not seem like a lot, it could cause even more cars wrapping around Danville Blvd., particularly given the capacity limitations of the northbound turn pocket. One potential route for children would be down Camille to the Iron Horse Trail then to Hemme. The other route would be at the proposed EVA gate on Ironwood Place. I walked both routes. At a normal walking pace for me, it was less than 10 minutes to reach the EVA gate with a small incline. This portion of Hemme past the school was very quiet with little traffic and comparatively calmer than Camille. The majority of school traffic enters the school campus prior to this point. The walk to Camille via the Iron Horse Trail took 20 minutes and utilized the congested, trouble spots on Hemme. Particularly for the younger children, my guess is that most parents would choose to drive their children, adding to the congestion and safety issues already present.

(l)23-9

I understand that residents on Ironwood Place object to a pedestrian breezeway. Of course, they have enjoyed the quietude of a deadend street to this point. As such, the county as gone to great lengths to compromise with the suggestion of an EVA gate versus open thoroughfare to accommodate first responders. Other residents expressed a wish for an open breezeway so at least pedestrians could easily enjoy walking the neighborhood. During our MAC meeting, though I do think an open breezeway serves the community better from a planning point of view, I suggested a locked pedestrian gate with the residents of the new neighborhood and old having the combination. However, one Ironwood Place resident was adamantly against having young children walk down his street under any circumstance. I understand that young children often are boisterous and sometimes act on impulse, but while I sympathize, I must disagree. I find I must put my MAC leadership and schools subcommittee hat on, and look at this from the broader perspective of the community as a whole. If we allow growth, we must plan for that

(l)23-9,
cont.

growth. In this case, that may mean allowing children an easier, faster pedestrian route to school. Thus, I would strongly recommend either a locked or open breezeway for pedestrian use at the end of Iron Horse Place adjacent to the proposed EVA gate. In fact, I cannot support the approval of this project without it. Further, because the school has no way to evacuate west in the event of an emergency to the east or along the Iron Horse Trail (for example a pipeline explosion or fire), both the breezeway and providing a key to the EVA gate to the school principal, would be recommended.

(l)23-10

(l)23-11

Maintaining Alamo's Unique Character - Tree Canopy: The draft EIR calls for the removal of hundreds of trees. Because the resulting development may not have room to accommodate the full mitigation required, I recommend "banking" native trees for the Alamo community to compensate for any that cannot be accommodated on the development site. Further, any tree removal, including the orchard trees, constitute a negative impact from an overall urban forestry perspective, reducing Alamo's canopy. Thus all trees, even orchard trees, should require mitigation. Any trees that cannot be mitigated on the development site should be used elsewhere in Alamo, either by parks, the county, or residents, in order of preference. An example program of mitigation offered to residents is PGE's. After clearing trees along power lines in some nearby communities, they offered residents native trees to be planted elsewhere on their properties. This can be done either as a certificate for a tree type and size at a local hardware store or nursery or as an actual tree available for pickup. If there is simply not enough space to fully mitigate, mitigation elsewhere within Alamo is still beneficial to maintaining the overall "green canopy" that Alamo is known for.

In conclusion, it is my hope that the Ball development can both mitigate negative impacts and be an asset to our community. I hope the final EIR will incorporate these recommendations and many of the others expressed by community members, the East Bay Regional Park District, the AIA, and fellow MAC members.

Sincerely,

Susan Rock

Chairwoman, Alamo Municipal Advisory Council

Response to Comment Letter (I)23: Susan Rock, Alamo Municipal Advisory Council

(I)23-1 through (I)23-3: Refer to **Master Response 1** for a discussion of this topic.

(I)23-4: Refer to **Master Response 5** for a discussion of this topic.

(I)23-5: Refer to **Master Response 3** for a discussion of this topic.

(I)23-6: The construction period would be divided into two distinct phases, starting with an approximately 6-month site preparation phase to install 35-empty lots and associated infrastructure. At the end of the 6-month site preparation phase, each of the 35 residential lots would be sold and developed with custom single-family homes on a lot-by-lot basis. Since lot-by-lot sale would be driven by market conditions, the draft EIR acknowledged that custom home construction could take up to 10 years, which would result in up to 35 vacant lots on the project site awaiting sale for development.¹⁷ As stated in Chapter 3.0, Project Description, Subsection 3.5 in the draft EIR, drainage facilities would be installed during the initial six-month site preparation phase to capture and convey stormwater generated on the project site. In addition, an erosion control plan would be developed to stabilize exposed soils within the project site. These construction-period measures would prevent potential hydrologic impacts or associated hazards throughout the lot-by-lot custom home construction period. Refer to **Master Response 4** for a complete discussion of drainage modifications proposed by the project.

(I)23-7: Refer to **Master Response 5** and **Master Response 8** for a discussion of this topic.

(I)23-8: Refer to **Master Response 8** for a discussion of potential safety impacts to pedestrians and bicyclists, including student-aged children.

(I)23-9: Refer to **Master Response 1** for a discussion of this topic.

(I)23-10: Refer to **Master Response 1** for a discussion of this topic.

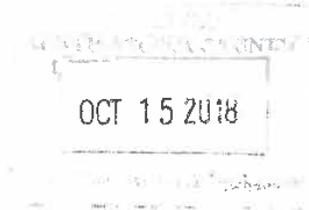
(I)23-11: Mitigation Measure BIO-8 (page 4.4-43 through 4.4-44 in the draft EIR) establishes replacement ratios for all removed trees. Though the replacement ratios vary, all removed trees would require mitigation. The County will determine the number of replacement trees to be planted offsite if the project site cannot sustainably support the required number of replacement trees. Refer to **Response to Comment (A)5-7** for additional information regarding tree replacement.

¹⁷ As discussed in Chapter 3.0, Project Description, page 3-7 in the draft EIR, project construction is conservatively assumed to occur over a 30-month period, which includes grading, infrastructure installation (including streets and storm drain facilities), and the construction of the residential homes. However, actual construction of the single-family homes would be market driven and may be less than a 10-year period.

Letter (I)24: Robert J.
Dominici

October 4, 2018

Jennifer Cruz, Senior Planner
Department of Conservation and Development
Community Development Division
30 Muir Road, Martinez, CA 94553



Re: SD13-9338
Site: Ball Estate, Alamo, CA

Dear Jennifer:

I am writing at the request of the Ironwood Place and Hemme Avenue private road Residents, to once again call your attention to our positive support for the construction of a "closed" Emergency Vehicle Access (EVA) at the end of Ironwood Place-north as part of the Ball Estate Project. It is important to note that for the past 35 years Ironwood Place-north has been a dead-end private road, maintained by the property owners. The residents on the private roads want to maintain the privacy of their properties and security of the area while allowing a "closed" EVA to be built at the end of Ironwood Place north to facilitate access between residential areas in case of an emergency. The Residents definition of "Closed" EVA means the gate will be locked, except for an emergency, and not accessible for routine foot traffic through our private road areas.

The Ironwood Place and Hemme Avenue private road residents have long protected and maintained the "Private Road" benefits of quiet neighborhoods and increased security in our area however, the residents have agreed with the San Ramon Regional Fire Department and the Ball Estate Project management that a "Closed" EVA would be a positive safety addition to the general area. This agreement was reached with the understanding that the private road residents "do not" want the EVA modified to allow pedestrian traffic. That option will take away the noted benefits of living on private roads and owning a home in a secure, quiet neighborhood without non-resident routine vehicle traffic. Issues the residents have enjoyed and protected for over 35 years.

(I)24-1

I also want to call your attention to our neighborhood original petition (see attachment), with 100% of the residents supporting a "closed" EVA as part of the Ball Estate Project. Keys to the EVA will be distributed to all relevant Emergency/Fire and Police organizations, local school management as well as residents on both sides of the EVA. However, during a high impact emergency the gate could be unlocked by key or the lock cut open. Currently and for the past 35 years, the road has been completely blocked to all access without it being problematic, however as noted a "closed" EVA will be a significant safety improvement for the total area. The element

(1)24-1,
cont.

of increased safety must be considered in the context that it will not reduce security and values of the homes in the area. The local Sheriff Department, for example, has verbally supported the closed EVA knowing that maintaining a single route in and out of the area minimizes home invasions and other criminal activity.

(1)24-2

In completing your final draft of the Ball Estate EIR, I hope you note the positive and added safety impact of the proposed "closed" EVA, but at the same time not turning the EVA into a pedestrian walkway through our private home areas as well as between homes of the new Ball Estate residences. A few individuals, who do not live on our private roads, have expressed a need for a pedestrian gate to allow children to walk to Rancho Ramiro Elementary school. This request does not consider the danger and responsibility of young children walking on our narrow roads, without sidewalks nor the reality of walking through construction areas and between homes of the new Ball Estate Project. Most importantly, these requests do not consider the key fact, it is our private road.

(1)24-3

Finally, an issue has been raised on the design of the EVA, specifically the height of the decorative columns supporting the gates and the gates themselves at 7.0 feet. This height was determined by architects to work with surrounding terrain that is higher than the current road surface. The current dead-end road vehicle barrier and fence measures 6.5 to 7.0 feet in height from the road surface to the top of the fence. Therefore, a minimal overall height change and the new EVA design will be much more consistent with local architectural home designs (see attachment).

If you need further clarification please do not hesitate to contact me directly.

Sincerely,



Robert J. Dominici
2382 Ironwood Place
Alamo, CA 94507

Cc: Candace Andersen, Supervisor Contra Costa County, District 2

Opposition to the Ironwood Place “Alternative” Access Proposal

Dear Neighbors:

I would like to update you on the Ball Estate Development Project (BEDP) and a specific Contra Costa County project approval option that could negatively impact our neighborhood. The “Alternative” option includes a proposal to directly connect Ironwood Place north (the Hemme Ave side) to Ironwood Place south (the Camille Ave. side). The normal county approval process requires that an “alternative” be considered as an option to the original Ball Estate Development Plan submission. In the BEDP plan submission the Ironwood Place roads (north and south) do not connect as public roads via the BEDP property, however an Emergency Vehicle Access (EVA) was added to the dead end of Ironwood Place north where the BEDP property line intersects Ironwood Place north.

The Emergency Vehicle Access has been a key consideration, should a major emergency occur in the area, in order to allow emergency vehicles to enter the area via Hemme and/or Camille Avenues and transit the area via Ironwood Place. The current BEDP proposal was submitted to the county with an EVA gate at the end of Ironwood place north plus an open space 20’ right away between lots #5 and #6 of the BEDP, providing potential access to Ironwood Place north or Ironwood Place south within the Ball Estate Development property.

The original gated EVA proposal submitted to the county was approved by the San Ramon Valley Fire Protection District prior to being submitted as part of BEDP. That proposal maintained the current private road structure of Ironwood Place north as a dead end street, which has existed for over 30 years and preserved the neighborhood desire for limited additional traffic on Ironwood Place north and south, but in an emergency situation (i.e. fire, earthquake, etc.) emergency equipment, personnel and residents could transition the properties north or south via the EVA.

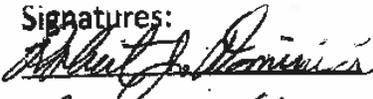
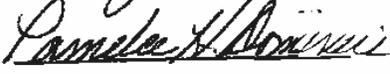
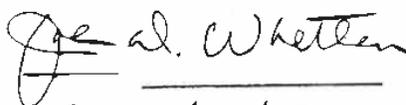
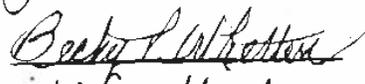
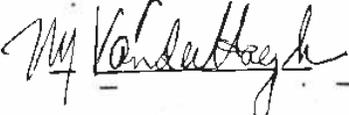
10/1/2015

The residents of Ironwood Place north and Hemme west have financed the repair and maintenance of their private roads for over 30 years and have enjoyed the benefits of limited public access and limited traffic negatively impacting their home values and family activities. In 1979 subdivision #5153, with existing private roads, was filed with Contra Costa County and the county decided not to accept these roads as public roads. Under Title 9, Section 98-4.002 subdivision #5153 was dedicated as containing "Minor streets".

Neighbors on Ironwood South and Camille have also expressed their opposition to opening the roads to circular traffic for the benefit of a few vehicles accessing or departing the area versus using Danville Boulevard. Additional critical issues impacting negative opinions of the "Alternative" proposal are:

- Reduced security to properties as multiple access and egress routes would be created for non residents by the alternative proposal.
- The reduction in real estate property values as the properties are no longer located on private, quiet dead end roads.
- The loss of value from monies spent on road repairs and upgrades over the years by "every" resident of the private roads if the county takes over responsibility for the roads.
- Potential for increased traffic accidents on roads declared previously "minor" by the county with sections that are narrow (20'-25') in width.

The **under signed residents** from Ironwood Place north, Hemme Avenue west, Ironwood Place south and adjoining streets are opposed to the "Alternative" road proposal:

Signatures:	Printed Names:	Home Address:
	Robert Dominici	2382 Ironwood Pl.
	PAMELA Dominici	2382 IRONVILLE PL.
	John D. Whetten	2383 Ironwood Pl.
	Becky P. Whetten	2383 2383 Ironwood Pl.
	MARK J VANDER HAEGHEN	2375 IRONWOOD PL

10/1/2015

Opposition to the Ball Estate Development Project and Ironwood Place
 "Alternative" Access Proposal:

Signatures:

Printed Names:

Home Address:

<u>Nancylyn VanderHeghen</u>	<u>Nancy VanderHeghen</u>	<u>2375 Ironwood Pl. Alamo</u>
<u>Katele Bowly</u>	<u>Kathleen Bowly</u>	<u>2376 Ironwood Pl. Alamo</u>
<u>Rick Bowly</u>	<u>Rick Bowly</u>	<u>2376 Ironwood Alamo</u>
<u>M. Cameron</u>	<u>MICHAEL CAMERON</u>	<u>2386 IRONWOOD PLACE</u>
<u>Colleen Cameron</u>	<u>Colleen Cameron</u>	<u>2386 Ironwood Pl</u>
<u>Fernando Okina</u>	<u>FERNANDO OKINA</u>	<u>220 Hemme Ave</u>
<u>Donna Senior</u>	<u>DONNA SENIOR</u>	<u>225 HEMME AVE.</u>
<u>Smitty Schmidt</u>	<u>Smitty L. Schmidt</u>	<u>2394 Ironwood Place</u>
<u>Grace Schmidt</u>	<u>Grace Schmidt</u>	<u>2394 Ironwood Place</u>
<u>M Lapuz</u>	<u>Rogeha C. Lapuz</u>	<u>2391 Ironwood Place,</u>
<u>Bayani R. Lapuz</u>	<u>Bayani</u>	<u>2391 Ironwood Pl Alamo, CA</u>
<u>Cheryl Birnie</u>	<u>Cheryl Birnie</u>	<u>2387 Ironwood Pl Alamo</u>
<u>Frank Birnie</u>	<u>Frank Birnie</u>	<u>2387 Ironwood Pl. Alamo</u>
<u>Kevin M. Flemy</u>	<u>KEVIN M. FLEMING</u>	<u>2379 IRONWOOD PL ALAMO</u>
<u>Susan Skilton-Fleming</u>	<u>Susan Skilton-Fleming</u>	<u>2379 Ironwood Pl. Alamo, Ca.</u>
<u>Zenaida Miller</u>	<u>Zenaida Miller</u>	<u>2395 Ironwood Pl. Al</u>
<u>Kitty Schlesinger</u>	<u>Kitty Schlesinger</u>	<u>2390 Ironwood Pl. Alamo</u>
<u>Ordine Herzkovich</u>	<u>Ordine Herzkovich</u>	<u>561 Hemme Ave, Alamo</u>
<u>Randall Arman</u>	<u>Randall Arman</u>	<u>560 Hemme Ave Alamo</u>

10/11/2015

Opposition to the Ball Estate Development Project and Ironwood Place
 "Alternative" Access Proposal:

Signatures:

Printed Names:

Home Address:

Margery H. Ammon

Margery H. Ammon 560 Hemme Ave Alamo 94507

[Signature]

STEVE ALLINGTON 2399 IRONWOOD PL ALAMO 94507

Ellen Miller

Ellen Miller 2398 Ironwood Pl. Alamo

Bruce Miller

BRUCE MILLER 2398 IRONWOOD ALA.

N.D. White @

Nicholas D. White 217 Hemme Ave. Alamo, CA.

Carol Hyman

Carol HyMAN 221 Hemme Ave Ca. Alamo

Bruce Miller

BRUCE MILLER 2398 IRONWOOD PLACE ALAMO

Leif Copley

LEIF COPLEY 277 HEMME AVE, CA 94507

Paula Parnello-Copley

Paula Parnello-Copley 277 Hemme Ave, CA 94507

Cynthia Erb

Cynthia Erb 512 Hemme Ave CA 94507

Kerri Lohr

Kerri Lohr 2395 Ironwood Pl Alamo 94507

Jason Lon

Jason Lon 2395 Ironwood Pl Alamo 94507

Thomas L. Schlessinger

Thomas L. Schlessinger 2390 IRONWOOD PLACE ALAMO 94507

10-10-18
 @

Charlene Kiley

Charlene Kiley 522 Hemme Ave Alamo, CA 94507

10/1/2015

Notes:

1. Wall (fence) heights exceeding 6 feet requires a variance be granted by County.
2. Maintenance of the gate & walls will be the responsibility of the HOA of Subdivision 9338.
3. Gate & wall will be constructed concurrently with the construction of Ironwood Place within Subdivision 9338.
4. The materials and colors for the gate on this plan can be modified by Ironwood Place-Hemme Road Improvement, and Camille Ironwood Properties, LLC.

Approved: 
 Ironwood Place-Hemme Road Improvement Association
 President: Robert T. Dominici
 Date: 11/1/13

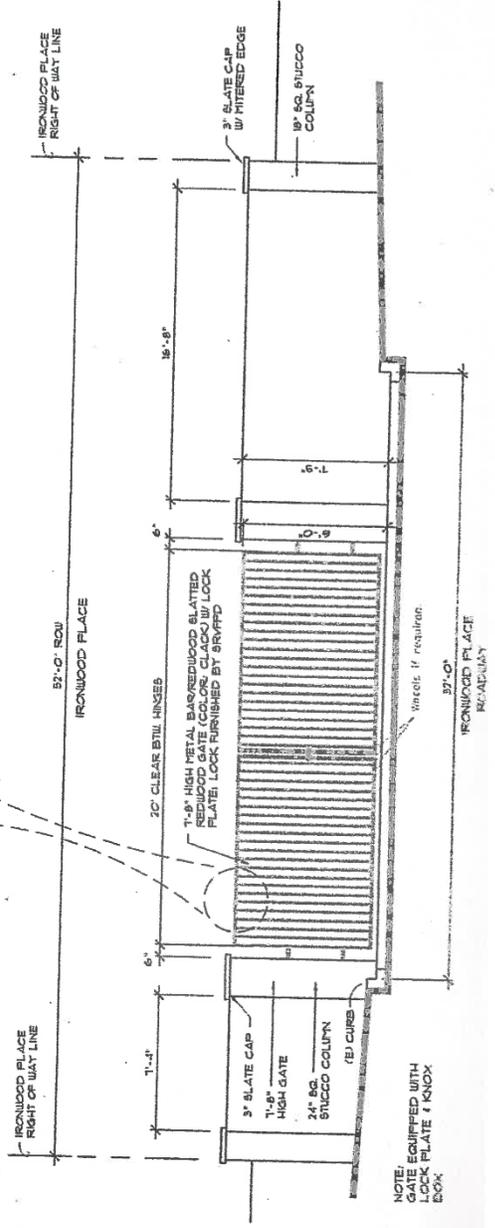
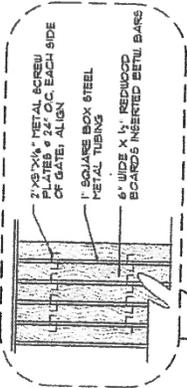
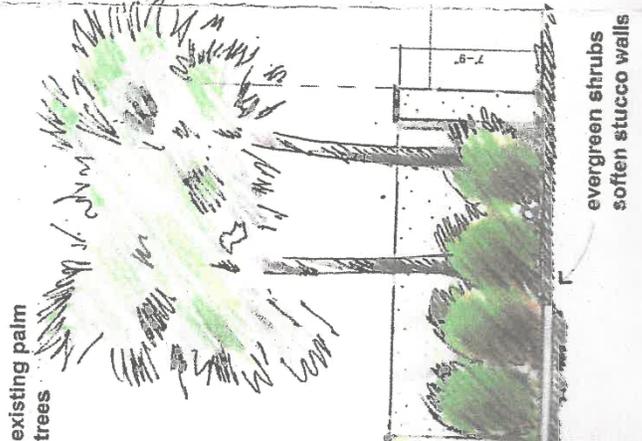
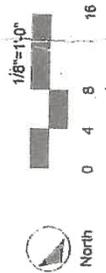

 Ironwood Place-Hemme Road Improvement Association
 John D. Whetten
 Date: 11/1/13


 Camille Ironwood Properties, LLC
 Trustee: Gordon Ball
 Date: 11/1/13


 Genira-Costa Fire Protection District
 Date: 10/23/13

Reviewed by: 
 San Ramon Valley Fire Protection District
 All applications are subject to final Council approval and may be subject to change. The applicant is responsible for providing all necessary information and documentation. The District is not responsible for the accuracy of the information provided. The District is not responsible for the accuracy of the information provided.
 Date: 10/23/13

7'-9" high stucco wall
 evergreen shrubs @ wall
 property line

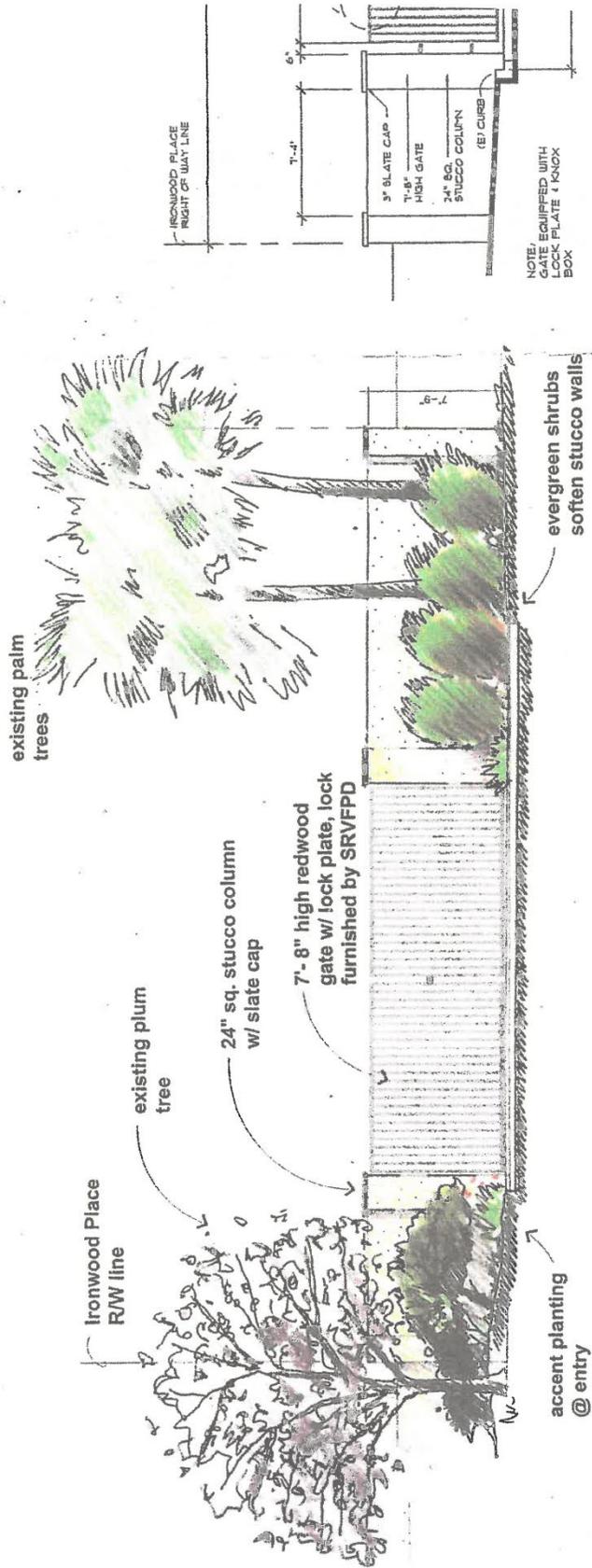


NOTE: GATE EQUIPPED WITH LOCK PLATE + KNOX BOX

ock 2D



Conceptual Landscape Plan



Illustrative Elevation 1/4"=1'-0"

Line Elevation w/ d

INSIDEOUT
 architect + interior + landscape www.acoutinsideout.com

EVA Access
Ball Estates

333 Camille Avenue
 Alamo California

Response to Comment Letter (I)24: Robert J. Dominici

(I)24-1 through (I)24-3: Refer to **Master Response 1** for a discussion of this topic.

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3.0 MITIGATION, MONITORING, AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) is a California Environmental Quality Act (CEQA)-required component of the Environmental Impact Report (EIR) process. As part of the CEQA environmental review procedures, Public Resources Code §21081.6 requires a public agency to adopt a monitoring and reporting program to ensure efficacy and enforceability of any mitigation measures applied to the proposed project. The lead agency must adopt an MMRP for mitigation measures incorporated into the project or proposed as conditions of approval. As stated in Public Resources Code §21081.6 (a)(1):

“The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.”

Table 3.0-1 represents the MMRP for the Ball Estates project (project). This table lists each of the mitigation measures proposed in the EIR, including mitigation refined or updated in the final EIR in **Chapter 2.0, Response to Comments**¹, and specifies the timing and responsible party responsible for each mitigation measure.

¹ Mitigation measure text updated in this final EIR is denoted by the following conventions: additions to the original draft EIR text are shown in underline, deletions from the original draft EIR text are shown in ~~strikethrough~~.

Table 3.0-1 Mitigation, Monitoring, and Reporting Program

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
4.1 Aesthetics				
<p>Impact AES-1: New homes on the project site could conflict with the character of existing residential neighborhoods in the area.</p>	<p>Mitigation Measure AES-1: Custom homes must undergo an administrative design review, as required by conditions of approval, to ensure consistency with the existing character of the surrounding area. This process would examine elements of each proposed custom home, including size, scale, massing, setback, and color. In addition, the HOA Design Review Guidelines and Landscape Design Plan will include specific provisions regarding setbacks, backyard structures, and vegetative buffers along the perimeter of Madrone Trail. Compliance with these procedures will be required by the project’s covenants, conditions, and restrictions, which will be reviewed by the County.</p>	<p>Project Sponsor to prepare Home Owners Association (HOA) Design Review Guidelines and Landscape Design Plan as part of the Covenants, Codes, and Restrictions (CC&R). Department of Conservation and Development (DCD) to review and approve CC&Rs. Landscaping plan to be consistent with tree replacement plan (see Mitigation Measure BIO-8).</p>	<p>Project Sponsor / DCD</p>	<p>CC&Rs to be reviewed and approved prior to recording the final map. Design review to be conducted prior to issuance of a building permit for each residence.</p>
<p>Impact AES-2: New exterior lighting from the project could adversely impact nighttime views in the area.</p>	<p>Mitigation Measure AES-2: A lighting plan for any proposed exterior lighting must be submitted to the Contra Costa County Department of Conservation and Development, Community Development Division for review and approval.</p> <p>Exterior lighting must be directed downward and away from adjacent properties and public/private right-of-way to prevent glare or excessive</p>	<p>If proposed, any exterior lighting must be included as part of the CC&Rs.</p>	<p>Project Sponsor / DCD</p>	<p>Exterior lighting installed outside of private lots must be approved as part of the site improvement plans. Exterior lighting as part of private lots must be approved prior to the issuance of a building permit.</p>

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<p>light spillover. Lighting bulbs must be limited to low intensity lights, including lighting for identification purposes.</p> <p>No free standing light poles will be allowed within the residential property. Landscaping lights must be limited to ground-level for walking/safety purposes.</p> <p>If any lighting is proposed for the staging area, lighting must be also directed downward and away from adjacent properties. Lighting intensity may not be greater than what is reasonably required to safely illuminate the staging area.</p>			
4.2 Agriculture and Forestry				
<p>Impact AG-1: Implementation of the project would result in the loss of forest land at the project site and thus would conflict with forest land zoning as established by California Public Resources Code 12220(g).</p>	<p>See Mitigation Measure BIO-8</p>	<p>See Mitigation Measure BIO-8</p>	<p>See Mitigation Measure BIO-8</p>	<p>See Mitigation Measure BIO-8</p>
4.3 Air Quality				
<p>Impact AQ-1: Site preparation and grading would temporarily generate fugitive dust in the form of PM₁₀ and PM_{2.5}.</p>	<p>Mitigation Measure AQ-1: The contractor will adhere to the following best management practices during construction:</p> <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material offsite shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 	<p>Contractor to curtail fugitive dust emissions through best management practices.</p>	<p>Contractor / Project Sponsor</p>	<p>During construction</p>

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<ul style="list-style-type: none"> All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of CCR). Clear signage shall be provided for construction workers at all access points. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. Post a publicly visible sign with the telephone number and person to contact at the construction contractor's office regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. 			
4.4 Biological Resources				
<p>Impact BIO-1: Grading and construction of the project has the potential to result in harm or mortality to individual Alameda whipsnake, if present in woodpiles or under other debris along the western boundary of the project site.</p>	<p>Mitigation Measure BIO-1a: The project proponent shall consult with the USFWS and CDFW regarding potential impacts of the project on Alameda whipsnake, and shall obtain the appropriate take authorization (Section 7 Biological Opinion and/or 2081 permit or 2080.1 consistency determination) as specified by the USFWS and CDFW prior to initiation of construction activities. The project proponent shall comply with all terms of the endangered species permits including any mitigation requirements, and provide evidence of compliance to the County prior to issuance of a grading permit. <u>Consistent with previous consultation processes, on-site Alameda whipsnake protection would likely be accomplished through the development and implementation of a habitat management plan to identify the following:</u></p>	<p>Project Sponsor to consult with USFWS and CDFW and obtain appropriate permits.</p> <p>DCD to verify that such permits are obtained.</p>	<p>Project Sponsor/ DCD</p>	<p>Pre-construction and/or prior to any ground disturbance</p>

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<ul style="list-style-type: none"> • <u>Location and implementation measures for all habitat restoration activities;</u> • <u>Management measures to ensure that adjacent land uses would not adversely affect the ecological functions and values of the habitat management lands. Such measures may include the use of fencing to prevent unauthorized access, and signage describing the sensitive nature of the habitat management land;</u> • <u>Species, quantity, and location of plants to be installed in areas of habitat enhancement, as well as management measures required to ensure successful establishment;</u> • <u>Enhanced habitat in new and existing habitat areas, such as the installation of rock piles, planting native oaks to expand oak woodland habitat adjacent to the development, and planting native scrub/chaparral species outside the 100-foot defensible space, thereby increasing habitat for prey species to improve habitat values for Alameda whipsnakes;</u> • <u>Adaptive management measures that may be employed as needed to ensure the success of the habitat management plan, including management of invasive species, domestic pets, and fuels, and;</u> • <u>Management and maintenance activities, including weeding, supplemental irrigation, and site protection.</u> 			

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<p>Mitigation Measure BIO-1b: In order to allow any snakes and lizards that currently use the small woodpiles west of the residence to seek alternative cover, the woodpiles shall be removed gradually and under the supervision of an agency-approved biologist prior to the start of construction. Depending upon the size of the woodpiles, a quarter to a third of the piles should be manually removed every five days.</p> <p>As discussed in Chapter 3.0, Project Description, project operation will include vegetation management to maintain 100 feet of defensible space to reduce the risk of wildfires. Vegetation management activities include annual weed whacking, grazing and disposal of woody debris to manage defensible space in the open space west of Lots 8, 9, Lots 28-33, and the residences bordering Parcel A may adversely affect an individual Alameda whipsnake if a snake was seeking temporary cover in woody debris, or moving through herbaceous/ graminoid or shrubby vegetation during vegetation management activities.</p> <p>Vegetation management to achieve defensible space in the open space west of the development shall be conducted manually. Grasses, weeds, and brush shall be cut manually or with the aid of hand-powered equipment such as weed-whackers or hand-operated mowers. Woody debris shall be retrieved manually. Grazing animals such as goats may be used for vegetation management. A Defensible Space Vegetation Management Plan that describes vegetation management objectives and practices protective of AWS shall be prepared by the project sponsor, approved of by the USFWS, and implemented by the homeowners and HOA.</p> <p>In addition, an agency-approved biologist shall monitor removal of the eucalyptus trees and construction of the wetland mitigation area in the western portion of the project site, if wetland restoration or tree removal in this area is conducted (see Mitigation Measure BIO-6b).</p>	<p>Qualified Biologist to monitor removal of woodpiles, tree removal, and construction of wetland mitigation area (if applicable). Project Sponsor shall prepare a Defensible Space Vegetation Management Plan for DCD review.</p>	<p>Project Sponsor / Qualified Biologist / Contractor</p>	<p>Pre-construction / Construction prior to tree removal, during tree removal, and prior to grading</p>

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<p>Mitigation Measure BIO-1c: A preconstruction survey for Alameda whipsnake shall be conducted by a 10(a)(1)(A) permitted biologist not more than 24 hours prior to the start of any site disturbance activities. All suitable habitat features that may be used by Alameda whipsnake shall be identified, marked, and mapped during the preconstruction survey. The removal or destruction of suitable habitat features and all initial ground disturbances (e.g. clearing and grubbing) shall be conducted under the direct supervision of the agency approved biologist prior to the onset of site grading. If Alameda whipsnake are detected within the project work area, site disturbance shall be halted until the snake has been relocated by a 10(a)(1)(A) permitted biologist as approved and directed by the USFWS and CDFW. Terms of the salvage shall be established in consultation with USFWS and CDFW prior to initiation of construction activities, and approved relocation may be in suitable habitat in the open space and critical habitat area west of the project site.</p>	<p>Qualified Biologist to survey for Alameda whipsnake, map suitable habitat features, and conduct relocation, if necessary.</p>	<p>Qualified Biologist</p>	<p>Pre-construction / Construction prior to grading</p>
	<p>Mitigation Measure BIO-1d: Upon completion of the preconstruction survey, a snake exclusion fence not less than 4 feet in height with one-way exit funnels (to allow Alameda whipsnake to passively move out of the construction zone), and buried at least 4 inches in the ground shall be installed around the southern and western boundaries of the project development site. The fence shall be installed under the guidance of an agency approved biologist who is knowledgeable about Alameda whipsnake, and shall be maintained until all vegetation removal and earthwork for the project has been completed. The fence shall be inspected by the construction team on a daily basis (i.e., every workday), and repairs shall be made immediately if the integrity of the fence is compromised.</p>	<p>Contractor to install snake exclusion fence with oversight of Qualified Biologist. Contractor shall conduct regular fence inspection.</p>	<p>Qualified Biologist / Contractor</p>	<p>Fencing to be installed prior to construction and be left in place until construction is resumed</p>

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<p>Mitigation Measure BIO-1e: All construction personnel shall attend an informational training session conducted by an agency approved biologist prior to the start of any site disturbance activities, including demolition. This session will cover identification of the species and procedures to be followed if an individual is found onsite, as well as biology and habitat needs of this species. Handouts will be provided and extra copies will be retained onsite. Construction workers shall sign a form stating that they attended the program and understand all protection measures for the Alameda whipsnake. Additional training sessions will be provided to construction new personnel during the course of construction.</p>	<p>Qualified Biologist to train construction personnel in identification and needs of protected species that could occur on project site.</p>	<p>Qualified Biologist / Contractor</p>	<p>Pre-construction</p>
	<p>Mitigation Measure BIO-1f: Trenches or pits greater than 1 foot deep that are created during earthwork for the project shall be covered with plywood or an earthen ramp will be made each night after work so no organisms are trapped. Trenches and pits shall be inspected by a designated member of the construction team who has been trained by the agency-approved biologist prior to the start of earthwork each day. Any vertebrate organisms observed in such areas shall be allowed to escape to the safety of adjacent cover.</p>	<p>Contractor to cover trenches during construction.</p>	<p>Contractor</p>	<p>During grading and construction</p>
	<p>Mitigation Measure BIO-1g: Best Management Practices shall be implemented to minimize the potential mortality, injury, or other impacts to Alameda whipsnake. Erosion control materials shall not include small-mesh plastic netting, which could result in entanglement and death. All food trash items shall be removed from the project site daily to reduce the potential for attracting predators of Alameda whipsnake which could scavenge uncovered snakes.</p>	<p>Contractor to use best management practices to limit risk to Alameda whipsnake.</p>	<p>Contractor</p>	<p>During grading and construction</p>
	<p>Mitigation Measure BIO-1h: An agency approved biological monitor knowledgeable about Alameda whipsnake will be the point of contact for the construction team. The USFWS will be notified immediately if Alameda whipsnakes are detected within the project site. The CDFW will also be notified after contacting the USFWS.</p>	<p>Qualified Biologist to notify USFWS and CDFW if Alameda whipsnakes are detected within the project site.</p>	<p>Qualified Biologist / Contractor</p>	<p>During grading and construction</p>

<p>Impact BIO-2: Construction of the project during nesting season has the potential to result in a take of protected birds or create disturbance that could result in nest abandonment.</p>	<p><u>Mitigation Measure BIO-2: Prior to the initiation of construction activities, including ground disturbing activities and tree removal scheduled to occur between February 1 and September 11, the qualified biologist shall conduct a habitat assessment and nesting survey for nesting bird species no more than seven (7) days prior to the initiation of work. Surveys shall encompass all potential habitats (e.g., grasslands and tree cavities) within 250 feet of the project site, as well potential nest trees within 0.5 mile for golden eagle, 1,000 feet for Swainson’s hawk. If construction related site disturbance commences between February 1 and August 31, a qualified biologist shall conduct a pre-construction bird nesting survey. If nests of either migratory birds or birds of prey are detected on or adjacent to the site, a no-disturbance buffer (generally 50 feet for passerines, 0.5 mile for golden eagle, 1,000 feet for Swainson’s hawk, and 300 feet for other raptors) in which no new site disturbance is permitted shall be observed up to August 31, or until the qualified biologist determines that the young are foraging independently.</u></p> <p><u>The qualified biologist conducting the surveys shall be familiar with the breeding behaviors and nest structures for birds known to nest in the project site. Surveys shall be conducted during periods of peak activity (early morning, dusk) and shall be of sufficient duration to observe movement patterns. Survey results, including a description of timing, duration, and methods used, shall be submitted to CDFW for review 48 hours prior to the initiation of the project. If a lapse in project activity of seven days (7) or more occurs, the survey shall be repeated and no work shall proceed until the results have been submitted to CDFW.</u></p> <p><u>If nesting birds are found as described above, then no work shall be initiated until species-specific buffers have been established in consultation with CDFW. If CDFW does not respond within four (4) days of receiving the survey, construction activities may proceed consistent with the qualified biologist's recommendations on nest buffers. Buffer areas shall be demarked from work activities and avoided until the young have fledged, as determined by the qualified biologist. Active nests found inside the limits of species-specific buffer zones or nests within the vicinity of the project site showing signs of distress from</u></p>	<p>Qualified Biologist to survey project site for nesting birds and submit results to CDFW. If nesting birds are encountered, Qualified Biologist shall create buffer zones near nests with CDFW consultation.</p>	<p>Qualified Biologist</p>	<p>Prior to grading / Construction and prior to tree removal</p>
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Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<p>project activity as determined by the qualified biologist shall be monitored daily during the duration of the project for changes in bird behavior. Buffer areas of active nests within the vicinity of the project site showing signs of distress or disruptions to nesting behaviors from project activity, as determined by the qualified biologist, shall have their buffers immediately adjusted by the qualified biologist until no further interruptions to breeding behavior are detectable. The size of the no-disturbance buffer shall be determined by a qualified biologist, and shall take into account local site features and existing sources of potential disturbance. If more than 15 days elapse between the survey and the start of construction, the survey shall be repeated. If vegetation removal, building demolition, or earthwork stages are phased over multiple years, the pre-construction survey and nest-avoidance measures described above would need to be repeated.</p> <p>If vegetation removal, building demolition, or earthwork stages are phased over multiple years, the pre-construction survey and nest-avoidance measures described above would need to be repeated.</p>			
<p>Impact BIO-3: Building demolition and tree removal could result in a take of roosting bats, including a maternity colony, if present.</p>	<p>Mitigation Measure BIO-3a: A qualified biologist knowledgeable about local bat species and experienced with bat survey methods shall inspect all structures and trees that could support bats at the project site prior to the start of site disturbance (e.g., demolition, vegetation removal, and earthwork). Surveys should be conducted during appropriate weather to detect bats (i.e., not in high winds or during heavy rain events). One daytime and up to two nighttime surveys (starting at least 1 hour prior to dusk) should be conducted to determine if bats are present. If bats are detected, additional surveys utilizing acoustic monitoring or other methods may be necessary depending on the recommendations of the bat biologist.</p>	<p>Qualified Biologist to survey site for bat-supporting structures and trees.</p>	<p>Qualified Biologist</p>	<p>Pre-construction prior to grading</p>

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<p>Mitigation Measure BIO-3b: Preconstruction surveys for bats should be conducted within two weeks prior to the removal of any trees or structures that are deemed to have potential bat roosting habitat. If bats are detected on site and would be impacted by the project, then appropriate mitigation measures would be developed with approval from CDFW. Mitigation measures would include one or more of the following methods: using one-way doors to exclude non-breeding bats, opening up roof areas of structures to allow airflow that would deter bats from roosting, and taking individual trees down in sections to encourage bats to relocate to another roost site. Typically, this work is conducted in the evening when bats are more active, and this work should be conducted under the guidance of an experienced bat biologist</p>	<p>Qualified Biologist survey for bats and develop appropriate mitigation measures, if necessary.</p>	<p>Qualified Biologist / Contractor</p>	<p>Pre-construction prior to tree removal</p>
	<p>Mitigation Measure BIO-3c: <u>Should bat species be confirmed on the project site either through the habitat assessment or during surveys, building demolition, tree trimming, or tree removal should only be conducted during seasonal periods of bat activity: between August 31 and October 15, when bats would be able to fly and feed independently, and between March 1 and April 15 to avoid hibernating bats, and prior to the formation of maternity colonies.</u> Mitigation for impacts to a maternity bat roost, if detected, would be determined through consultation with CDFW and may include construction of structures that provide suitable bat roosting habitat (i.e., bat houses, bat condos) for the particular species impacted.</p>	<p>Contractor to ensure tree trimming and demolition of buildings are timed to avoid sensitive seasons for bats. Contractor to create bat roosting structures if necessary.</p>	<p>Qualified Biologist / Contractor</p>	<p>Pre-construction / Construction prior to tree removal</p>

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
<p>Impact BIO-4: Project construction activities (i.e., ground disturbance, vegetation removal, and earthwork) could result in the take of an active San Francisco dusky-footed wood rat lodge.</p>	<p>Mitigation Measure BIO-4: Not more than 30 days before initial ground disturbance, a qualified biologist shall conduct a survey of the project site to determine whether San Francisco dusky-footed woodrat lodges have been constructed within the work area. If no woodrat lodges are present within the work area, no further mitigation is required. If San Francisco dusky-footed woodrat lodges are observed within the area subject to ground disturbance, a woodrat mitigation plan describing habitat enhancement and relocation of the lodge(s) to an area not subject to site disturbance within the project site or the remainder parcel shall be prepared and submitted to CDFW for approval prior to the start of ground disturbance.</p>	<p>Qualified Biologist to survey project site for San Francisco dusky-footed woodrat lodges and develop mitigation plan, if necessary.</p>	<p>Qualified Biologist</p>	<p>Pre-construction prior to ground disturbance</p>
<p>Impact BIO-5: If American badger establishes dens within the project site, construction activities could result in the take of an active den.</p>	<p>Mitigation Measure BIO-5: A qualified biologist shall conduct a preconstruction survey for the American badger within 14 days prior to the start of construction. If no potential dens are found, no additional measures are required. If an active badger den is found, consultation with CDFW would be required. Construction would be halted within 100 feet of the den during the breeding season (summer through early fall), and hand excavation of dens during the non-breeding period would be required subject to CDFW approval.</p>	<p>Qualified Biologist to survey project site for the American badger and consult with CDFW, if necessary.</p>	<p>Qualified Biologist</p>	<p>Pre-construction prior to grading</p>
<p>Impact BIO-6: The project would require the filling and daylighting of drainages and seasonal wetlands onsite.</p>	<p>Mitigation Measure BIO-6a: The removal of riparian trees and shrubs will be avoided and minimized to the extent feasible. Hazard reduction associated with structurally unsound trees, and the risks of failure given proximity to improvements proposed in the project shall be considered and addressed through tree removals and pruning specified by a certified arborist. Mitigation to compensate for the removal of riparian trees shall be accomplished through replacement plantings of locally native trees at not less than a 3:1 replacement to loss ratio within the project site or an alternative location approved by CDFW. With regards to riparian trees, this mitigation measure shall supersede other mitigation included in this draft environmental impact report that prescribe tree replacement ratios to reduce other impacts. With</p>	<p>Qualified Arborist to minimize removal of riparian shrubs and trees through pruning and replacement planting. Riparian restoration plan to be submitted for DCD review and approval.</p>	<p>Qualified Arborist / DCD</p>	<p>Riparian restoration plan shall be submitted prior to ground disturbance. Implementation of the riparian restoration plan shall occur immediately after installation of site improvements.</p>

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<p>regards to oak trees, replacement shall conform with the ratio discussed in Mitigation Measure BIO-8.</p> <p>A riparian restoration plan detailing the following elements shall be prepared:</p> <ul style="list-style-type: none"> • The number, species, and location of riparian mitigation plantings that will be planted in the restoration area; • Performance standards requiring a minimum 80 percent survival rate; average of good vigor and positive height growth of riparian mitigation trees after ten years; seasonal planting timing; and method of supplemental watering during the establishment period; • The monitoring period, which shall be not less than 10 years for riparian restoration; • Adaptive management procedures that may be employed as needed to ensure the success of the restoration project. These include, but are not limited to, exotic and invasive plant species control, the use of browse barriers to protect riparian plants from wildlife damage, replacement plantings and management of the supplemental watering system to support the attainment of the foregoing performance standards; • Management and maintenance activities, including weeding, supplemental irrigation, site protection; and • Responsibility for maintaining, monitoring and ensuring the preservation of the mitigation site in perpetuity. <p>In replacing riparian trees, the arborist shall review the final project grading plans to ensure that adequate tree preservation methods, guidelines, and conditions are in place. The arborist shall conduct pre-demolition site meetings with the contractor to determine clearance pruning, stump removal techniques, fencing placement and timing, and tree protection. The arborist shall have site meetings after demolition to review and confirm tree protection fencing position for the grading</p>			

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<p>and construction portion of the subdivision. The arborist shall be guided by the standard protocols set forth in the <i>American National Standards Institute (ANSI) A300 Standard, Part 5 (2005)</i> and the <i>International Society of Arboriculture’s publication Best Management Practices: Managing Trees During Construction (2008)</i>.</p>			
	<p>Mitigation Measure BIO-6b: The fill of jurisdictional wetlands and unvegetated other waters will be avoided and minimized to the extent feasible. Authorization for the fill of waters of the U.S. and State shall be obtained by the project proponent prior to the start of construction. Mitigation for the fill of wetlands and other waters shall be accomplished through the creation of seasonal freshwater wetlands and unvegetated other waters at a minimum 1:1 replacement ratio within the project site, at an approved wetland mitigation bank, or at another location within the Walnut Creek watershed approved of by the USACE, RWQCB, and CDFW. The mitigation goal shall be to create and enhance aquatic habitats with habitat functions and values greater than or equal to those that will be impacted by the proposed project.</p> <p>Wetland mitigation within the project site or at another location within the Walnut Creek watershed would be described in a wetland mitigation plan that would:</p> <ul style="list-style-type: none"> • Be prepared consistent with the Final Regional Compensatory Mitigation and Monitoring Guidelines (USACE 2015) and the Compensatory Mitigation for Losses of Aquatic Resources: Final Rule (USACE 2008); • Define the location of all restoration and creation activities; • Describe measures that would ensure that adjacent land uses would not adversely affect the ecological functions and values of the wetland mitigation area, so as to ensure consistency with the foregoing federal guidelines and rules. Such measures may include the use of appropriately-sized buffers between the wetland mitigation area and any adjacent development, the use of fencing 	<p>Project Sponsor to obtain authorization and applicable permits from USACE, RWQCB, and CDFW to fill wetlands.</p> <p>A verification shall be provided to DCD.</p> <p>Project Sponsor shall implement wetland mitigation and replacement for filled wetlands.</p>	<p>Project Sponsor</p>	<p>Permits shall be obtained prior to pre-construction. Implementation shall occur immediately after installation of site improvements.</p>

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<p>or walls to prevent unauthorized access, lighting in adjacent development designed to avoid light spillage into the wetland mitigation area, landscape-based Best Management Practices for adjacent development prior to discharge into the wetland mitigation area, and signage describing the sensitive nature of the wetland mitigation area.</p> <ul style="list-style-type: none"> • Provide evidence of a suitable water budget to support restored and created wetland habitats; • Identify the species, quantity, and location of plants to be installed in the wetland habitats; • Identify the time of year for planting and method for supplemental watering during the establishment period; • Identify the monitoring so as to ensure consistency with the foregoing federal guidelines and rules, which shall be not less than five years for wetland restoration; • Define success criteria that will be required for restoration efforts to be deemed a success; • Identify adaptive management procedures that may be employed as needed to ensure the success of the mitigation project and its consistency with the foregoing federal guidelines and rules. These include, but are not limited to, remedial measures to address exotic invasive species, insufficient hydrology to support the attainment of performance standards, and wildlife harm; • Define management and maintenance activities, including weeding, supplemental irrigation, and site protection; and • Define responsibility for maintaining, monitoring and ensuring the preservation of the mitigation site in perpetuity. <p>The Project Applicant shall comply with all terms of the permits issued by these agencies, including mitigation requirements, and shall provide proof of compliance to the County prior to issuance of a grading permit.</p>			

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
<p>Impact BIO-7: The project could result in the degradation of water quality in the intermittent drainages and downstream waters.</p>	<p>Mitigation Measure BIO-7: Adverse impacts to water quality shall be avoided and minimized by implementing the following measures:</p> <ul style="list-style-type: none"> • Prior to the start of site disturbance activities, construction barrier fencing and silt fencing shall be installed around the perimeters of wetlands and drainages that are to be protected during construction of the project to prevent movement of sediments into these features. Any debris that is inadvertently deposited into these features during construction shall be removed in a manner that minimizes disturbance. • All construction within jurisdictional features shall be conducted consistent with permits issued by USACE, RWQCB, and CDFW. Construction activities within these features shall be completed promptly to minimize their duration and resultant impacts. • Contractors shall be required to implement a Stormwater Pollution Prevention Plan that describes BMPs including the conduct of all work according to site-specific construction plans that minimize the potential for sediment input to the aquatic system, avoiding impacts to areas outside the staked and fenced limits of construction, covering bare areas prior to storm events, and protecting disturbed areas with approved erosion control materials. • Bioretention planters, vegetated swales, and other landscape-based BMPs to catch and filter runoff from impervious surfaces shall be implemented throughout the project site to protect water quality in receiving waters. 	<p>Contractor to mitigate water quality impacts through construction barriers, permitting coordination, implementing a Stormwater Prevention Plan, and BMPs.</p>	<p>Contractor</p>	<p>Pre-construction / During construction</p>

<p>Impact BIO-8: Several protected trees would be removed to allow for project construction.</p>	<p><u>Mitigation Measure BIO-8: A Tree Replacement Plan shall be submitted to and approved by the County prior to the removal of trees and/or prior to the issuance of a grading permit, the project sponsor will submit to the County a Tree Replacement Plan designating the approximate location, number, and sizes of replacement trees to be planted on the project site. Prior to submittal of a building permit for each home, a licensed landscape architect shall submit a landscape plan designating the final location and species of trees in general conformance with the Tree Replacement Plan. Trees shall be planted prior to final occupancy of each building.</u></p> <p><u>Mitigation for the removal of any native oak trees by the project, regardless of location, will be achieved by the following ratios: 4:1 replacement for trees 6-3/8-10 inches in diameter, 5:1 replacement for trees >10-15 inches in diameter, and 15:1 replacement for trees >15 inches in diameter. The replacement ratio for non-oak trees shall be as follows: shall be 3:1 for trees that are removed within riparian corridors, 2:1 for drought tolerant trees, and 1:1 for non-drought tolerant trees.</u></p> <p><u>The Tree Replacement Plan shall identify the total number and size of trees to be replanted in accordance to the ratios discussed above. CDFW replacement ratios are based on the diameter of the removed tree, with no minimum container size for replacement trees. To fulfill CDFW recommendations, the oak mitigation credit shall be calculated based on the scale outlined in Table 4.4-3.</u></p> <p><u>The Tree Replacement Plan shall designate the approximate location, number, and sizes of trees to be planted on each lot. In addition, prior to submittal of a building permit for each home, a licensed landscape architect shall submit a landscape plan designating the final location and species of trees in general conformance with the Tree Planting Plan. Trees shall be planted prior to final of building permit.</u></p>	<p>Project Sponsor to submit to DCD a Tree Replacement Plan for the entire project site.</p> <p>Project Sponsor to submit to DCD a landscape plan for each residential lot that conforms to the Tree Replacement Plan.</p>	<p>Project Sponsor / DCD</p>	<p>Tree Replacement Plan for the entire project site shall be submitted to DCD prior to any tree removal or ground disturbance.</p> <p>Tree Replacement within open space, common area, or off-site shall occur immediately after installation of site improvements.</p> <p>Landscape Plan for the residential lots shall be submitted prior to issuance of a building permit.</p> <p>Installation of the Landscape Plan shall be completed prior to obtaining a final building inspection.</p>
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Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing																					
	<p>Table 4.4-3 Tree Mitigation Credit Based on Container Size</p> <table border="1" data-bbox="464 428 1157 878"> <thead> <tr> <th data-bbox="464 428 695 500">Container Size</th> <th colspan="2" data-bbox="695 428 1157 500">Oak tree replacement credit</th> </tr> </thead> <tbody> <tr> <td data-bbox="464 500 695 561">1-gallon</td> <td data-bbox="695 500 926 561">1 tree</td> <td data-bbox="926 500 1157 561">1 credit to CDFW</td> </tr> <tr> <td data-bbox="464 561 695 623">5-gallon</td> <td data-bbox="695 561 926 623">2 trees</td> <td data-bbox="926 561 1157 623">2 credits to CDFW</td> </tr> <tr> <td data-bbox="464 623 695 685">15-gallon</td> <td data-bbox="695 623 926 685">4 trees</td> <td data-bbox="926 623 1157 685">4 credits to CDFW</td> </tr> <tr> <td data-bbox="464 685 695 747">24-inch box</td> <td data-bbox="695 685 926 747">8 trees</td> <td data-bbox="926 685 1157 747">8 credits to CDFW</td> </tr> <tr> <td data-bbox="464 747 695 808">36-inch box</td> <td data-bbox="695 747 926 808">16 trees</td> <td data-bbox="926 747 1157 808">16 credits to CDFW</td> </tr> <tr> <td data-bbox="464 808 695 878">48-inch box</td> <td data-bbox="695 808 926 878">32 trees</td> <td data-bbox="926 808 1157 878">32 credits to CDFW</td> </tr> </tbody> </table> <p>Replacement plantings shall consist of locally appropriate native species and non-invasive species. Tree species identified as a pest species by the California Invasive Plant Council shall not be used as replacement plantings.</p> <p>In designing the Tree Replacement Plan, the arborist shall review the final project grading plans to ensure that adequate tree preservation methods, guidelines, and conditions are in place. The project arborist shall host pre-demolition meetings with the general contractor and demolition contractor to determine clearance pruning, stump removal techniques, fencing placement and timing, and tree protection. The arborist shall conduct post-demolition meetings to review and confirm tree protection fencing for grading and construction. The arborist shall incorporate standard protocols set forth in the American National Standards Institute (ANSI) A300 Standard, Part 5 (2005) and the</p>	Container Size	Oak tree replacement credit		1-gallon	1 tree	1 credit to CDFW	5-gallon	2 trees	2 credits to CDFW	15-gallon	4 trees	4 credits to CDFW	24-inch box	8 trees	8 credits to CDFW	36-inch box	16 trees	16 credits to CDFW	48-inch box	32 trees	32 credits to CDFW			
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Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<p><u>International Society of Arboriculture's Best Management Practices: Managing Trees During Construction (2008).</u></p> <p><u>Planting shall conform to the American National Standards Institute (ANSI) A300 Standard, Part 6 (2012) Tree, Shrub and Other Woody Plant Management Standard Practices (Planting and Transplanting), or later versions as they are published and to the companion International Society of Arboriculture (ISA) Best Management Practices (BMP) Tree Planting, Second Edition, or later versions as they are published. Tree selection and planting shall be overseen by an International Society of Arboriculture Certified Arborist familiar with the practices in the Standard and BMP. Irrigation of the mitigation trees shall be dedicated to the specific tree, not part of a broader area irrigation.</u></p> <p><u>The County will determine project sponsor will prepare an Offsite Tree Replacement Plan outlining the number, location, and sizes of replacement trees to be planted offsite if the project site cannot sustainably support the required number of replacement trees. All trees that are planted offsite or within common or open space areas on the project site shall be planted upon completion of the site improvements. The project sponsor will monitor offsite plantings for a period of five years to ensure at least 80 percent tree survival.</u></p>			
4.5 Cultural Resources				
<p>Impact CUL-1: Construction of the project could potentially cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.</p>	<p>Mitigation Measure CUL-1: Pursuant to CEQA Guidelines Section 15064.5, and other applicable law, in the event that any prehistoric, historic, archaeological, or paleontological resources are discovered during ground-disturbing activities, all work within 100 feet of the resources shall be halted and the proponent shall consult with the County and a qualified professional (historian, archaeologist, and/or paleontologist, as determined appropriate and approved by the County) to assess the significance of the find.</p>	<p>Project Sponsor to notify DCD if prehistoric, historic, archaeological, or paleontological resources are uncovered at the project site.</p>	<p>Project Sponsor / DCD / Qualified Cultural Resource Professional</p>	<p>During construction</p>

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<p>If any find is determined to be significant, representatives of the County and the consulting professional shall determine, with the input of any affected California Native American tribe, the appropriate avoidance measures, such as planning greenspace, parks, or other open space around the resource to preserve it and/or its context (while protecting the confidentiality of its location to the extent feasible) or other appropriate mitigation, such as protecting the historical or cultural value of the resource through data recovery or preservation.</p> <p>In considering any suggested mitigation proposed by the consulting professional to mitigate impacts to cultural resources, the County shall determine whether avoidance is feasible in light of factors such as the nature of the find, project design, costs, and other considerations.</p> <p>If avoidance is infeasible, other appropriate measures, such as data recovery, shall be instituted. The resource shall be treated with the appropriate dignity, taking into account the resource’s historical or cultural value, meaning, and traditional use, as determined by a qualified professional or California Native American tribe, as is appropriate. Work may proceed on other parts of the project site while mitigation for cultural resources is carried out. All significant cultural materials recovered shall, at the discretion of the consulting professional, be subject to scientific analysis, professional museum curation, and documentation according to current professional standards.</p> <p>At the County’s discretion, all work performed by the consulting professional shall be paid for by the proponent and at the County’s discretion, the professional may work under contract with the County.</p>			

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
<p>Impact CUL-2: Construction of the project could potentially cause a substantial adverse change in the significance of an unknown archaeological resource pursuant to Section 15064.5.</p>	<p>See Mitigation Measure CUL-1</p>	<p>See Mitigation Measure CUL-1</p>	<p>See Mitigation Measure CUL-1</p>	<p>See Mitigation Measure CUL-1</p>
<p>Impact CUL-3: Construction of the project potentially could directly or indirectly destroy a unique paleontological resource on site or unique geologic feature.</p>	<p>See Mitigation Measure CUL-1</p>	<p>See Mitigation Measure CUL-1</p>	<p>See Mitigation Measure CUL-1</p>	<p>See Mitigation Measure CUL-1</p>
<p>Impact CUL-4: Construction of the project could potentially disturb human remains, including those interred outside of formal cemeteries.</p>	<p>Mitigation Measure CUL-2: In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:</p> <ol style="list-style-type: none"> 1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: <ul style="list-style-type: none"> • The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and • If the coroner determines the remains to be Native American: 	<p>County Coroner to examine any human remains discovered at the project site.</p>	<p>Contractor / County Coroner</p>	<p>During construction</p>

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<ul style="list-style-type: none"> • The coroner shall contact the Native American Heritage Commission within 24 hours; • The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American; • The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; <p>2. Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:</p> <ul style="list-style-type: none"> • The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the Commission; • The identified descendant fails to make a recommendation; or • The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner. 			

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
<p>Impact CUL-5: Construction of the project could potentially cause a substantial adverse change in the significance of an unknown tribal cultural resource.</p>	<p>See Mitigation Measures CUL-1 and CUL-2</p>	<p>See Mitigation Measures CUL-1 and CUL-2</p>	<p>See Mitigation Measures CUL-1 and CUL-2</p>	<p>See Mitigation Measures CUL-1 and CUL-2</p>
<p>4.7 Geology and Soils</p>				
<p>Impact GEO-1: The project could be subject to strong seismic shaking from regional geologic faults.</p>	<p>Mitigation Measure GEO-1: The project proponent shall design structures and foundations to withstand expected seismic sources in accordance with the current version of the California Building Code, as adopted by the County. Prior to the issuance of a building permit, the Contra Costa County Department of Conservation and Development shall verify that plans incorporate seismic site categorization and design coefficients in conformance with the most recent version of the California Building Code. The project sponsor shall be required to provide evidence that a qualified geotechnical engineer has reviewed final grading, drainage, and foundation plans for consistency with California Building Code and Uniform Building Code design standards, and verify that all pertinent recommendations of the geotechnical engineer are incorporated into final building plans (see Mitigation Measure GEO-2).</p>	<p>Project Sponsor to design structures to withstand seismic sources in accordance to the California Building Code and seek a Qualified Geotechnical Engineer to review final grading, drainage and foundations. DCD to review and verify.</p>	<p>Project Sponsor / DCD / Qualified Geotechnical Engineer</p>	<p>Pre-construction</p>
<p>Impact GEO-2: Soils on the project site are unstable and could experience soil failure or other geotechnical hazards.</p>	<p>Mitigation Measure GEO-2: A design-level geotechnical report shall provide recommendations to address soil stability on the project site. Performance measures shall include, but not be limited to, those described below.</p> <ul style="list-style-type: none"> To reduce the potential for adverse settlement or stability problems, compressible native soils, artificial fill, and any compressible alluvium shall be replaced with engineered fill and/or improvements designed to accommodate the anticipated settlement. To reduce the expansion potential of the fill, moisture 	<p>Project Sponsor to provide a design-level geotechnical report to address soil stability at the project site for DCD review and approval.</p>	<p>Project Sponsor DCD / Qualified Geotechnical Engineer</p>	<p>Pre-construction / Construction</p>

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<p>conditioning of clayey fill materials to above-optimum moisture content should be anticipated. Detailed fill placement recommendations will be provided based on laboratory testing and analysis performed in conjunction with the design-level geotechnical report.</p> <ul style="list-style-type: none"> • Depending on the location and characteristics of compressible native soils and artificial fill, some building pads may require drilled pier and grade beam foundations to achieve the desired level of structural support. This technique entails drilling pier holes below the depth of seasonal moisture changes and into more stable soils below. The pier holes are backfilled with concrete and reinforcing steel rebar, resulting in a structure with low movement risk. • Most of the existing fill slope located along the rear of Lots 11 through 14 and Lots 18 through 20 will require corrective grading. For existing fills that remain in place, setbacks from the toe of the existing fill slope can be developed based on the findings of the design-level geotechnical exploration. In general, all proposed improvements should be set back from the toe of the slope a distance equal to, or greater than, the height of the existing fill slope. • If after rough grading, testing of the pad soils determines that soils on the project site are corrosive, the project proponent will provide recommendation for foundations that protect building materials (such as concrete and steel) in contact with the ground surface. • The design-level geotechnical report will characterize shrink/swell properties of on-site soils. Design-level mitigation will be required to reduce the risk associated with expansive soils, which may include the following. <ul style="list-style-type: none"> • Excavate expansive soils and replace with non-expansive fill • Avoid siting structures across soil materials of substantially different expansive properties 			

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<ul style="list-style-type: none"> • Extend building foundations below the zone of seasonal moisture change • Utilize pier and grade beam foundation system • Utilize post-tensioned slabs • Prevent accumulation of surface water adjacent to or under foundations • Depending on the results of the design-level geotechnical report, the potential danger posed by liquefiable soils would be mitigated by appropriate soil and structural stabilization measures, such as compaction grouting and/or designing structures to accommodate anticipated settlement. • Where development encroaches into the hilly, western areas of the project site, remedial grading will be required to reduce the potential for adverse impacts from slide movement and soil creep. Specific grading measures should be developed on a case-by-case basis where development encroaches into the mapped landslide areas. Measures may include: <ul style="list-style-type: none"> • Benching through the surficial soils during fill placement • Drilled pier and grade beam foundation systems to accommodate lateral loads from soil creep • Properly engineered cut and fill slopes • Stabilization of landslide areas • Creation of sufficient buffers between the identified landslide areas and development area • Maintenance benches should be provided at the toe of major cut slopes (cut slopes higher than 10 feet) or natural slopes that extend upslope of the area of planned development. The width of the bench should be approximately 15 feet wide or as determined necessary by a licensed geotechnical engineer, depending on the height and steepness of the adjacent slope, to ensure compliance with applicable provisions of the California Building Code. 			

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<ul style="list-style-type: none"> A cut slope is planned on the upslope side of proposed Lot 29 that would be about 18 feet high and have a gradient of about 2:1. This proposed cut slope may encounter relatively shallow bedrock. Additional exploration must determine if a 2:1 slope is feasible in this location. If subsurface conditions are such that a 2:1 slope is not feasible, the slope should be flattened to a gradient no steeper than 2.5:1, or reconstructed as an engineered fill slope with an appropriate keyway and subdrainage. <p>Also see Mitigation Measure GEO-1</p>			
<p>Impact GEO-3: The project site could experience hazards related to liquefaction or other seismic-related ground failure.</p>	<p>See Mitigation Measures GEO-1 and GEO-2</p>	<p>See Mitigation Measures GEO-1 and GEO-2</p>	<p>See Mitigation Measures GEO-1 and GEO-2</p>	<p>See Mitigation Measures GEO-1 and GEO-2</p>
<p>Impact GEO-4: Evidence of landslide areas in the hills west of the project site suggests that the area experienced landslides in the past.</p>	<p>See Mitigation Measures GEO-1 and GEO-2</p>	<p>See Mitigation Measures GEO-1 and GEO-2</p>	<p>See Mitigation Measures GEO-1 and GEO-2</p>	<p>See Mitigation Measures GEO-1 and GEO-2</p>
<p>Impact GEO-5: The project site may be located on expansive soils.</p>	<p>See Mitigation Measures GEO-1 and GEO-2</p>	<p>See Mitigation Measures GEO-1 and GEO-2</p>	<p>See Mitigation Measures GEO-1 and GEO-2</p>	<p>See Mitigation Measures GEO-1 and GEO-2</p>
<p>4.8. Greenhouse Gas Emissions</p>				
<p>Impact GHG-1: The project could conflict with the Contra Costa</p>	<p>Mitigation Measure GHG-1: The following improvements will be included as requirements for building permits for any applicable structure on the project site:</p>	<p>Project Sponsor to determine if solar power would be cost effective for</p>	<p>Project Sponsor / DCD</p>	<p>Design and construction plans</p>

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
County Climate Action Plan.	<ul style="list-style-type: none"> The proposed project shall install high-efficiency kitchen and laundry appliances (e.g., Energy Star-rated appliances or equivalent). Tankless water heaters or a similar hot water energy-saving device or system shall be installed. The project proponent will develop a solar exposure study to determine which residences would benefit from solar energy. The solar study will be submitted prior to obtaining a building permit. Residences that would cost-effectively benefit from solar energy shall be wired to be solar ready, as defined by the California Building Standards Code. Residences that would not cost-effectively benefit from solar energy shall have the attic insulated with R-49 insulation batts to prepare for the statewide transition to zero net energy. The proposed project shall provide prewiring for electric vehicle charging stations for each residence. 	<p>residences and provide high efficiency appliances, and electrical vehicle charging stations for each residence.</p> <p>Solar exposure study to be submitted for DCD review and approval.</p> <p>Construction plans shall identify the required elements of this mitigation measure.</p>		

4.9 Hazards and Hazardous Materials

<p>Impact HAZ-1: Soils within portions of the project site could contain residual agrichemicals.</p>	<p>Mitigation Measure HAZ-1: Prior to issuance of any demolition, grading, or building permit, a site evaluation will investigate for agrichemical contamination on portions of APN 198-170-008 proposed for residential development. Soil samples will be collected and tested for organochlorine pesticides, lead, and arsenic by a qualified professional to assess potential environmental impacts from past agricultural practices. Concentrations of agricultural contaminants will be compared to applicable EPA screening levels for residential development. The Project Applicant will be required to submit a comprehensive report to the County, signed by a qualified environmental professional, documenting the presence or lack of agrichemicals on APN 198-170-008. If this assessment finds presence of such chemicals, the Project Applicant will create and implement a remediation plan that ensures workers and future residents are not</p>	<p>Project Sponsor and Qualified Environmental Professional to conduct site evaluation for agrichemical contamination and submit a report to DCD. Project Sponsor shall create a remediation plan, if necessary.</p>	<p>Project Sponsor/ DCD / Qualified Environmental Professional</p>	<p>Pre-construction</p>
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Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
	<p>exposed to concentrations in excess of applicable EPA screening levels and risks associated with these agrichemicals. Potential safety measures could include soil removal and treatment or protective work attire requirements for construction workers.</p>			
<p>Impact HAZ-2: Demolition of existing structures on the site could result in the release of lead, asbestos, and other contaminants.</p>	<p>Mitigation Measure HAZ-2: Prior to issuance of any demolition, grading, or building permit, the project applicant shall submit a comprehensive report to the County, signed by a qualified environmental professional, documenting the presence or lack of asbestos, lead-based paint, and any other building materials or stored materials classified as hazardous waste by State or Federal law. If this assessment finds presence of such materials, the Project Applicant shall create and implement a health and safety plan to ensure workers are not exposed to contaminants in excess of OSHA and other applicable State and Federal standards and associated risks associated with hazardous materials during demolition, renovation of affected structures, transport, and disposal.</p>	<p>Project Sponsor to prepare a report evaluating hazardous materials in building materials at the project site. Report to be provided to DCD.</p>	<p>Project Sponsor/ DCD / Environmental Professional</p>	<p>Pre-construction</p>

4.10 Hydrology and Water Quality

<p>Impact HYD-1: Project construction activities could substantially alter the existing drainage pattern of the project site in a manner which would result in substantial offsite erosion or siltation.</p>	<p>See Mitigation Measure BIO-7</p>			
<p>Impact HYD-2: Construction activities could substantially degrade water quality.</p>	<p>See Mitigation Measures BIO-6b and BIO-7</p>			

Environmental Impacts	Mitigation Measure	Implementing Action	Responsible Party	Implementation Timing
4.13 Noise				
<p>Impact NOI-1: The project would substantially increase ambient noise levels in the project vicinity above existing levels.</p>	<p>Mitigation Measure NOI-1: Prior to the issuance of building permits, any outdoor mechanical equipment, air conditioning units, or pumps shall be selected and designed to reduce impacts on surrounding uses. A qualified acoustical consultant shall be retained by the Project Applicant to review mechanical noise as the equipment systems are selected in order to determine specific noise reduction measures necessary to reduce noise to 55 dBA Ldn at the shared property line. Noise reduction measures could include, but are not limited to, locating equipment in shielded and/or less noise-sensitive areas, selection of equipment that emits low noise levels, and/or installation of noise barriers such as enclosures to block the line of sight between the noise source and the nearest receptors. Other feasible controls could include, but shall not be limited to, fan silencers, enclosures, and mechanical equipment screen walls.</p>	<p>Project Sponsor to consult with Qualified Acoustic Consultant in the selection, placement, and shielding of outdoor mechanical equipment.</p>	<p>Project Sponsor / Qualified Acoustic Consultant</p>	<p>Pre-construction / During construction</p>

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