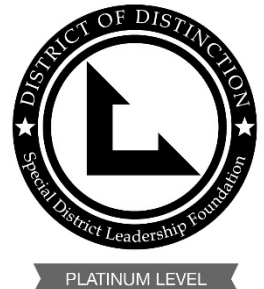




TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



President – Ashley Porter • Vice-President – Michael Callahan • Director – Kevin Graves • Director – Bryon Gutow • Director – Carolyn Graham

**NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday February 15, 2023, 7:00 P.M.**

NOTICE
Coronavirus COVID-19

In response to the current proclaimed State of Emergency, indoor masking recommendations, and recommended measures to promote social distancing imposed by State and local officials, the Town of Discovery Bay Community Services District Board of Directors has arranged for members of the public to observe and address the meeting telephonically (if available) or in person.

TO ATTEND IN PERSON: The meeting will be held at the Community Center located at 1601 Discovery Bay Boulevard.

TO ATTEND BY ZOOM WEBINAR: <https://us06web.zoom.us/j/85454370841>

TO ATTEND BY PHONE: +1 (669) 444 9171 or +1 (719) 359 4580 **WEBINAR ID:** 854 5437 0841

Download Agenda Packet and Materials at <http://www.todb.ca.gov/>

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m.
2. Pledge of Allegiance.
3. Roll Call.

B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)

During Public Comments, the public may address the Board on any issue within the District's jurisdiction which is not on the Agenda. The public may comment on any item on the Agenda at the time the item is before the Board for consideration. Any person wishing to speak will have 3 minutes to make their comment. There will be no dialog between the Board and the commenter as the law strictly limits the ability of Board members to discuss matters not on the agenda. We ask that you refrain from personal attacks during comment, and that you address all comments to the Board only. Any clarifying questions from the Board must go through the President. Comments from the public do not necessarily reflect the viewpoint of the Directors.

C. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approve Regular Board of Directors DRAFT Meeting minutes from February 1, 2023.
2. Approve Register of District Invoices.
3. Approve Resolution 2023-03 Re-Authorizing Remote Teleconference Meetings of the Legislative Body of the Town of Discovery Bay Community Services District Pursuant to the Brown Act Provisions.
4. Adopt and Approve Resolution No. 2023-04 Accepting an Easement for the Marina Waterline Crossing Repair Project.
5. Approve Amendment No. 2 to the East County Water Management Association Agreement.

D. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS

E. PRESENTATIONS

1. Veolia Presentation.

F. DISCUSSION AND POSSIBLE ACTION

1. Discussion and Possible Action to Introduce and Waive First Reading of Amendment to Ordinance No. 7 – Water Regulations and Service Ordinance, Adding Sections 2.16 and 37.04.
2. Discussion and Possible Action to Adopt Resolution No. 2023-05 Determining CEQA Exemption for Willow Water Treatment Plant Filter Replacement Project, Approve Willow Water Treatment Plant Filter Replacement Project, and Direct Town Staff to File a Notice of Exemption
3. Discussion and Possible Action to Approve the Notice of Completion and Release the Retention Payment, and Performance and Payment Bonds for Construction of the Discovery Bay Blvd. and Egdeview Drive Pipeline Replacement Project.
4. Discussion and Possible Action to Approve and Certify the Town of Discovery Bay Sewer System Management Plan.
5. Discussion and Possible Action to Adopt Resolution 2023-06 Adopting an Addendum to the Pantages Bay Residential Development Project EIR to address the Town's Well 8 Project and Directing Staff to File a Notice of Determination.

G. MANAGER'S REPORT

1. Landscape Update.

H. GENERAL MANAGER'S REPORT

1. Contra Costa County Health Services - Hazmat Inspection Update.

I. DIRECTOR REPORTS

J. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS

1. Code Enforcement Meeting – January 26, 2023 (Director Kevin Graves).
2. Liberty Union High School Meeting – January 18, 2023 (Director Kevin Graves).
3. Director Graves – Training Report.
 - a. Completion of state mandated “Anti-Harassment Training for Supervisors and Managers” (SB1343/AB1825) on January 20, 2023.
 - b. Completion of state mandated “Local Agency Ethics” (AB1234) on February 10, 2023.
4. Director Gutow – Training Reports.
 - a. Completion of state mandated “Anti-Harassment Training for Supervisors and Managers” (SB1343/AB1825) on January 11, 2023.
 - b. Completion of state mandated “Local Agency Ethics” (AB1234) on January 12, 2023.
5. Con Fire Meeting – February 7, 2023 (Director Carolyn Graham).

K. CORRESPONDENCE

1. CSDA Board of Directors Call for Nominations Seat C. – January 30, 2023
2. LAFCO Call for Nominations and Names of District Voting Delegates - February 2, 2023

L. LEGAL REPORT

M. MUNICIPAL ADVISORY COUNCIL

1. Discussion and Possible Action to Form an Ad Hoc Contra Costa County EIR Review Committee.
2. Discussion and Possible Action to establish a future meeting date for the Ad Hoc Contra Costa County EIR Review Committee.

3. Discussion and Possible Action to submit a letter of response on the Contra Costa County EIR.

N. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA

(Government Code Section 54957.7)

O. CLOSED SESSION

1. Public Employee Performance Evaluation Pursuant to Government Code 54947 (Position: General Manager).
3. Conference with Labor Negotiator Pursuant to Government Code 54957.6 Agency Designated Representative Ashley Porter / Andy Pinasco
Unrepresented Employee : General Manager

P. RETURN TO OPEN SESSION, REPORT ON CLOSED SESSION

(Government Code Section 54957.1)

Q. BUSINESS AND ACTION ITEMS

1. Discussion and Possible Action to Approve Amendment to General Manager Employment Agreement.

R. FUTURE AGENDA ITEMS

S. ADJOURNMENT

1. Adjourn to the next Regular Meeting of the Board of Directors on March 1, 2023, beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

"This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Town of Discovery Bay, at (925) 634-1131, during regular business hours, at least forty-eight hours prior to the time of the meeting."

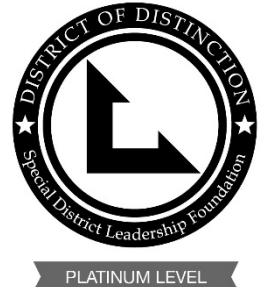
"Materials related to an item on the Agenda submitted to the Town of Discovery Bay after distribution of the agenda packet are available for public inspection in the District Office located at 1800 Willow Lake Road during normal business hours."



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT

SDLF Platinum-Level of Governance



President – Ashley Porter • Vice-President – Michael Callahan • Director – Kevin Graves • Director – Bryon Gutow • Director – Carolyn Graham

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday February 1, 2023 7:00 P.M.**

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Called business meeting to order at 7:00 p.m.
2. Pledge of Allegiance was led by Director Gutow.
3. Roll Call was taken, and all members were present.

B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)

None.

C. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approve Regular Board of Directors DRAFT Meeting minutes from January 18, 2023.
2. Approve Register of District Invoices.
3. Approve Resolution 2023-02 Re-Authorizing Remote Teleconference Meetings of the Legislative Body of the Town of Discovery Bay Community Services District Pursuant to the Brown Act Provisions.
4. Approve a Certificate of Appreciation to Captain Mark Johnson Signed by the President of the Board.

Director Graves made a Motion to Approve the Consent Calendar.

Director Gutow seconded.

Vote: Motion carried – AYES: 5, NOES 0, ABSTAINED 0, ABSENT 0.

D. AREA AGENCIES AND LIAISON REPORTS / PRESENTATIONS

1. Supervisor Diane Burgis, District III Report.

Presented by District Representative Stephen Griswold.

- There will be a Chamber of Commerce Mega Mixer at Supervisor Burgis' office April 19th, 2023, from 5:00-8:00p.m.
- Discussion on short-term rental violations and fines.

2. Assembly Member Lori Wilson's Office Report.
None.

3. Sheriff's Office Report.

Captain Mark Johnson introduced Lieutenant Charlene Jacquez.

- Lieutenant Jacquez introduced herself and gave a brief profile on her personal and professional life.
- Lieutenant Jacquez introduced the two Discovery Bay resident deputies.

4. CHP Report.
None.
5. ~~Contra Costa Fire Report~~ (Assignment by Con Fire Pending).
None.
6. Congressman Josh Harder's Office Report.
None.

E. PRESENTATIONS

1. Recognition of Captain Mark Johnson's Service to TODB.

President Ashley Porter presented Captain Mark Johnson with a Certificate of Appreciation for the service he provided to the Town of Discovery Bay.

2. Discovery Bay General Plan Update.

Public Comment:

- First speaker spoke on the lack of infrastructure, lack of public transportation, as well as concerns regarding school safety and emergency services in Discovery Bay.
- Second speaker spoke about challenges that the community will face if adding to the population.
- Third speaker spoke about challenges in the future with becoming an incorporated area if commercial land is rezoned as residential.
- Fourth speaker stated his concerns that the County has the authority to determine more homes in our community.

Presented by Will Nelson, Principal Planner with Contra Costa County.

- General plan is the highest land use planning document.
- Existing general plan is over 32 years old.
- Contra Costa County regional housing needs allocation is 49,049.
- Contra Costa County Unincorporated area's share is 7,610.
- Discovery Bay is allocated 494 units.
- To sign up for updates please visit: envisioncontracosta2040.org

F. DISCUSSION AND POSSIBLE ACTION

1. Discussion and Possible Action to Approve the Purchase of a New Ford F-250 Truck for the Water and Wastewater Department.

Presented by Water & Wastewater Manager, Aaron Goldsworthy.

- The Town has needed a new truck for several years but faced inventory and supply-chain issues due to COVID. Water & Wastewater Manager Goldsworthy found a truck in stock at Bill Brandt Ford.

Director Graves made a Motion to Approve the Purchase of a New Ford F-250 Truck for the Water and Wastewater Department.

Director Gutow seconded.

Vote: Motion carried – AYES: 5, NOES 0, ABSTAINED 0, ABSENT 0.

G. MANAGER'S REPORT

Presented by Parks and Recreation Supervisor Monica Gallo.

- Evening yoga classes will begin next week.
- Pool will be opened in February for the turn and stroke clinic for kids.
- Community Center grounds are now open until 6:00p.m. due to later sunset.

Water & Wastewater Manager Aaron Goldsworthy introduced Veolia Project Manager Anthony Harper to give an update on the Clipper Dr. Pipeline repair.

- W.R Forde repaired the pipeline in two days with an hour of clean-up on the third day.
- A decision was made to add valves on both sides as well as a bypass valve.

H. GENERAL MANAGER’S REPORT

General Manager Dina Breitstein reported.

- Cal Trans has been contacted about the bridge repair traffic making it difficult to access Plant #1 and Plant #2.
- P.G. & E. is starting a new pipeline replacement project. They will be disposing of water at the wastewater plant which gives the Town added revenue.

I. DIRECTOR REPORTS

1. Standing Committee Reports.

- a. Internal Operations Committee Meeting (Committee Members Michael Callahan and Kevin Graves) February 1, 2023.

Vice-President Michael Callahan reported.

- Committee chair will be Michael Callahan. Vice-chair will be Kevin Graves.
- Vehicle use policy will be coming to the board for approval.

- b. Finance Committee Meeting (Committee Members Ashley Porter and Carolyn Graham) February 1, 2023.

Director Carolyn Graham reported.

- Committee chair will be Ashley Porter. Vice-Chair will be Carolyn Graham.
- Finance Manager Julie Carter gave a financial report.

- c. Water & Wastewater Committee Meeting (Committee Members Ashley Porter and Kevin Graves) February 1, 2023.

Director Kevin Graves reported.

- Committee chair will be Ashley Porter and Vice-chair will be Kevin Graves.
- Discussion on the Sewer System Management Plan.
- Discussion on the East County Water Management Agreement.

2. Ad Hoc Committee Report.

Director Kevin Graves reported.

- There was an Ad Hoc meeting on January 27th, 2023.
- Architects are working on plans for a new District Office that will be brought to the Board of Directors in April.

J. DIRECTORS REGIONAL MEETING AND TRAINING REPORTS

1. Transplan Committee Meeting – January 12, 2023 (Director Carolyn Graham).

K. CORRESPONDENCE

None.

L. LEGAL REPORT

None.

M. MUNICIPAL ADVISORY COUNCIL

None.

N. FUTURE AGENDA ITEMS

None.

O. ADJOURNMENT

1. Meeting adjourned at 8:38p.m. to the next Regular Meeting of the Board of Directors on February 15, 2023, beginning at 7:00 p.m. at the Community Center located at 1601 Discovery Bay Boulevard.

"This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Town of Discovery Bay, at (925) 634-1131, during regular business hours, at least forty-eight hours prior to the time of the meeting."

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Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

February 15, 2023

Prepared By: Julie Carter, Finance Manager & Lesley Marable, Accountant
Submitted By: Dina Breitstein, General Manager

Agenda Title

Approve Register of District Invoices.

Recommended Action

Staff recommends that the Board approve the listed invoices for payment.

Executive Summary

District invoices are paid on a regular basis, and must obtain Board authorization prior to payment. Staff recommends Board authorization in order that the District can continue to pay warrants in a timely manner.

Fiscal Impact:

Amount Requested \$ 424,200.01

Sufficient Budgeted Funds Available?: Yes (If no, see attached fiscal analysis)

Prog/Fund # See listing of invoices. **Category:** Operating Expenses and Capital Improvements

Previous Relevant Board Actions for This Item

Attachments

Request For Authorization to Pay Invoices for the Town of Discovery Bay CSD 2022/2023

AGENDA ITEM: C2

Request for Authorization to Pay Invoices
For The Meeting On February 15, 2023
Town of Discovery Bay CSD
Fiscal Year 7/22 - 6/23

Veolia Water North America	\$177,651.47
Bill Brandt Ford	\$58,683.38
Old Republic Title	\$50,000.00
San Joaquin County Office Of Ed	\$15,000.00
Vortex Industries, LLC	\$13,796.95
County Clerk- Elections Division	\$13,118.95
U.S. Bank Corporate Payment System	\$12,995.40
J.W. Backhoe & Construction, Inc.	\$11,912.33
Utility Refund Customer	\$10,418.42
Core & Main LP	\$7,977.68
City Of Brentwood	\$6,708.22
Aetypic, Inc.	\$6,390.00
Precision IT Consulting	\$5,789.55
Badger Meter	\$5,594.54
Bob Harkrader & Sons Trucking, Inc.	\$4,106.93
Grainger	\$2,911.66
Mt Diablo Resource Recovery	\$2,692.57
American Precast Concrete, Inc.	\$2,487.79
Lincoln Aquatics	\$1,760.98
Univar Solutions USA Inc.	\$1,685.07
Herwit Engineering	\$1,575.00
National Aquatic Services, Inc.	\$1,570.78
Brentwood Ace Hardware	\$1,293.88
Karina Dugand	\$1,149.75
Verizon Wireless	\$1,116.18
Watersavers Irrigation Inc.	\$956.27
ODP Office Solutions, LLC	\$903.01
Bryon Gutow	\$575.00
Kevin Graves	\$575.00
Smeared Paint	\$489.00
Streamline	\$480.00
SiteOne Landscape Supply, LLC	\$303.42
Michelle Dominge	\$270.00
Carolyn Graham	\$230.00
Geotab USA, Inc.	\$197.50
Upper Case Printing, Inc.	\$154.82
UniFirst Corporation	\$151.10
Ashley Porter	\$115.00
Michael Callahan	\$115.00
Concentra	\$109.00
Stericycle	\$93.22
County Of Contra Costa, Dept of Info Tec	\$61.00
Kelly Rajala	\$34.19

\$424,200.01



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
RESOLUTION 2023-03**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TOWN DISCOVERY BAY COMMUNITY SERVICES DISTRICT RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODY OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT PURSUANT TO BROWN ACT PROVISIONS

WHEREAS, the Town of Discovery Bay Community Services District (the "Town") is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the Town's legislative body are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative body conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, the Town's Board of Directors previously adopted a Resolution, Number 2021-16 on October 20, 2021, finding that the requisite conditions exist for the legislative body of the Town to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must make findings that the Board has reconsidered the circumstances of the state of emergency that exist in the Town, and that either the state of emergency continues to directly impact the ability of the members to meet safely in person, or State or local officials continue to impose or recommend measures to promote social distancing; and

WHEREAS, on March 4, 2020, the Governor proclaimed a State of Emergency continues to exist throughout California as a result of the threat of COVID-19; and

WHEREAS, currently the dominant strain of COVID-19 in the country continues to be more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations, therefore, meeting in person would present imminent risks to the health or safety of attendees and members; and

WHEREAS, the Cal-OSHA adopted emergency regulations (Section 3205) imposing requirements on California employers, including measures to promote social distancing remain in effect; and

WHEREAS, the Contra Costa County Health Officer, through guidance and current health orders, strongly encourages indoor masking for everyone, regardless of vaccination status, recommends measures for social distancing when individuals have been exposed to COVID-19, and also acknowledges that close contact to other persons increases risk of transmission.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. AB 361 Compliance. The Board of Directors began using teleconferencing in accordance with subdivision (e) of Section 54953 of the Government Code, as amended by AB 361, on October 20, 2021, and have made the requisite findings by majority vote not later than 30 days after October 20, 2021, and every 30 days thereafter.

Section 3. State of Emergency. The Board of Directors hereby reconsiders the circumstances of the current State of Emergency proclaimed by the Governor on March 4, 2020, and find that the ongoing conditions of the State of Emergency directly impact the ability of members to meet safely in person.

Section 4. Measures to Promote Social Distancing. The Board of Directors hereby finds that Cal-OSHA and the County Health Official continue to recommend measures to promote physical distancing.

Section 5. Remote Teleconference Meetings. The General Manager of the Town of Discovery Bay Community Services District is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 6. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

Ashley Porter
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a meeting, held on February 15, 2023, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Dina Breitstein
Board Secretary



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

February 15, 2023

Prepared By: Mike Yeraka, Projects Manager
Submitted By: Dina Breitstein, General Manager

Agenda Title

Adopt and Approve Resolution No. 2023-04 Accepting an Easement for the Marina Waterline Crossing Repair Project.

Recommended Action

Adopt Resolution 2023-04 Accepting Grant of Easement and Certificate of Acceptance for the Marina Waterline Crossing Easement.

Executive Summary

In order to move forward with making the necessary repairs to the waterline crossing under the river between the end of Marlin Drive and 5901 Marina Road, it was necessary for the Town to secure the attached easement and power use agreement from the property owner, Polar Express Marine LLC. In order to accept and record the easement it will be necessary for the Board to adopt the attached Resolution No. 2023-04.

There are no costs associated with recording the easement agreement with the County.

Specific Board Action:

It is recommended that the Board take the following Action:

Adopt Resolution 2023-04 Accepting Grant of Easement and Certificate of Acceptance for the Marina Waterline Crossing Easement.

Fiscal Impact:

Amount Requested: \$0

Sufficient Budgeted Funds Available?: Yes

Prog/Fund # Category: TBD

Previous Relevant Board Actions for This Item

December 16, 2020, Approving the Project.

Attachments

1. Resolution 2023-04
2. Certificate of Acceptance
3. Easement and Power Use Agreement

AGENDA ITEM: C4



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
RESOLUTION 2023-04**

**A RESOLUTION OF THE TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
ACCEPTANCE OF GRANT OF EASEMENT AND CERTIFICATE OF ACCEPTANCE
(Marina)**

WHEREAS, Polar Express Marine, LLC (“Grantor”) has executed an Easement and Power Use Agreement (“Grant of Easement”) granting an easement over a portion of real property (APNs 004-350-005 and 004-350-006) located at 5901 Marina Road, Discovery Bay, California to the Town of Discovery Bay Community Services District (“Town”), a copy of which is attached hereto as “Exhibit A;”

WHEREAS, pursuant to Government Code Section 27281, all deeds conveying any interest in real property to a governmental agency shall not be accepted for recordation without the consent of the grantee as evidenced by its Certificate of Acceptance.

NOW, THEREFORE, IT IS RESOLVED by the Board of Directors of the Town that the Grant of Easement is hereby accepted by and on behalf of the Town, and that the Town’s General Manager is hereby authorized to execute the Certificate of Acceptance on behalf of the Town.

IT IS FURTHER RESOLVED that the Secretary for the Town is hereby instructed to affix the Town Seal and record the above mentioned Grant Deed and Certificate of Acceptance together with a copy of this Resolution in the office of the County Recorder of Contra Costa County, California.

PASSED AND ADOPTED this 15th day of February 2023, by the following vote of the Board of Directors, to wit:

AYES:

NOES:

ABSENT:

ABSTENTION:

ASHLEY PORTER

President, Board of Directors

ATTEST:

Dina Breitstein, Board Secretary

I hereby certify that I am duly qualified and acting Secretary of the TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT, that the foregoing is a full, true and correct copy of the Resolution passed and adopted by the Board of Directors of TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT at a regular meeting held on February 15, 2023.

Dina Breitstein, Board Secretary

CERTIFICATE OF ACCEPTANCE

This is to certify that the easement by the Grant of Easement from POLAR EXPRESS MARINE, a Delaware limited liability company, to TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT, a community services district formed under the laws of California, is hereby accepted by authority granted in Resolution 2023-04 of the Board of the Town of Discovery Bay Community Services District adopted on February 15, 2023, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: _____ 2023

By: _____

Dina Breitstein
General Manager for the Town
Town of Discovery Bay Community Services District

Recording Requested By:
Town of Discovery Bay
Community Services District
1800 Willow Lake Road
Discovery Bay, CA 94505
Without Fee- Govt. Code 6103

When Recorded, mail to:
Town of Discovery Bay
Community Services District
1800 Willow Lake Road
Discovery Bay, CA 94505

EASEMENT AND POWER USE AGREEMENT

THIS AGREEMENT AND GRANT OF EASEMENT is made by and between **POLAR EXPRESS MARINE, LLC**, a Delaware limited liability company, hereinafter called “the Grantor”, and **TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT**, a political subdivision of the State of California, hereinafter called “the District”.

Grantor is the fee owner of certain real property located in the County of Contra Costa, and State of California, designated as 004-350-006 and 004-350-005, hereinafter referred to as Parcel A.

Grantor is willing to grant to Grantee an easement over such portion of Parcel A (the “Easement Area”), more particularly described in Exhibit A, attached hereto and made a part hereof.

For good and valuable consideration paid by Grantee to Grantor and the mutual covenants, terms, and conditions set forth herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Grantor shall have no liability for the existing debts up to November 17, 2022, which are owed to Grantee for water service provided by Grantee to the customer commonly

referred to RSBR Inc., dba Boardwalk Grill which was previously occupying the Boardwalk Grill, located at 5879 Marina Road, Discovery Bay, California 94505.

2. Grantor hereby grants to the District, its heirs, legal representatives, successors, and assigns and the District hereby accepts from the Grantor, a non-exclusive public utilities easement (the "Easement") with a right-of-way of ingress and egress for equipment, vehicles, and pedestrians in, under, upon, about, over, through, and across Parcel A in the County of Contra Costa, State of California, more particularly described on Exhibit A attached.

2. The purpose of this Easement is to install, operate, use, maintain, repair, relocate, and replace underground electrical power line connections to Grantor's existing underground power lines in addition to installation of an above ground pipeline corrosion control rectifier and all other infrastructure components associated with the District's cathodic protection system within the Easement Area.

3. The District shall replace five (5) of the Grantor's overhead light bulbs with LED light bulbs at no expense to the Grantor. One (1) above the launch ramp and four (4) above the levee. Future maintenance or replacement of the light bulbs shall be performed by the Grantor at the Grantor's expense. Power provided to the District's rectifier by the Grantor at the point of connection within the Easement Area shall be in perpetuity and at no cost to the District.

4. All cathodic protection system and electrical improvements shall be installed in compliance with applicable laws, regulations, ordinances, rules and orders of governmental authorities having jurisdiction over such improvements.

5. The District will backfill all excavations and restore the ground within the Easement Area to a condition approximately equal to the condition existing prior to the excavation.

6. The Grantor shall not permit any structure to be placed within the Easement Area, or obstruct the access thereto, which could prevent vehicles and equipment from operating anywhere within the Easement Area, nor perform, or permit to be performed, any excavations or grading or placement of any trees, shrubs that may naturally grow over four feet in height, or other landscaping with root structures within the Easement Area which could impact the District's facilities.

7. This Easement Agreement is binding on the heirs successors and assigns of the parties hereto.

8. Grantor hereby represents and warrants to Grantee that: (a) it has the full right, power, title, and interest to make within the grant of Easement.

9. The parties to this Agreement hereby acknowledge and agree that the Easement and other rights conferred by this Agreement are intended to, and do, constitute covenants that run with the land and shall inure to the benefit of and be binding upon the parties and their respective grantees, heirs, successors, and assigns.

10. This Agreement may not be modified, amended, or terminated except in a writing signed by each party hereto.

11. Both parties represent and warrant that they have the authority to execute this Agreement and each individual signing on behalf of a party to this Agreement states that he or she is the duly authorized representative of the signing party and that his or her signature on this Agreement has been duly authorized by, and creates the binding, and enforceable obligation of, the party on whose behalf the representative is signing.

IN WITNESS WHEREOF, the Grantor and the District executed this Agreement and Grant of Easement on Feb. 1, 2023.

POLAR EXPRESS MARINE, LLC

TOWN OF DISCOVERY BAY
COMMUNITY SERVICES
DISTRICT

By: Joseph Eldan
Title: Manager owner

By: [Signature]
Title: General Manager

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA)

On February 01, 2023, before me, CHARLES D. DEWITT, a Notary Public, personally appeared JOSEPH ELDAM, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Charles D. Dewitt (Seal)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)
COUNTY OF CONTRA COSTA)

On February 2nd 2023 before me, Lori Dewitt, a Notary Public, personally appeared Dina Meredith Breitstein, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Lori Dewitt (Seal)



Legal Description

Exhibit A

Corrosion Maintenance Easement

Being a portion of Lots 5 and 6, as shown on Subdivision 6145 filed June 17, 1980, in Book 264 of Maps, Page 32 Contra Costa County Records, described as follows:

Beginning on the most Northwest corner of said Lot 5, also being the common corner of said Lot 6, thence along the west line of said Lot 5; South 0° 44' 31" West, 6.85 feet; to a point on the north line of a 10 foot water easement referenced as 10457 OR 716 as shown on said Subdivision 6145 thence along said line North 87° 19' 32" East, 31.06 feet; thence leaving said line North 0° 44' 31" West, 5.00 feet; to a point on the common line of said lots 5 and 6; thence along said line North 89°15' 29" West, 16.00 feet; thence leaving said line North 0° 44' 31" East, 20.00 feet; thence North 89°15' 29" West, 15.00 feet; thence South 0° 44' 31" West, 20.00 feet to the *Point of Beginning*.

Containing 483SF±

DATE

12-19-22

ERIC (RICK) A. HUMANN

PLS 5452

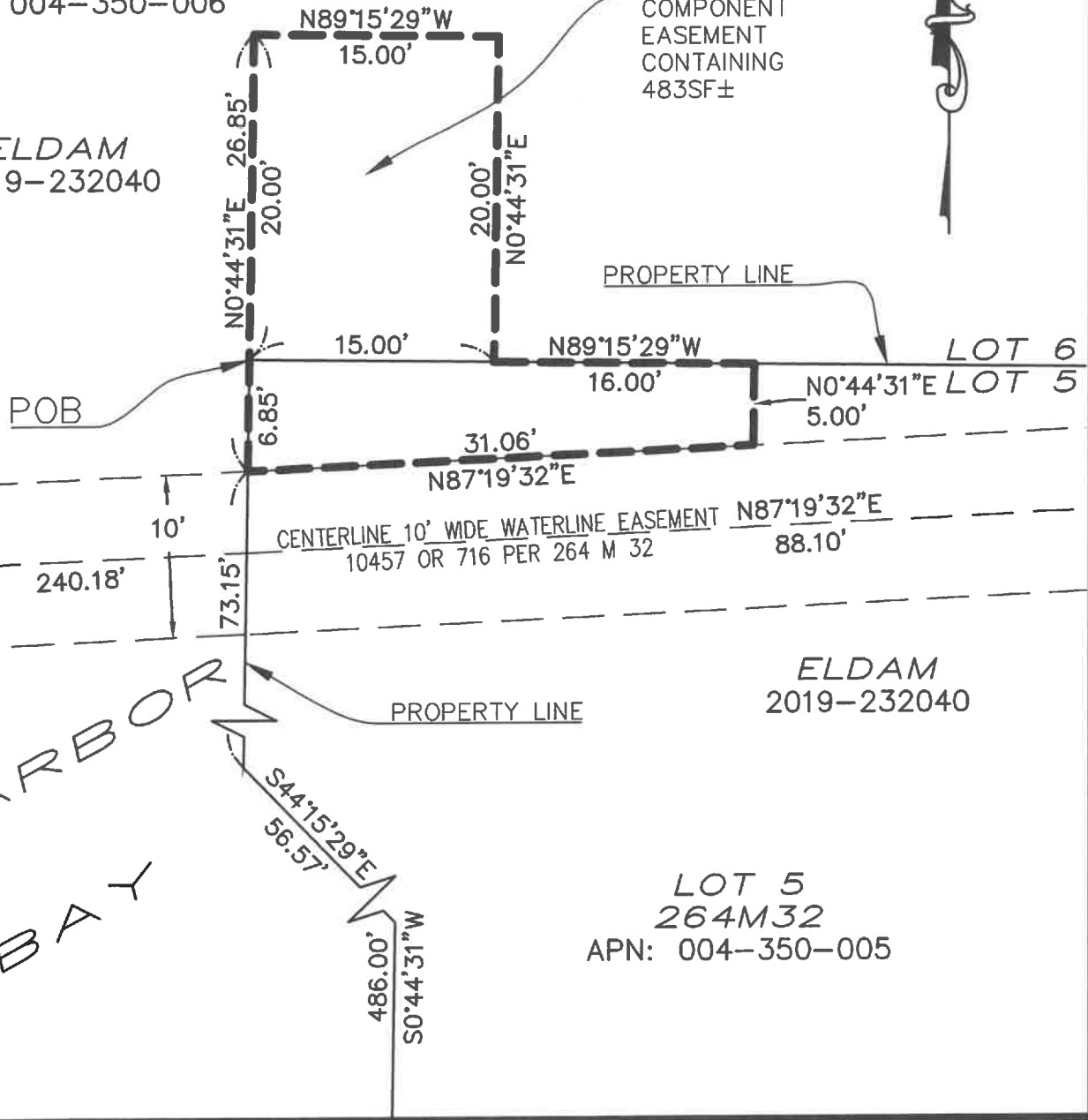


HARBOR BAY

LOT 6
264M32
APN: 004-350-006

ELDAM
2019-232040

CORROSION
COMPONENT
EASEMENT
CONTAINING
483SF±



LOT 6
LOT 5

ELDAM
2019-232040

LOT 5
264M32
APN: 004-350-005

HARBOR BAY



HUMANN COMPANY INC.

ENGINEERING - SURVEYING
1021 BROWN AVE. LAFAYETTE, CA 94549
PH (925)283-5000 FAX (925)283-3578

EXHIBIT B
PORTION OF LOT 5 & 6, SUBDIVISION
6145, 264M32
DISCOVERY BAY, CA

SCALE	1" = 10'
DATE	11/07/2022
BY	CS
JOB NO.	22145



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

February 15, 2023

Prepared By: Dina Breitstein, General Manager

Submitted By: Dina Breitstein, General Manager

Agenda Title

Approve Amendment No. 2 to the East County Water Management Association Agreement.

Recommended Action

To approve Amendment No. 2 to the East County Water Management Association Agreement and authorize the General Manager to sign the amendment.

Executive Summary

The Town of Discovery Bay is a member of the East County Water Management Association ("ECWMA"). The ECWMA forms the basis of the programs governing body in the Regional Water Management Group (RWMG). The ECWMA group covers all aspects of water management within the region such as water supply and quality, wastewater, recycled water, flood control, stormwater, watershed and habitat management.

Each participating government agency is responsible for representing and voting on behalf of its agency. Representation consists of one elected official and one lead staff member from each agency.

The current members of the ECWMA are:

City of Antioch, City of Brentwood, Byron-Bethany Irrigation District, Contra Costa County, Contra Costa Water District, Delta Diablo Sanitation District, Diablo Water District, East Contra Costa County Habitat Conservancy, East Contra Costa Irrigation District, Ironhouse Sanitary District, City of Pittsburg, and the Town of Discovery Bay Community Services District.

The ECWMA is modifying Amendment No. 1 to the East County Water Management Association Agreement. The changes proposed are redlined in the attachment amendment and are outlined below:

1. Add the Bethel Island Municipal Improvement District as a party to the ECWMA.
2. Authorize the manager of the member agencies to vote on behalf of the member agency in the absence of the Governing Board Representative.

Fiscal Impact:

Amount Requested

Sufficient Budgeted Funds Available?: *(If no, see attached fiscal analysis)*

Prog/Fund #

Previous Relevant Board Actions for This Item

East County Water Management Agreement
Amendment No. 1 to the East County Water Management Association Agreement

Attachments:

East County Water Management Agreement
Amendment No. 1 to the East County Water Management Association Agreement
Amendment No. 2 East County Water Management Association Agreement (redlined)

AGENDA ITEM: C5

East County Water Management Association Agreement

Contract Number
Approved/Authorized
Executed

97-829
211919
512897

This Agreement is entered into this 26th day of June, 1997, by and between the Cities of Brentwood, Antioch, and Pittsburg; Contra Costa County Water Agency, Byron-Bethany Irrigation District, Delta Diablo Sanitation District, Contra Costa County Sanitation District 19, Diablo Water District, East Contra Costa Irrigation District, Ironhouse Sanitary District, and Contra Costa Water District. These eleven agencies are collectively referred to as the "member agencies."

PURPOSE:

The purpose of this Agreement is to establish an East County Water Management Association (ECWMA) to facilitate continued communication, cooperation and education between member agencies regarding matters affecting the existing and potential water supplies of eastern Contra Costa County, and to consider and guide the implementation of the recommendations of the ECWMA's Phase II Study Report in order to provide long-term water supplies and treatment facilities in a cost effective, reliable, implementable, and cooperative manner while maintaining institutional independence and customer satisfaction.

RECITALS:

1. The Contra Costa Water District, at the request of the Board of Supervisors, completed Phase I of the East County Water Supply Management Study, which provided a preliminary analysis of future water demands and potential water supplies for East Contra Costa County.
2. On March 13, 1995, the member agencies signed an agreement forming the ECWMA. Said Agreement terminated on November 21, 1996, and the remaining monies were subsequently refunded to the member agencies in accordance with that Agreement.
3. On November 21, 1996, prior to termination of the Agreement, the Governing Board Representatives of the ECWMA accepted the Phase II Report consisting of a detailed analysis of selected water service alternatives, including new infrastructure requirements, cost estimates, implementation requirements, and institutional issues.
4. The member agencies wish to cooperate in the implementation of the recommendations contained in the Phase II Report.

5. This Agreement provides a process for funding and reestablishment of the ECWMA.

AGREEMENT:

NOW, THEREFORE, the member agencies which are parties hereto set forth the following terms and provisions of their agreement.

1. **Recitals.** The recitals contained herein are an integral part of this Agreement.
2. **ECWMA Formed.** Subject to and in accordance with the terms of the Agreement, the member agencies hereby form the ECWMA.
3. **Governing Board Representatives (GBR).** The ECWMA shall be governed and operated by the GBR which shall be comprised of one elected official representative from each member agency. The governing body of each member agency shall designate, and may replace, one of its members as its representative, on the GBR. No individual shall serve as the representative of more than two member agencies. Each member agency shall have one vote on the GBR. All actions of the GBR shall require the affirmative vote of a majority of its members.

The GBR shall provide policy guidance in the implementation of the purposes of the ECWMA and authorize disbursement of funds in accordance with this Agreement.

The GBR shall choose a regular meeting date and shall meet at least semi-annually.

The GBR shall appoint one of its members as the Chair and one as Vice-Chair. The Chair or any three members of the GBR may call a special meeting. A Secretary shall also be appointed by the GBR. The term of office for the Chair, Vice-chair and Secretary shall be for two years.

The meetings of the GBR shall be open to the public, noticed, and conducted in accordance with the Brown Act, Government Code Section 54950 et seq.

4. **Joint Managers Committee (JMC).** The managers of each of the member agencies shall be members of the JMC of the ECWMA which shall have primary administrative responsibility for the implementation of the purposes of this Agreement. The term "Manager" means City Manager, County Administrator, or General Manager of each of the member agencies and their respective alternates designated by the member agency, or their designees. The JMC shall appoint one of its members as the Chair and one as Vice-chair. The term of office for the Chair and Vice-chair shall be two years. The JMC may act directly or through a subcommittee established by a majority of its members. Each member agency shall have one vote on the Committee. Meetings of the JMC shall be as determined by the JMC.

5. **Administrative Procedures.** The GBR shall adopt bylaws, rules for conduct of the meetings, and administrative procedures. The administrative procedures of a member agency may be adopted for the ECWMA by the GBR.

6. **ECWMA Financing.** Unless otherwise changed by a majority vote of the GBR, each member agency shall deposit annually (March 1) \$500 with the Director of Financial Services for the City of Antioch who shall serve as Treasurer for the ECWMA.

The Treasurer shall be the depository of and have custody of all funds of the ECWMA from whatever source. The Treasurer shall also perform all duties required to be performed by an auditor. The Treasurer shall:

- a. Receive and receipt all money of the ECWMA and place it in the treasury of the City to the credit of the ECWMA;
- b. Be responsible for the safekeeping and disbursement of all ECWMA money;
- c. Pay, when due, from ECWMA funds and upon the signature of the Chair or Vice-chair of the JMC, all sums payable by the ECWMA; and
- d. Report in writing to the JMC quarterly and semi-annually to the GBR the amount of receipts since the last report and the amount paid out since the last report.
- e. Invest ECWMA funds according to the policies and procedures of the Treasurer's agency. Interest derived from deposited funds shall remain in the ECWMA's account.

7. **Special Assessments.** Any additional assessments to cover the appropriate costs of the ECWMA above the amounts specified in Section 6 shall be as approved by the GBR and shall be paid within 45 days of such action. If a member agency's Governing Board Representative votes against undertaking a specific project, except for execution of responsibilities set forth in Section 6, other member agencies desiring to proceed with such project may do so collectively as long as the dissenting member agency is not responsible for costs of such project. Publishing and distribution of resulting documents, opinions, findings, and recommendations (collectively "reports") shall, unless all member agencies consent, be only on behalf of the consenting member agencies. Any reports issued by the association shall state that the reports do not necessarily represent the views of the governing bodies of the individual member agencies.

8. **Liability.** Each member agency agrees to indemnify and hold every other member agency to this Agreement, and their officers, agents and employees, free and harmless from any cost or liability imposed upon any other member agency, officers, agents, or employees arising out of any acts or omissions of its own officers, agents, or employees.

9. **Cooperation.** All the member agencies agree that their respective monetary contributions are an expression of an intent to cooperate towards the purpose of the ECWMA.

10. **Dissolution.** Upon dissolution of the ECWMA by a majority vote of the GBR, any remaining association funds shall be refunded to the member agencies in proportion to the amount contributed by each over the life of the Joint Association.

11. **Termination.** If a member agency, through its governing board, votes to terminate its participation in the ECWMA, that agency will no longer participate on the GBR or JMC. Deposits made theretofore will remain with the ECWMA.

12. **Amendment.** This Agreement may be amended only by a written agreement approved by a unanimous vote of the member agencies.

13. **Effective Date.** This Agreement shall become effective upon approval by eight member agencies.

14. **Notices.** Notices authorized or required to be given pursuant to this Agreement shall be in writing and shall be deemed to have been given (1) when mailed, postage prepaid or faxed, or (2) delivered during working hours to the addresses and fax numbers set forth below for

each member agency. Each member agency that changes its address shall promptly provide notice of the changed address to the Chair of the JMC, which will be the current address of the member agency.

16. **Execution.** This Agreement may be executed in several counterparts, each of which shall constitute one and the same instrument and shall become binding upon the parties when at least one copy hereof shall have been signed by all parties hereto. In approving this Agreement, it shall not be necessary to produce or account for more than one such counterpart.

IN WITNESS WHEREOF, the parties hereto, pursuant approval of their respective City Councils, Boards of Supervisors, Boards of Directors or governing boards, have caused their names to be affixed by the party and respective officers as of the day and year first above written.

City of Antioch

By Mary Helen Rocha
Mary H. Rocha
Title Mayor

Date April 23, 1997

City of Brentwood

By _____
Title _____

Date _____

Byron-Bethany Irrigation District

By _____
Title _____

Date _____

Contra Costa County Water Agency

By _____
Title _____

Date _____

each member agency. Each member agency that changes its address shall promptly provide notice of the changed address to the Chair of the JMC, which will be the current address of the member agency.

16. **Execution.** This Agreement may be executed in several counterparts, each of which shall constitute one and the same instrument and shall become binding upon the parties when at least one copy hereof shall have been signed by all parties hereto. In approving this Agreement, it shall not be necessary to produce or account for more than one such counterpart.

IN WITNESS WHEREOF, the parties hereto, pursuant approval of their respective City Councils, Boards of Supervisors, Boards of Directors or governing boards, have caused their names to be affixed by the party and respective officers as of the day and year first above written.

City of Antioch _____

By _____

Title _____

Date _____

City of Brentwood

By Jay M. Corey

Title City Manager

Date 4.25.97

Byron-Bethany Irrigation District

By _____

Title _____

Date _____

Contra Costa County Water Agency

By _____

Title _____

Date _____

each member agency. Each member agency that changes its address shall promptly provide notice of the changed address to the Chair of the JMC, which will be the current address of the member agency.

16. **Execution.** This Agreement may be executed in several counterparts, each of which shall constitute one and the same instrument and shall become binding upon the parties when at least one copy hereof shall have been signed by all parties hereto. In approving this Agreement, it shall not be necessary to produce or account for more than one such counterpart.

IN WITNESS WHEREOF, the parties hereto, pursuant approval of their respective City Councils, Boards of Supervisors, Boards of Directors or governing boards, have caused their names to be affixed by the party and respective officers as of the day and year first above written.

City of Antioch

By _____

Title _____

Date _____

City of Brentwood

By _____

Title _____

Date _____

Byron-Bethany Irrigation District

By *Paul Chambers*

Title *General Manager*

Date *4/8/97*

Contra Costa County Water Agency

By _____

Title _____

Date _____

each member agency. Each member agency that changes its address shall promptly provide notice of the changed address to the Chair of the JMC, which will be the current address of the member agency.

16. **Execution.** This Agreement may be executed in several counterparts, each of which shall constitute one and the same instrument and shall become binding upon the parties when at least one copy hereof shall have been signed by all parties hereto. In approving this Agreement, it shall not be necessary to produce or account for more than one such counterpart.

IN WITNESS WHEREOF, the parties hereto, pursuant approval of their respective City Councils, Boards of Supervisors, Boards of Directors or governing boards, have caused their names to be affixed by the party and respective officers as of the day and year first above written.

City of Antioch

By _____

Title _____

Date _____

City of Brentwood

By _____

Title _____

Date _____

Byron-Bethany Irrigation District

By _____

Title _____

Date _____

Contra Costa County Water Agency

By Mark D. [Signature]

Title Chair, Board of Supervisors

Date 5/20/97

Contra Costa County Sanitation District 19

By _____

Title _____

Date _____

Contra Costa Water District

By Thomas J. O.B.

Title GENERAL MANAGER

Date 7/29/97

Delta Diablo Sanitation District

By _____

Title _____

Date _____

Diablo Water District

By _____

Title _____

Date _____

East Contra Costa Irrigation District

By _____

Title _____

Date _____

Ironhouse Sanitary District

By _____

Title _____

Date _____

City of Pittsburg

By _____

Title _____

Date _____

DMc-rlr - 8

[Signature] 16 July 97
DEPARTMENT HEAD DATE

[Signature] 7/13/97
ASSISTANT GENERAL MANAGER DATE

[Signature] 7/17/97
RISK MANAGEMENT OFFICER DATE

[Signature] 7/16/97
DIRECTOR OF FINANCE DATE

March 20, 1997

Page 6

Contra Costa County Sanitation District 19

By _____
Paul H. Causey
Title General Manager/District Engineer Date 9/2/97

Contra Costa Water District

By _____
Title _____ Date _____

Delta Diablo Sanitation District

By Paul H. Causey
Paul H. Causey
Title General Manager/District Engineer Date 9/2/97

Diablo Water District

By _____
Title _____ Date _____

East Contra Costa Irrigation District

By _____
Title _____ Date _____

Ironhouse Sanitary District

By _____
Title _____ Date _____

City of Pittsburg

By _____
Title _____ Date _____

Contra Costa County Sanitation District 19

By _____

Title _____

Date _____

Contra Costa Water District

By _____

Title _____

Date _____

Delta Diablo Sanitation District

By _____

Title _____

Date _____

Diablo Water District

By Vi Wallace Allen

Title _____

Date 4-5-97

East Contra Costa Irrigation District

By _____

Title _____

Date _____

Ironhouse Sanitary District

By _____

Title _____

Date _____

City of Pittsburg

By _____

Title _____

Date _____

DMc-rlr - 8

Contra Costa County Sanitation District 19

By _____

Title _____

Date _____

Contra Costa Water District

By _____

Title _____

Date _____

Delta Diablo Sanitation District

By _____

Title _____

Date _____

Diablo Water District

By _____

Title _____

Date _____

East Contra Costa Irrigation District

By _____

Title General Manager

Date 3-11-97

Ironhouse Sanitary District

By _____

Title _____

Date _____

City of Pittsburg

By _____

Title _____

Date _____

Contra Costa County Sanitation District 19

By _____

Title _____

Date _____

Contra Costa Water District

By _____

Title _____

Date _____

Delta Diablo Sanitation District

By _____

Title _____

Date _____

Diablo Water District

By _____

Title _____

Date _____

East Contra Costa Irrigation District

By _____

Title _____

Date _____

Ironhouse Sanitary District

By 

Lenny Byer

Title President

Date March 28, 1997

City of Pittsburg

By _____

Title _____

Date _____

Contra Costa County Sanitation District 19

By _____

Title _____

Date _____

Contra Costa Water District

By _____

Title _____

Date _____

Delta Diablo Sanitation District

By _____

Title _____

Date _____

Diablo Water District

By _____

Title _____

Date _____

East Contra Costa Irrigation District

By _____

Title _____

Date _____

Ironhouse Sanitary District

By _____

Title _____

Date _____

City of Pittsburg

By _____

Title City Manager

Date 6/26/97

**AMENDMENT NO. 1 TO THE
EAST COUNTY WATER MANAGEMENT ASSOCIATION AGREEMENT**

This is Amendment No. 1 to the East County Water Management Association Agreement (“ECWMA Agreement”) dated March 20, 1997, by and among the Cities of Brentwood, Antioch, and Pittsburg; Contra Costa County, Byron-Bethany Irrigation District, Delta Diablo Sanitation District, Diablo Water District, East Contra Costa Irrigation District, Ironhouse Sanitation District, Town of Discovery Bay Community Services District and Contra Costa Water District. All of the parties to the ECWMA Agreement are also parties to this Amendment No. 1, and the East Contra Costa County Habitat Conservancy is also a party to this Amendment No. 1.

RECITALS

A. The purpose of this Amendment No. 1 is: 1) to add the East Contra Costa County Habitat Conservancy as a party to the ECWMA Agreement; 2) to change the name of existing party Contra Costa County Water Agency to Contra Costa County; 3) to change the name of existing party Contra Costa County Sanitation District 19 to Town of Discovery Bay Community Services District; 4) to expand the purpose of the ECWMA Agreement to include guidance of the East Contra Costa County Functionally Equivalent Integrated Regional Water Management (IRWM) Plan update; 5) and to authorize the Managers of the member agencies to approve the addition of projects in the Functionally Equivalent IRWM Plan.

AGREEMENT

1. Effective Date. The Effective Date of this Amendment No. 1 is October 28, 2010.
2. Parties as of Effective Date. As of the Effective Date of this Amendment No. 1, the parties to the ECWMA Agreement are the Cities of Brentwood, Antioch, and Pittsburg; Contra Costa County, Byron-Bethany Irrigation District, Delta Diablo Sanitation District, Town of Discovery Bay Community Services District, Diablo Water District, East Contra Costa Irrigation District, Ironhouse Sanitation District, East Contra Costa County Habitat Conservancy District and Contra Costa Water District. These agencies are collectively referred to as the “member agencies.”
3. The Paragraph identified in the ECWMA Agreement as PURPOSE is deleted in its entirety and replaced with the following:

PURPOSE. The purpose of this Agreement is to establish an East County Water Management Association (ECWMA) to facilitate continued communication, cooperation and education between member agencies regarding matters affecting the existing and potential water supplies of eastern Contra Costa County, and to consider and guide the implementation of the recommendations of the ECWMA's, Phase II Study Report in order to provide long-term water supplies and treatment facilities in a cost effective, reliable, implementable, and cooperative

manner while maintaining institutional independence and customer satisfaction. The ECWMA will also guide the preparation of the update to the East Contra Costa County Functionally Equivalent Integrated Regional Water Management (IRWM) Plan.

4. The following additional RECITALS are added to the RECITALS Section of the ECWMA Agreement:

6. In 2005, a Functionally Equivalent IRWM Plan was developed for the ECWMA, in accordance with the Proposition 50, *Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002* grant application process.

7. In 2009, the East Contra Costa County was accepted as an IRWM Region through the California Department of Water Resources' Region Acceptance Process, allowing the region to be eligible for future IRWM funding opportunities.

8. In 2010, the California Department of Water Resources released grant program guidelines for funding through Proposition 84, *The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coast Protection Bond Act of 2006*, which included new plan standards which will require update to the Functionally Equivalent IRWM Plan.

5. Section 4 of the ECWMA Agreement, "Joint Managers Committee (JMC)" is deleted in its entirety and replaced with the following

4. **Joint Managers Committee (JMC).** The managers of each of the member agencies shall be members of the JMC of the ECWMA which shall have primary administrative responsibility for the implementation of the purposes of this Agreement. The term "Manager" means City Manager, County Administrator, or General Manager of each of the member agencies and their respective alternates designated by the member agency, or their designees. The JMC shall appoint one of its members as the Chair and one as Vice-chair. The term of office for the Chair and Vice-chair shall be two years. The JMC may act directly or through a subcommittee established by a majority of its members. Each member agency shall have one vote on the Committee. Meetings of JMC shall be as determined by the JMC. The JMC shall have authority to approve the addition of projects into the Functionally Equivalent IRWM Plan in accordance with the plan goals and objectives.

6. **Entire Agreement.** In the event of a conflict with the ECWMA Agreement, the terms of this Amendment No. 1 shall prevail over anything to the contrary in the ECWMA Agreement. In all other respects the ECWMA Agreement, and this Amendment No. 1 will be the entire agreement among the parties construed together as one and the same agreement.

7. Effect. Except for the amendments agreed to herein, the above referenced ECWMA Agreement remains in full force and effect.

8. Counterparts: This Amendment may be executed in multiple counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

9. Signatures: The following signatures attest each member agency's agreement hereto.

CITY OF ANTIOCH

By:

[Signature]

Name:

JAMES JAKE

Title:

CITY MANAGER

Date:

11/22/10

CITY OF BRENTWOOD

By: Donna Landeros

Name: Donna Landeros

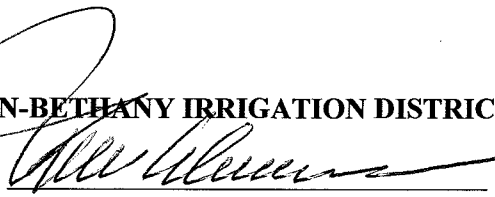
Title: City Manager

Date: 6/15/2011

APPROVED AS TO FORM:

By: D. B. B.
Damien B. Brower, City Attorney

BYRON-BETHANY IRRIGATION DISTRICT

By: 

Name: RICK GILMORE

Title: GENERAL MANAGER

Date: 11/9/10

CONTRA COSTA COUNTY

By: _____

Name: Roberta Gulant

Title: Executive Officer, CCCWA

Date: 1-3-11

CONTRA COSTA WATER DISTRICT

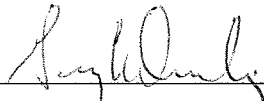
By:  _____

Name: Jerry Brown

Title: General Manager

Date: 12/16/10

DELTA DIABLO SANITATION DISTRICT

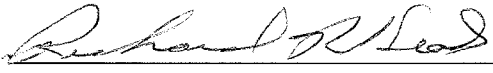
By: 

Name: Gary W. Darling

Title: General Manager

Date: December 9, 2010

DIABLO WATER DISTRICT

By: 

Name: Richard R. Head

Title: Vice President

Date: 11-16-10

EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

By: 

Name: John Kopchik

Title: Executive Director

Date: 1-24-11

EAST CONTRA COSTA IRRIGATION DISTRICT

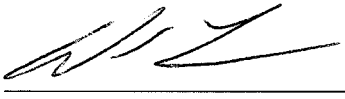
By: Patricia A Corey

Name: PATRICIA A COREY

Title: GENERAL MANAGER

Date: Nov. 15, 2010

IRONHOUSE SANITARY DISTRICT

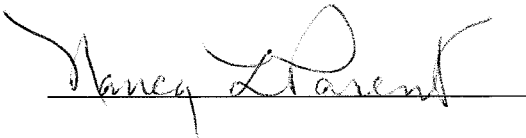
By: 

Name: Don Lew

Title: Director

Date: 11/18/2010

CITY OF PITTSBURG

By: 

Name: Nancy L. Parent

Title: Council Member

Date: December 28, 2010

TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT

By: *Richard J. Howard*

Name: *Richard J. Howard*

Title: *General Manager*

Date: *11-15-10*

FINAL DRAFT 2.7.2023

**AMENDMENT NO. 2 TO THE
EAST COUNTY WATER MANAGEMENT ASSOCIATION AGREEMENT**

This is Amendment No. 2 to the East County Water Management Association Agreement ("ECWMA Agreement") dated March 20, 1997, by and among the Cities of Brentwood, Antioch, and Pittsburg, Contra Costa County, Byron-Bethany Irrigation District, Delta Diablo Sanitation District, Diablo Water District, East Contra Costa Irrigation District, Ironhouse Sanitation District, Town of Discovery Bay Community Services District, Contra Costa Water District, and East Contra Costa County Habitat Conservancy (collectively, "parties" or "member agencies"). Amendment No. 1 was entered into by the parties on October 28, 2010. All of the parties to the ECWMA Agreement and Amendment No. 1 are also parties to this Amendment No. 2.

RECITALS

A. The purpose of this Amendment No. 2 is to: 1) add the Bethel Island Municipal Improvement District as a party to the ECWMA Agreement; 2) amend ECWMA's administrative procedures; and 3) provide a procedure for adding new members; and 4) authorize the Managers of the member agencies to vote on behalf of the member agency in the absence of the Governing Board Representative.

AGREEMENT

1. Effective Date. The Effective Date of this Amendment No. 2 is ~~January 7~~ May 1, 2024.
2. Parties as of Effective Date. As of the Effective Date of this Amendment No. 2, the parties to the ECWMA Agreement are the Cities of Brentwood, Antioch, and Pittsburg, Contra Costa County, Byron-Bethany Irrigation District, Delta Diablo Sanitation District, Diablo Water District, East Contra Costa Irrigation District, Ironhouse Sanitation District, Town of Discovery Bay Community Services District, Contra Costa Water District, ~~and~~ East Contra Costa County Habitat Conservancy, and Bethel Island Municipal Improvement District.

3. Section 3 of the ECWMA Agreement, "**Governing Board Representatives (GBR)**" is amended to incorporate the following *italicized* additions:

3. **Governing Board Representatives (GBR)**. The ECWMA shall be governed and operated by the GBR which shall be comprised of one elected official representative from each member agency. The governing body of each member agency shall designate, and may replace, one of its members as its representative, on the GBR. No individual shall serve as the representative of more than two member agencies. Each agency shall have one vote on the GBR. All actions of the GBR shall require the affirmative vote of a majority of its members, *except for the addition of new members, which requires unanimous approval. If a GBR for a member agency is not present at a meeting, the designated Manager shall vote on behalf of the agency.*

The GBR shall provide policy guidance in the implementation of the purposes of the ECWMA and authorize disbursement of funds in accordance with this Agreement.

The GBR shall choose a regular meeting date and shall meet at least semi-annually.

The GBR shall appoint one of its members as the Chair and one as Vice-Chair. The Chair or any three members of the GBR may call a special meeting. A Secretary shall also be appointed by the GBR. The term of office for the Chair, Vice-chair and Secretary shall be for two years.

The GBR shall be authorized to hold a vote to add a new member agency(ies) to the ECWMA at both regular and special meetings. The following conditions must be met for a new member agency to be added to the ECWMA:

(1) Approval. The addition of a new member agency shall require the unanimous approval of the GBR members and an amendment to the ECWMA.

FINAL DRAFT 2.7.2023

(2) Annual Deposit. Within 30 days of receiving the affirmative vote of the majority of the GBR members, the new member agency must deposit \$500 with the Treasurer for the ECWMA. Thereafter, the member agency must deposit an additional \$500 by March 1 of each year as outlined in Section 6 of the ECWMA Agreement.

Commented [JQ1]: Deleted as a unanimous vote is required

(3) Commencement of Membership. Within 90 days after the Treasurer for the ECWMA receives the newly approved member agency's initial \$500 deposit, an amendment to this Agreement acknowledging the added membership must be executed by the new member agency and all existing member agencies.

The meetings of the GBR shall be open to the public, noticed, and conducted in accordance with the Brown Act, Government Code Section 54950 et seq.

4. Section 5 of the ECWMA Agreement, "Administrative Procedures," is deleted in its entirety and replaced with Section 5 [RESERVED].

Commented [JQ2]: Added based on comment received to preserve agreement section numbering

5. Entire Agreement. In the event of a conflict with the ECWMA Agreement or Amendment No. 1, the terms of this Amendment No. 2 shall prevail over anything to the contrary in the ECWMA Agreement or Amendment No. 1. In all other respects the ECWMA Agreement, Amendment No. 1, and this Amendment No. 2 will be the entire agreement among the parties construed together as one and the same agreement.

6. Effect. Except for the amendments agreed to herein, the above referenced ECWMA Agreement remains in full force and effect.

7. Counterparts: This Amendment may be executed in multiple counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

8. Signatures: The following signatures attest each member agency's agreement hereto.

| FINAL DRAFT 2.7.2023

FINAL DRAFT 2.7.2023

CITY OF ANTIOCH

By: _____

Name: _____

Title: _____

Date: _____

| FINAL DRAFT 2.7.2023

CITY OF BRENTWOOD

By: _____

Name: _____

Title: _____

Date: _____

FINAL DRAFT 2.7.2023

BETHEL ISLAND MUNICIPAL IMPROVEMENT DISTRICT

By: _____

Name: _____

Title: _____ Date: _____

FINAL DRAFT 2.7.2023

BYRON-BETHANY IRRIGATION DISTRICT

By: _____

Name: _____

Title: _____

Date: _____

| FINAL DRAFT 2.7.2023

CONTRA COSTA COUNTY

By: _____

Name: _____

Title: _____

Date: _____

FINAL DRAFT 2.7.2023

CONTRA COSTA WATER DISTRICT

By: _____

Name: _____

Title: _____

Date: _____

FINAL DRAFT 2.7.2023

DELTA DIABLO SANITATION DISTRICT

By: _____

Name: _____

Title: _____

Date: _____

| FINAL DRAFT 2.7.2023

DIABLO WATER DISTRICT

By: _____

Name: _____

Title: _____

Date: _____

| FINAL DRAFT 2.7.2023

EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

By: _____

Name: _____

Title: _____

Date: _____

| FINAL DRAFT 2.7.2023

EAST CONTRA COSTA IRRIGATION DISTRICT

By: _____

Name: _____

Title: _____

Date: _____

| FINAL DRAFT 2.7.2023

IRONHOUSE SANITARY DISTRICT

By: _____

Name: _____

Title: _____

Date: _____

| FINAL DRAFT 2.7.2023

CITY OF PITTSBURG

By: _____

Name: _____

Title: _____

Date: _____

FINAL DRAFT 2.7.2023

TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT

By: _____

Name: _____

Title: _____

Date: _____



Water and Waste Water Monthly Report
Town of Discovery Bay

Presented February 2023

Safety & Training

Safe Work Days: 4,904

VNA University:

HAZCOM (OSHA Annual)

SDS Binder Review (Annual)

Weekly Safety Topics:

1/4 – Safety Alert: Eye Injuries / Hepatitis B Vaccines

1/11 – Security Incident: Active Shooter Nearby Businesses

1/18 – Flash Training: Winter Driving Weather

1/25 – Flash Training: Hydration / SSO & Sewer Backup

Water Well Status

Willow WTP

01

Active

02

Active

06

Active

Newport WTP

04

Active

05

Active
(Emergency)

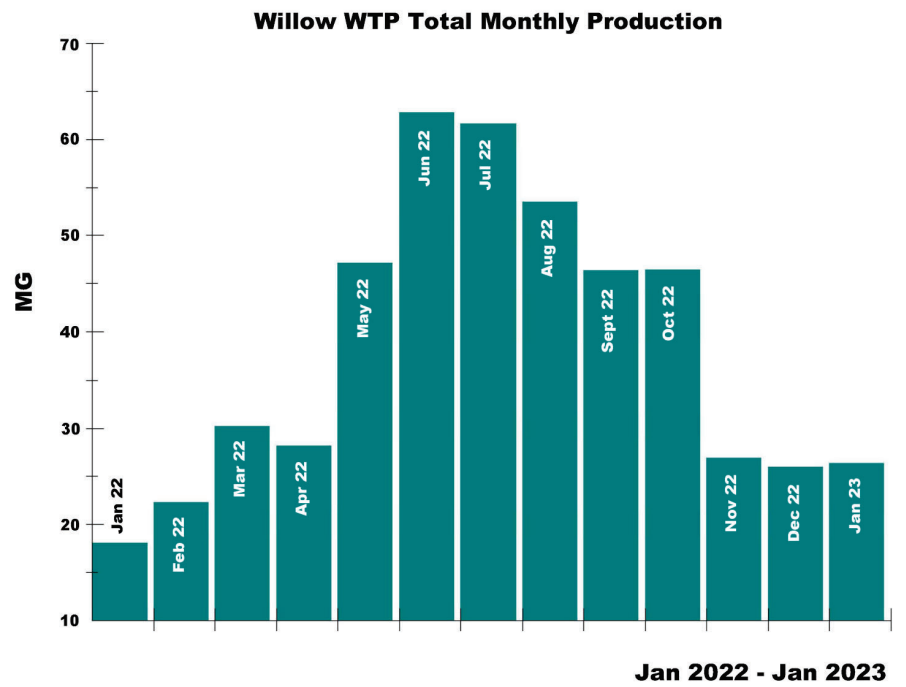
07

Active

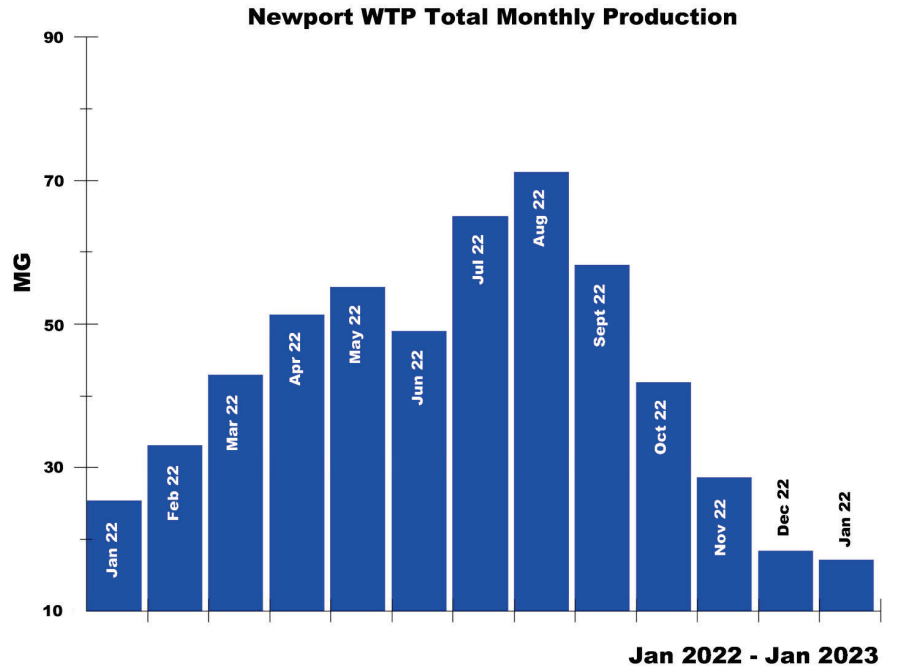
Water Production & Chemicals

	Production (MG)	Chemicals (gal) (Sodium Hypochlorite)
Willow WTP	26.37	1,245
Newport WTP	17.05	415
TOTAL	44.42	1,660

Water Production - Willow Total Monthly Production



Water Production - Newport Total Monthly Production



Water Compliance

Coliform Samples Collected: 25

Coliform Positive Results: 0

Water Quality Complaints: 1

Hydrant Flushing: 2

Valve Exercising: 2

Lift Station Status

A

Active

C

Active

D

Active

E

Active

F

Active

G

Active

H

Active

J

Active

R

Active

S

Active

Newport

Active

Lakeshore

Active

Lakes

Active

Lakes 4

Active

Bixler

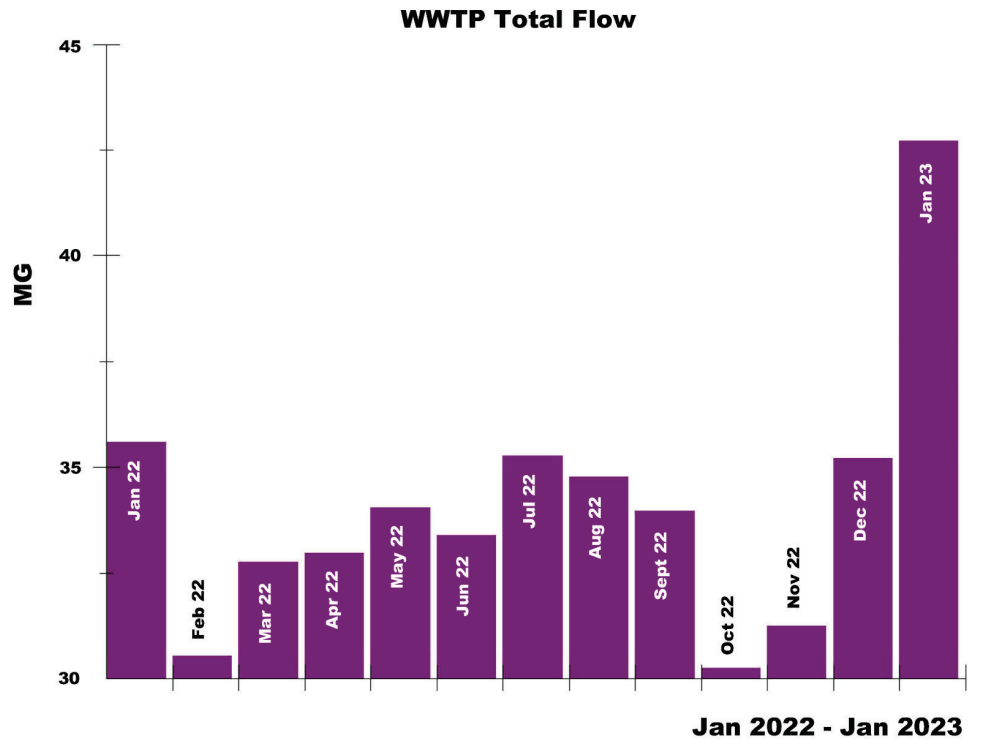
Active

Wastewater Flow & Chemicals

WW Plant 1	Total Flow (MG) 0	Influent Flow avg. (MG) 0	Discharge Flow avg. (MG) 0
WW Plant 2	Total Flow (MG) 42.70	Influent Flow avg. (MG) 1.41	Discharge Flow avg. (MG) 1.38
	Last Year Flow (MG) 36.59	Polymer (gal) 250	Alum (gal) 0

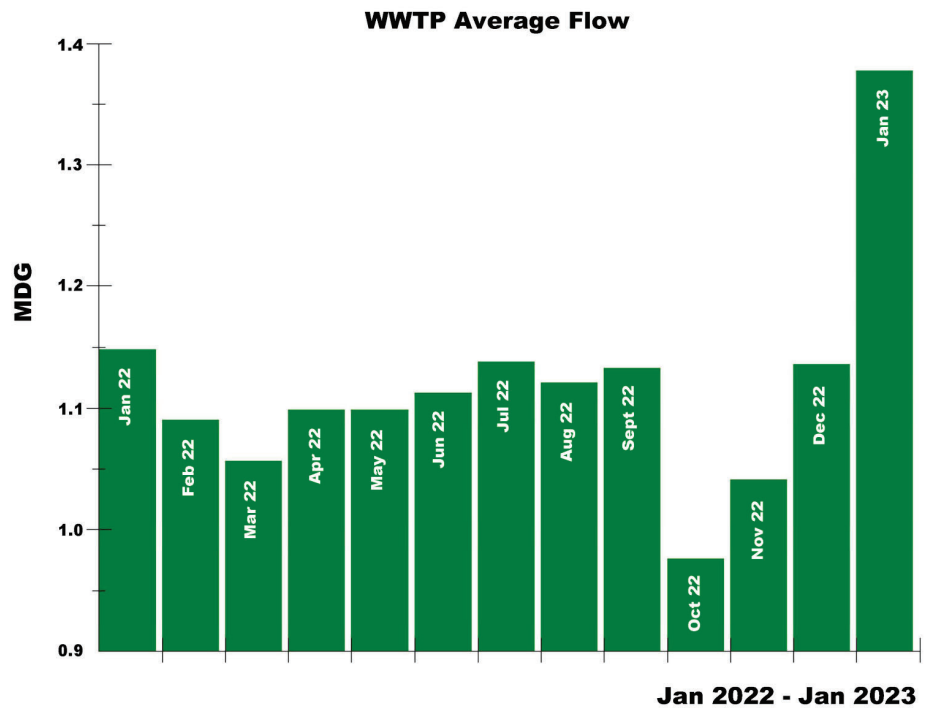
WWTP 2

Total Monthly Flow



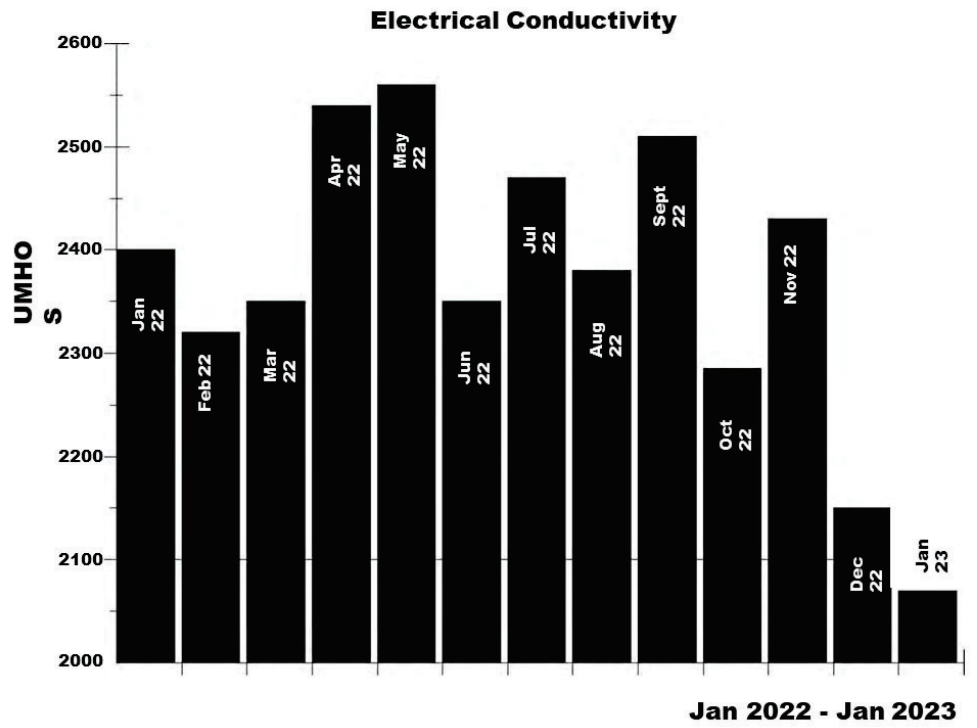
WWTP 2

Average Discharge Flow



WWTP 2

Monthly Conductivity



Wastewater Compliance

Effluent BOD₅, mg/L < 10: **1.3**

Effluent TSS, mg/L < 10: **1.4**

Total Coliform 7 day median < 23: **<2**

Total Coliform daily max < 240: **<2**

Eff NTU daily avg < 2: **1**

Eff Ammonia (N), mg/L < 8.4: **ND**

Removal BOD₅, monthly > 85%: **99.6%**

Removal TTS, monthly > 85%: **99.5%**

Conductivity annual avg < 2,400: **2,070**

**Maintenance
& Improvements**

SSOs: 0

Customer Inquires: 2



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

February 15, 2023

Prepared By: Mike Yeraka, Projects Manager
Submitted By: Dina Breitstein, General Manager

Agenda Title

Discussion and Possible Action to Introduce and Waive First Reading of Amendment to Ordinance No. 7 – Water Regulations and Service Ordinance, Adding Sections 2.16 and 37.04.

Recommended Action

The Board introduce amendments to Ordinance No. 7 "Water Regulations and Service Ordinance" as drafted, waive its full reading, and set the Public Hearing for Adoption of Draft Ordinance No. 7 at the Board's regular meeting on March 1, 2023.

Executive Summary

On January 17, 2001, the Town's Board of Directors adopted Ordinance No. 7 establishing a water ordinance throughout Discovery Bay. From time to time, Town Ordinances are reviewed for the purpose of correcting, updating and ensuring compliance with evolving law. The last update/amendment to Ordinance No. 7 was on February 5, 2020.

A revised and updated draft amendment to Ordinance No. 7 is being introduced to the Board on this date. The update focuses on requiring the end of new residential fire sprinkler systems to be connected to a single toilet inside the dwelling, which provides circulation of water in the fire line when the toilet is flushed, thereby preserving water quality and negating the need for a backflow prevention device at the water meter. A summary of Draft Ordinance No. 7 will be published in the newspaper at least 5-days prior to the Board Meeting on March 1, 2023.

The proposed changes to Ordinance No 7 have been highlighted in red with track changes in the relevant sections of the proposed draft. Not all sections of Ordinance No 7 are included in the attachment for ease of reference.

If adopted by the Board at a Public Hearing on March 1st, Amended Ordinance No.7 will become effective thirty days later.

Specific Board Action:

It is recommended that the Board take the following Action:

The Board introduce amendments to Ordinance No. 7 "Water Regulations and Service Ordinance" as drafted, waive its full reading, and set the Public Hearing for Adoption of Draft Ordinance No. 7 at the Board's regular meeting on March 1, 2023.

Fiscal Impact:

Amount Requested \$ N/A

Sufficient Budgeted Funds Available?: N/A (If no, see attached fiscal analysis)

Prog/Fund # Category: Pers. Optg. Cap. -or- CIP# Fund#

Previous Relevant Board Actions for This Item

January 17, 2001 – Adoption of Ordinance No. 7

March 21, 2018 - Adoption of Amended Ordinance No. 7

February 5, 2020 – Adoption of Amended Ordinance No. 7

Attachments

1. Draft of Ordinance Amending Ordinance No 7

2. Draft Amended Sections of Ordinance No. 7 with revisions highlighted with Track Changes in red.

AGENDA ITEM: F1



(DRAFT) TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
ORDINANCE NO. 7

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
AMENDING ORDINANCE NO. 07 WATER REGULATIONS AND SERVICE ORDINANCE**

WHEREAS, the Town of Discovery Bay Community Services District (the “Town”) Ordinance No. 7 currently provides regulations regarding water service; and

WHEREAS, the Board of Directors of the Town amended Ordinance No. 7 Water Regulations and Service Ordinance on February 5, 2020, and

WHEREAS, the Town desires to amend Ordinance No. 7 to add Section 2.16 to define the term Passive Purge System, and to add Section 37.04 to regulate the installation of Passive Purge Systems used for automatic residential fire sprinkler systems.

BE IT ORDAINED that the Board of Directors of the Town of Discovery Bay Community Services District, hereby amends Ordinance No.7 Water Regulations and Service Ordinance to read as follows:

Section 1 Section 2.16 of Ordinance No. 7 is added to read as follows:“2.16 Passive Purge System. A type of fire sprinkler system that serves a single toilet in addition to the fire sprinklers inside the dwelling, which provides circulation of water in the fire line when the toilet is flushed, thereby preserving water quality and negating the need for backflow prevention at the TODBCSD water meter.”

Section 2 The Sections subsequent to the added Section 2.16 shall be renumbered to accommodate the added Section. 2.16.

Section 3 Section 37.04 of Ordinance No. 7 is added to read as follows:

37.04. Except as set forth in Section 37.04.05, all automatic Residential fire sprinkler systems installed in newly constructed Residential dwellings within the TODBCSD jurisdiction shall be designed using a Passive Purge System design that is approved by the local fire prevention authority and in accordance with the requirements set forth in this Section 37.04.

37.04.01. The piping configuration for the Passive Purge System shall be designed with the end of the fire line on each level of the Residential dwelling connected as the only Water supply to one toilet on each level of the Residential dwelling, or to the most remote toilet to the service in the case of a looped fire system.

37.04.02 The Passive Purge System shall meet all requirements of the National Fire Protection Association (“NFPA”), including NFPA 13D, as it is amended from time to time.

37.04.03 Once the Passive Purge System has been installed at the Residential dwelling prior to sheet rock being installed, the property Owner and/or homebuilder shall notify the TODBCSD that the Passive Purge System is ready for inspection to confirm that the Residential fire sprinkler system is installed as required by this Section 37.04, and the rules and regulations of the TODBCSD.

37.04.04 Property Owners shall not alter any Water pipe integrated with the Passive Purge System for the dwelling without prior written approval from the General Manager or their designee.

37.04.05 Exception. When the local fire prevention authority does not approve the use of Passive Purge Systems in accordance with this Ordinance, the residential fire sprinkler system shall be installed with an approved backflow assembly valve to protect the TODBCSD Water supply source shall be installed at the water meter.

37.04.06 Service of Water to any premise shall be discontinued by the TODBCSD if the automatic fire protection system for the premise is not installed or inspected as required by this Section 37.04, and the rules and regulations of the TODBCSD. Service will not be restored until such condition or defects are corrected.

Section 4 If any provision of this Ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The Town of Discovery Bay Community Services District Board of Directors hereby declares that it would have adopted this Ordinance irrespective of the validity of any particular portion thereof.

Section 5 This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the Town of Discovery Community Services District or any officer or employee thereof a mandatory duty of care toward persons and property within or without the District so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 6 This Ordinance is hereby declared to have been adopted by the Town of Discovery Bay Community Services District Board of Directors at a meeting thereof duly called and held on the 1st day of March, 2023, and ordered to be given effect thirty (30) days after its first publication as mandated by statute.

****Certification on Following Page****

CERTIFICATION

Passed and adopted at a regular meeting of the Board of Directors of the Town of Discovery Bay Community Services District held on March 1, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ashley Porter
Board President

Attest:

Dina Breitstein
Board Secretary



TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
ORDINANCE NO. 7

Proposed Amendments are shown in red as track changes to the relevant sections of the Ordinance

AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
AMENDING ORDINANCE NO. 07 WATER REGULATIONS AND SERVICE ORDINANCE

BE IT ORDAINED that the Board of Directors of the Town of Discovery Bay Community Services District, hereby amends Ordinance No.7 Water Regulations and Service Ordinance to read as follows:

SECTION I GENERAL PROVISION

- 1 .01 . Short Title. This Ordinance shall be known and may be cited as Town of Discovery Bay Community Services District ("TODBCSD" or "District") Water Regulations and Service Ordinance ("Ordinance").
- 1 .02. Purpose. This Ordinance is intended to provide rules and regulations applicable to the provision of Water by the District. It is the intent of the TODBCSD Board of Directors to establish procedures and policies necessary to the orderly administration of a Water conservation program to prohibit Waste and to restrict the use of Water during a Water shortage emergency.
- 1 .03. Enabling Statutes. This Ordinance is adopted pursuant to the authority granted in California Government Code Sections 61000 et. seq.
- 1 .04. Application. The provisions of this Ordinance shall apply to all Customers using Water within the boundaries of TODBCSD or using Water provided by TODBCSD
- 1 .05. Enterprise. The District will furnish and or make available a system, plant, works, and undertaking used for and useful in the delivery of potable Water for the District's service area, including all annexations thereto, lands, easements, rights in land, contract rights, and franchises.
- 1 .06. Separability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any Person or circumstances are for any reason held to be unconstitutional or invalid by the decision of a court of competent jurisdiction,

such decision shall not affect the validity of the remaining portions of this Ordinance or the application of such provision to other Persons or circumstances. The Governing Body hereby declares that it would have passed this Ordinance or any section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more section, subsection, sentences, and clauses or phrases are declared to be unconstitutional.

- 1 .07. Words and Phrases. For the purpose of this Ordinance all words used herein in the present tense shall include the future; all words in the plural number shall include the singular number; and all words in the singular number shall include the plural number.
- 1 .08. Means of Enforcement. The District hereby declares that the procedures contained herein are established as a means of enforcement of the terms and conditions of its ordinances, rules, and regulations*
- 1 .09. Notices. Whenever a notice is required to be given under this Ordinance, unless different provisions are specifically made herein, such notice may be made either by personal delivery thereof to the Person to be notified or by deposit in the US Mail in a sealed envelope, postage prepaid, addressed to such Person at his or her last known business or residence address as the name appears on public records or other records pertaining to the matter to which the notice is directed. Service by mail shall be deemed to have been completed at the time of deposit in the post office.

Proof of giving any notice may be made by the certificate of any officer or employee of the District or by affidavit of any Person over the age of eighteen years, which shows service in conformity with this Ordinance or other provisions of law applicable to the subject matter concerned.
- 1 . 1 0. Effect of Heading. The title, division, or section headings contained in this Ordinance shall not be deemed to govern, limit, or modify in any manner, the scope, meaning, or intent of any section or subsection of this Ordinance.
- 1 .1 1 . Ruling Final. All Rulings of the District shall be final. All rulings of the General Manager shall be final unless appealed in writing to the Board within 10 days of the General Manager's decision in accordance with Section 31 of this Ordinance. When appealed, the Board's ruling shall be final.
- 1 .1 2. Conflict in Provisions* In the event that the provisions of this Ordinance conflict with any code ordinance or regulation of the District the provisions of this Ordinance shall govern. In the event any provision of this Ordinance conflicts with a preemptive provision of State law, this Ordinance shall be interpreted and applied in conformity with State law.

SECTION 2 DEFINITIONS

The following words when used in any provision of this Ordinance shall be construed to have the following meaning:

- 2.01 . Applicant. The Person making application hereunder and who shall be the Owner of the Premises involved, or his or her authorized agents, so authorized in writing to the TODBCSD. In the event that a Landlord-Owner's account is in arrears, one or more adult tenants may become an Applicant as provided for in Section 43 of this Ordinance.
- 2.02. Board or Board of Directors. The Board of Directors of TODBCSD.

- 2.03. Connection. The pipe line and appurtenant facilities such as the curb stop, meter, and meter box, all used to extend Water service from the Main to the Premises} the laying thereof and the tapping of the Main. Where services are divided at the curb or property line to serve several Customers each such branch service shall be deemed a separate service.
- 2.04. Cost. The cost of labor, materials, transportation, supervision engineering, and all other necessary overhead expenses.
- 2.05. County. The County of Contra Costa, California.
- 2.06. Cross Connection. Any actual or potential Connection between TODBCSD*s or consumer's potable piping system and any other source or piping system through which it is possible to introduce into any part of the potable piping system any untreated water, used water, industrial fluid, gas or substance other than the potable water with which the piping system is supplied. By-pass arrangements, jumper connections, removal sections, swivel or changeover devices, or other devices through which backflow could occur, shall be considered to be cross-connections.
- 2.07. Customer. Any Person, Entity, firm, partnership, business, corporation, district or governmental agency that receives Water from TODBCSD.
- 2.08. District. Town of Discovery Bay, a Community Services District formed under the provisions of California Government Code SS 61000 et seq., within Contra Costa County, California.
- 2.09. District Engineer. A Person or firm appointed by the Board of Directors to act as an engineer of the District; in the absence of any specific description, the General Manager shall act as the Engineer.
- 2.1 0. Facility/Capacity Charges. Charges determined in accordance with Government Code SS 61000 et seq. or SS 66000, et seq., or any successor statutes to pay for the facilities of the District.
- 2.1 1 . General Manager. The General Manager of TODBCSD or the General Managers designee.
- 2.12. Governing Body. The Board of Directors of the Town of Discovery Bay.
- 2.1 3. Main. A Water line in a street, highway, alley, or easement used for public and private fire protection and for general distribution of Water.
- 2.14. On-site fire protection facilities. Privately-owned fire protection facilities installed on private property in accordance with the provisions of this whether installed before or after the effective date of this Ordinance.
- 2.15. Owner. The Person owning in fee title or in whose name the legal title to the property appears, by deed duly recorded in the County Recorder's office, or the Person in possession of the property or buildings under claim of, or exercising acts of ownership over same for himself, or as executor, administrator, guardian, or trustee of the Owner.
- 2.16. Passive Purge System. A type of fire sprinkler system that serves a single toilet in addition to the fire sprinklers inside the dwelling, which provides circulation of water in the fire line when the toilet is flushed, thereby preserving water quality and negating the need for backflow prevention at the TODBCSD water meter.”

- 2.1-617. Permit. Any written authorization required pursuant to this or any other regulation of the District.
- 2.1-718* Person or Entity. Any individual* company, partnership, agency or other public or private
- 2.1-819. Policy. TODBCSD Policy on Discontinuation of Residential Water Service for Nonpayment.
- 2.19-2.20. Premises. A lot or parcel of real property under one ownership, except where there are well defined boundaries or partitions such as fences, hedges, or other restrictions preventing the common use of the property by several tenants, in which case each portion shall be deemed separate Premises. Apartment houses and office building may be classified as single Premises.
- 2.20-2.21. Private Fire Hydrant. A fire hydrant that is owned and maintained by a party other than TODBCSD and is not located in a TODBCSD right-of-way or other TODBCSD property.
- 2.21-2.22. Private Water Line. A Water pipeline that is owned and maintained by a party other than the TODBCSD, beyond TODBCSD's point of service.
- 2.22-2.23. Public Fire Hydrant. A fire hydrant that is owned and maintained by TODBCSD.
- 2.23-2.24. Public Water Line. The part of the Water Distribution System that is owned by
- 2.245 Regular Water Servicer Water service and facilities rendered for normal domestic, commercial, and industrial purposes on a permanent basis, and the Water available therefor.
- 2.265. Residential. Any single-family unit, any duplex, or triplex family unit not requiring licensing for occupancy and operation.
- 2.276. TODBCSD. An abbreviation for Town of Discovery Bay Community Services District.
- 2.278. Temporary Water Service. The provision of Water for a period of twelve (12) months or less.
- 2.298. Waste. Shall mean any unreasonable or non-beneficial use of Water, or any unreasonable method of use of Water, including, but not limited to; the use of Water for any purpose which allows flooding or runoff in gutters, bodies of United States waters, driveways, streets or adjacent lands; the use of Water in violation of any of the specific uses prohibited and restricted by this Ordinance as hereinafter set forth; or the use of Water in violation of any other Ordinance or Resolution of the District either in effect at this time or as hereinafter adopted.
- 2.3029. Water. Water supplied by TODBCSD to Customers within its jurisdiction.
- 2.310. Water Distribution System. All pipes, transmission and distribution Mains and other facilities owned or operated by TODBCSD to supply, provide or deliver Water to its Customers.
- 2.321. Water Service Connection. The connection of a meter or service to the District system, the installation of a meter or service. A Water Service Connection occurs at the time that a tap, piper or other means of taking Water is physically attached to the TODBCSD Water Distribution System in a manner capable of taking Water from the distribution system. The Water Service Connection includes the stop/valve at the distribution Main, the Water

Meter, the curb stop on a metered Water service and pressure reducing valve (PRV) if applicable.

2.332. Water Meter. A Water Meter provided by TODBCSD that is installed by TODBCSD on a Water Service Connection or a fire hydrant in a manner that measures the volume of all Water taken from the TODBCSD Water Distribution System through that Water Service Connection or hydrant

37.04. Except as set forth in Section 37.04.05, all automatic Residential fire sprinkler systems installed in newly constructed Residential dwellings within the TODBCSD jurisdiction shall be designed using a Passive Purge System design that is approved by the local fire prevention authority and in accordance with the requirements set forth in this Section 37.04.

37.04.01. The piping configuration for the Passive Purge System shall be designed with the end of the fire line on each level of the Residential dwelling connected as the only Water supply to one toilet on each level of the Residential dwelling, or to the most remote toilet to the service in the case of a looped fire system.

37.04.02 The Passive Purge System shall meet all requirements of the National Fire Protection Association (“NFPA”), including NFPA 13D, as it is amended from time to time.

37.04.03 Once the Passive Purge System has been installed at the Residential dwelling prior to sheet rock being installed, the property Owner and/or homebuilder shall notify the TODBCSD that the Passive Purge System is ready for inspection to confirm that the Residential fire sprinkler system is installed as required by this Section 37.04, and the rules and regulations of the TODBCSD.

37.04.04 Property Owners shall not alter any Water pipe integrated with the Passive Purge System for the dwelling without prior written approval from the General Manager, or their designee.

37.04.05 Exception. When the local fire prevention authority does not approve the use of Passive Purge Systems in accordance with this Ordinance, the residential fire sprinkler system shall be installed with an approved backflow assembly valve to protect the TODBCSD Water supply source shall be installed at the water meter.

37.04.06 Service of Water to any premise shall be discontinued by the TODBCSD if the automatic fire protection system for the premise is not installed or inspected as required by this Section 37.04, and the rules and regulations of the TODBCSD. Service will not be restored until such condition or defects are corrected.



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

February 15, 2023

Prepared By: Mike Yeraka, Projects Manager
Submitted By: Dina Breitstein, General Manager

Agenda Title

Discussion and Possible Action to Adopt Resolution No. 2023-05 Determining CEQA Exemption for Willow Water Treatment Plant Filter Replacement Project, Approve Willow Water Treatment Plant Filter Replacement Project, and Direct Town Staff to File a Notice of Exemption.

Recommended Action

- a. Adopt Resolution 2023-05 Approving the Project and Determining that Project is Exempt from CEQA.
- b. Authorize Staff to file the attached Notice of Exemption and make available for public inspection.

Executive Summary

At the November 2, 2022, Board Meeting the Board authorized Luhdorff & Scalmanini to move forward with design of the Filter Replacement Project and authorized prepurchase of the filter vessel.

In order to satisfy CEQA for the Project, the Board will need to adopt the attached Resolution 2023-05 adopting the attached CEQA Exemption, Approving the project and Directing filing of the Notice of Exemption. The exemption from CEQA is allowed given that the project consists of replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

The only costs associated with this portion of the project is the \$50 County Clerk Filing fee.

Specific Board Action:

It is recommended that the Board take the following Action:

- c. Adopt Resolution 2023-05 Approving the Project and Determining that Project is Exempt from CEQA.
- d. Authorize Staff to file the attached Notice of Exemption and make available for public inspection.

Fiscal Impact:

Amount Requested: \$50
Sufficient Budgeted Funds Available?: Yes
Prog/Fund # Category: TBD

Previous Relevant Board Actions for This Item

November 2, 2022, Approving prepurchase of the filter vessel.

Attachments

1. Resolution 2023-05.
2. Notice of Exemption.

AGENDA ITEM: F2



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2023- 05

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY, ADOPTING A CATEGORICAL EXEMPTION FOR THE PURPOSES OF
SATISFYING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, APPROVING REPLACEMENT OF FILTERS
AT THE WILLOW WATER TREATMENT PLANT, AND DIRECTING THE GENERAL MANAGER TO FILE A
NOTICE OF EXEMPTION WITH THE CONTRA COSTA COUNTY CLERK.**

WHEREAS, the Town of Discovery Bay Community Services District (“District”) is a government agency organized and existing under the laws of the State of California; and

WHEREAS, the District is in need of replacing failing filters at the Willow Water Treatment Plant; and

WHEREAS, the District is the lead agency under the California Environmental Quality Act (“CEQA”) for the Willow Water Treatment Plant Filter Replacement Project (“Project”); and

WHEREAS, the Project consists of replacing two existing filters at the Willow Water Treatment Plant that are failing with one larger filter; and

WHEREAS, the Project falls within the categorical exemption to the California Environmental Quality Act (“CEQA”) pursuant to Section 15302 (Class 2) of the Guidelines for CEQA, California Administrative Code of Regulations, Title 14, Chapter 3, Article 19; and

WHEREAS, all other legal prerequisites to the adoption of this resolution have been met.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1: The above recitals are true and correct.

Section 2: The General Manager is authorized to commence the necessary steps to replace the filters.

Section 3: The Notice of Exemption prepared for the Project has been completed in accordance with CEQA Guidelines.

Section 4: The Board hereby approves and adopts the Categorical Exemption for the Project.

Section 5: The Board hereby approves replacing the two existing filters at the Willow Water Treatment Plant that are failing with one larger filter.

Section 6: The Board hereby directs the General Manager to prepare and file with the County Clerk of Contra Costa County for posting, a “Notice of Exemption” pursuant to California Administrative Code, Title 14, Chapter 3, Section 15062.

Section 7: This Resolution shall take effect immediately upon its adoption.

Section 8: The Board Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 15th DAY OF February 2023.

Ashley Porter
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on February 15, 2023, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Attest:

Dina Breitstein
Board Secretary

Notice of Exemption

TO: Contra Costa County
Clerk's Office
555 Escobar Street
Martinez, CA 94553

From: Town of Discovery Bay CSD
1800 Willow Lake Rd.
Discovery Bay, CA 94505

Project Title: Willow Water Treatment Plant Filter Replacement Project.

Project Applicant: Town of Discovery Bay Community Services District (CSD), 1800 Willow Lake Road, Discovery Bay, CA 94505

Project Location: 1800 Willow Lake Road, Discovery Bay, CA 94505

Project Location – City: Town of Discovery Bay Project Location – County: Contra Costa

Description of Nature, Purpose and Beneficiaries of Project:

Replace two existing filters at the Willow Water Treatment Plant that are failing with one larger filter. The project is necessary in order to continue to provide reliable drinking water service to the Discovery Bay community. As a result of the project, the Town's filtration capacity would be increased by 7.5% which is considered negligible.

Name of Public Agency Approving the Project: Town of Discovery Bay Community Services District

Name of Lead Agency Carrying Out the Project: Town of Discovery Bay Community Services District
Phone: 925-634-1131, 1800 Willow Lake Rd. Discovery Bay, CA 94505

Exempt Status: (check one)

Ministerial (Sec. 21080(b)(1); 15268);

Declared Emergency (Sec. 21080(b)(3); 15269(a));

Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

Categorical Exemption. State type and section number: Replacement of Existing Facilities, pursuant to Guidelines for CEQA, Regulation Sec. 15302(c)

Reasons why project is exempt:

15302(c) – Consists of replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

Lead Agency

Contact Person: Mike Yeraka, Projects Manager Telephone: 925-634-1131

Attached is the certified document of exemption finding.

Signature: _____ Date: _____ Title: Projects Manager

Signed by Lead Agency

Signed by Applicant

Attached:

Resolution 2023-05



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

February 15, 2023

Prepared By: Mike Yeraka, Projects Manager
Submitted By: Dina Breitstein, General Manager

Agenda Title

Discussion and Possible Action to Approve the Notice of Completion and Release the Retention Payment, and Performance and Payment Bonds for Construction of the Discovery Bay Blvd. and Egdeviev Drive Pipeline Replacement Project.

Recommended Action

It is recommended that the Board take the following Action:

- a. Approve the Notice of Completion.
- b. Approve release of the Final Retention Payment to W.R Forde Associates, Inc.
- c. Approve Release of the Performance and Payment Bonds for the project.

Executive Summary

The Discovery Bay Blvd. and Egdeviev Drive Pipeline Replacement Project is now complete, and all punch list items are finalized. The Board authorized a construction budget of \$720,000 at the March 16, 2022, Board Meeting. During construction of the project, it was determined that the plastic service lines on the north side of Edgeview Drive were not able to be reused, which required the installation of all new copper service lines bringing the total construction cost to \$744,909.71. Funds are available in the Water Infrastructure Replacement Fund to make up the additional \$24,909.71 cost of the project.

Specific Board Action:

It is recommended that the Board take the following Action:

- a. Approve the Notice of Completion.
- b. Approve release of the Final Retention Payment to W.R Forde Associates, Inc.
- c. Approve Release of the Performance and Payment Bonds for the project.

Previous Relevant Board Actions for This Item

Award of Contract to W. R. Forde Associates, Inc.. – March 16, 2022.

Fiscal Impact: Additional \$24,909.71 coming from the Water Infrastructure Replacement Fund

Amount Requested: Additional \$24,909.71

Sufficient Budgeted Funds Available? Yes

Prog/Fund # Category: TBD

Attachment

1. Notice of Completion

AGENDA ITEM: F3

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
1800 Willow Lake Road
Discovery Bay, CA 94505-9376

NOTICE OF COMPLETION



NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is the Owner who contracted for the work of improvement hereinafter described.
2. The full name of the undersigned is:
TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT, a Political Subdivision of the State of California.
3. The full address of the undersigned is:
1800 Willow Lake Road, Discovery Bay, CA 94505-9376
4. The nature of the title of the undersigned is that of a fee holder.
5. A work of improvement on the property hereinafter described was completed on:
October 12, 2022.
6. The name of the contractor for such work of improvement is:
W.R. Forde Associates Inc.
7. The property on which said work of improvement was completed is in the unincorporated portion of the County of Contra Costa, State of California, and is described as follows:
Between 5465 and 5650 Edgeview Drive., and Discovery Bay Blvd. south of Firwood Ct.,
Discovery Bay
8. The work of improvement consists generally of:
Replace waterlines.
9. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

DINA BREITSTEIN, GENERAL MANAGER
FOR TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT

Date

Signature



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

February 15, 2023

Prepared By: Dina Breitstein, General Manager

Submitted By: Dina Breitstein, General Manager

Agenda Title

Discussion and Possible Action to Approve and Certify the Town of Discovery Bay Sewer System Management Plan.

Recommended Action

Approve and certify the Town of Discovery Bay Sewer System Management Plan.

Executive Summary

The District is required to develop and implement a Sewer System Management Plan ("SSMP") under the State Water Resources Control Board WDR permit Order R5-2019-0082. The SSMP documents the District's program to properly operate and maintain the sanitary sewer system.

The SSMP addresses the following elements:

1. Goal
2. Organization
3. Legal Authority
4. Operation and Maintenance Program
5. Design and Performance Provisions
6. Overflow Emergency Response Plan
7. Fats, Oils, and Grease (FOG) Control Program
8. System Evaluation and Capacity Assurance Plan
9. Monitoring, Measurement, and Program Modifications
10. SSMP Program Audits
11. Communication Program

As required, the District completes an audit and update of the program which is re-certified by the Board of Directors every five (5) years.

Fiscal Impact:

Amount Requested

Sufficient Budgeted Funds Available?: *(If no, see attached fiscal analysis)*

Prog/Fund #

Previous Relevant Board Actions for This Item

District update of the SSMP - 2018

Attachments

2018 SSMP - Updated (2023 redlined)

AGENDA ITEM: F4

Sewer System Management Plan



March
~~2018~~2023

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GLOSSARY

Sewer System Management Plan

(SSMP)

SYSTEM OVERVIEW:

The Town of Discovery Bay Community Services District (TODBCSD) was formed in 1998 and remained relatively rural until experiencing significant residential growth in early 2000. As of 2008, there are approximately 47 miles of public sewer lines, ~~5,600-6200~~ residential and commercial service connections. There are also approximately 600 manholes. The system is serviced by a series of fifteen (15) remote lift stations, ~~five (5) of these which are less than ten (10) years old~~. The term District, Town of Discovery Bay, Town, TODB or TODBCSD are used interchangeably and convey the same meaning.

As of 2008, the average age of the collection system is approximately between five (5) and thirty (~~34~~0) years old. The collection system consists mostly of PVC pipe, with the rest being vitrified clay pipe (VCP). The typical mainline sewer pipe size is 8" to 10" PVC & VCP with 8" PVC pipe being the standard used today.

Since the District was formed in 1998, it has always contracted or outsourced the "operation & maintenance" of its wastewater & collection system, first starting with Delta Diablo Sanitation District, and then in 1999 transferred those responsibilities to ECO Resources (or Southwest Water). Beginning on January 1, 2009 Veolia NA began operating the system under a multi-year, long term contract.

The District's contractor/s has had an active sewer system cleaning program in place since 1998. Relatively few line blockages have taken place since that time. Blockages and overflows have averaged about ~~1-21~~ every other-a year, with our goal set for zero overflows.

Grease & rag buildup appears to be the major cause of blockages and/or overflows. Throughout the years, the District has experienced SSO's resulting from vandalism, faulty parts and components, and operational errors.

~~Annually the Districts (47) miles of sewer mains are inspected with Sonar. Prior to 2010, videotaping of the District's sewer mains was rarely performed. However, as a part of our multi-year contract with Veolia NA, 25% of the total sewer system was videotaped annually in the first five (5) contracts. Consequently, 100% of the District's forty seven (47) miles of sewer mains was cleaned and videotaped. In addition, 25% are cleaned based on sonar results.~~

The TODBCSD is located on "Old River", (part of the California Delta region) in eastern Contra Costa County. The District owns and operates the Discovery Bay Wastewater Treatment Plant. The plant is operated under permit of the National Pollutant Discharge Elimination System (NPDES), approved by the Central Valley Regional Water Quality Board. The plant ~~average daily treatment is up to -is-permitted-to treat up to~~ 2.1mgd of wastewater ~~daily~~, which is then treated and eventually discharged into Old River. The District has very minimal storm water entering its collection system.

GOALS:

The main goal of this Sewer System Management Plan (SSMP) is to prevent Sanitary Sewer Overflows (SSO), by means of maintaining a maintenance program aided by Best Industry Practices and by being proactive regarding repairs and maintenance and equipment replacement.

The Town of Discovery Bay Community Services District along with its contractor Veolia Water, recognize the importance of protecting the various waterways that surround our beautiful boating and fishing community. By working together to prevent SSO's, our residents can enjoy the Delta's easy system of waterways, while protecting the Delta in the process.

The following are some of the Districts major goals:

1. Operate and maintain a collection system that is proportionately sized for the community with the necessary facilities to collect, treat and discharge pursuant to the Town's NPDES permit.

2. Operate and maintain all Lift Stations within our collection system.

3. Establish and achieve a goal of zero (0) sewage overflows (SSOs) for the year.
4. Contain any SSOs to a very small area, if and when they occur.
5. Annually train staff and contract employees in the proper methods of SSO management.
6. Annually educate Discovery Bay residents on how they can help prevent SSO's from occurring.
7. Continue to professionally manage, operate and maintain all parts of the wastewater collection system in a manner that conforms with all regulatory requirements.

	Yes	No
1. Does your agency currently respond to SSOs?	Y	
2. If a resident called the general City phone number listed in the yellow pages at 3 a.m. on a Sunday morning to report "some water bubbling up in the street" would the proper information get to the correct person in order to respond quickly? Remember a citizen will probably call the City where they live and not the wastewater agency responsible for the sewers (if the City isn't responsible for the sewers).	Y	
3. Do you have written Standard Operating Procedures in place to clean up SSOs?	Y	
4. Does your organization report to the State and local agencies.	Y	
5. Does that person have contact lists and check off sheets to track who was notified and when?	Y	

ORGANIZATION:

Service Calls – Business office hours of Veolia NA and the Town of Discovery Bay CSD are Monday through Friday, except on normal holidays, 7:30 a.m. to 5:00 p.m. All service calls related to the wastewater collection system are referred directly to Veolia NA during the day and to their afterhours on "ON-Call" personnel, who then contact appropriate personnel ~~necessary~~. necessary. The main phone numbers are 925-634-8818 for Veolia NA and 925-634-1131 for the District office.

LEGAL AUTHORITY:

This unit of local government is known as the Town of Discovery Bay, a Community Services District, with powers and territorial boundaries as prescribed in Resolution No. 97/295 of the Board of Supervisors of Contra Costa County, State of California, dated June 10, 1997, and as provided by law.

The purposes of the Town of Discovery Bay, as approved by the Local Agency Formation Commission and by law, are

- A. To operate as a Community Services District to provide wastewater connection, collection and treatment and discharge of treated effluent.
- B. The District operates under the legal authority of the state of California as a California Independent Special District. The District was formed on July 1, 1998 and is governed by an elected five (5) member Board of Directors.

District Resolution —Resolution Number 2007-12 regulates what materials can be placed into the sewer, including a requirement for grease interceptors for commercial businesses.

	Yes	No
Does your agency have legal authority to operate a wastewater collection system?	Y	
Does your agency have a sewer use ordinance that describes how the public can use your sewer system?	Y	
Does your sewer system have a Satellite Collection System attached to it and do you have a service agreement with that agency?		N
Does your agency require, through a legally binding requirement, that new sewer systems are properly designed and constructed (see Section 5, Design and Performance Provisions)?	Y	
Do your design standards require vehicular access to all manholes and cleanouts?		N
Does your ordinance, if you have one, prohibit the discharge of FOG and other debris into the sewer?	Y	
Do you require a public sewer easement be recorded over any new public owned sewer that is not within a public right of way?	Y	
Do you have a section in your ordinance that allows for enforcement of violations of your sewer use ordinance?	Y	

OPERATION AND MAINTENANCE PROGRAM:

Collection System Maps — The District has a complete set of recently updated Geographical Information System (GIS) maps identifying the location of each sewer manhole, its depth, and the direction of flow. Each manhole is also identified by which lift station the flow is heading into, along with the type of pipe material and pipe-size.

System Maintenance — The District maintains its collection system with modern equipment, including a fleet of vehicles that consist of a Hydro-Vac truck, a ~~CCTV van~~ camera, ~~vehicles~~ four pickups, and a ~~heavy duty~~-boom truck. District and contract personnel provide 24/7/365 emergency standby and is fully trained and equipped to make emergency repairs ~~on lines up to 8" in diameter~~.

Computerized Maintenance and Management System (CMMS) — Veolia NA uses their **Sewer Inspection System** computer program to electronically store and retrieve data such as service calls, manhole designations, numbered line segments, line sequencing, and cleaning schedules. This program also electronically interfaces with the District's digitized base mapping GIS.

Video Inspection — The District's contractor owns and utilizes a modern CCTV van that includes state of the art digital video equipment and conducts underground pipe inspection on recently cleaned sewer mains. The District's entire collection system has been video inspected.

Lift Stations — The District has 15 ~~L~~ Lift ~~S~~ Stations, ~~an Influent Pump Station and a Bypass Pump Station with pump horsepower ratings ranging from 3HP to 105HP~~. All stations have redundant ~~pumps~~ pumps, and all have quick connect systems to accommodate ~~one of five~~ portable backup generators stored at the treatment plant should there be a need. In the event of redundant pump failure, hoses, pumps and pump-around solutions have been preplanned and tested in training exercises. The District has portable trash pumps that can also be utilized to bypass when necessary.

All 15 lift stations are connected via a ~~radio-based~~ radio-based and cellular communications to SCADA Systems at the treatment plant, ~~which operates 24/7/365~~. The SCADA system is also backed up with by an application called *Mission*.

All Veolia NA field personnel carry ~~cell-phones~~ cellphones which are accessed by the SCADA system. Lift Stations have a dedicated ~~full-time~~ full-time mechanic who services and inspects each facility based on a computerized maintenance schedule. Duties include changing fluids, checking batteries and battery chargers, exercising standby generators, cleaning wet wells of grease buildup and floatables, etc. Past experience has determined that frequent servicing of submersible pumps reduces pump life and increases risk of premature failure. The ~~District~~ District, therefore, successfully operates redundant pump

configurations for extended periods and successfully maintains a replacement inventory of a variety of pumps utilized throughout the system in the event of unexpected failure. Lift Stations are completely rehabilitated on an as needed basis with rebuilt or new pumps, 3/4"–stainless steel pump rails and new wiring.

Line Maintenance — The collection crew assess 100% of sewer system on an annual basis with "SL-RAT" sonar assessment tool and hydro-cleans any potential "hot-spots" on a quarterly or as-needed basis. Thus, all-of-all the 47 miles of sewer mains within our jurisdiction are assessed each year. From the assessment all low-ranking-low-ranking line segments are cleaned and/or videotaped.

Capacity Studies — Developers are required to hire an independent engineer to conduct a hydraulic capacity study for residential developments of ten (10) units or more. The study examines both existing downstream line capacity and capacity at projected build-out. Commercial developments are also subject to the same requirements. These studies are kept on file by the District and are available for inspection.

A wastewater system master plan and ten-year-ten-year capital project forecast was updated completed-in 201912. A copy of the Master Plan can be found on the Town's website at www.todb.ca.gov.

Collection System Long Term Rehabilitation Plan —

USA Marking Program — The District participates in the USA Marking Program and augments its efforts by distinguishing risk from third party excavation or drilling as likely or unlikely. In cases where risk is likely, the District takes extraordinary efforts to avoid and/or discover damage to District infrastructure. This includes using on-site District inspectors during construction and video inspection of District pipelines immediately following projects if underground issues arise.

Pipelines — All video work is reviewedreviewed, and any areas of concern are addressed and acted upon to replace or make necessary repairs.

Training – Veolia NA provides training to their staff, in the handling of SSO's and necessary precautions to prevent an SSO.

Replacement Inventories – The District maintains a-adequate replacement-ijinventory for the collection system. for fifteen (15) lift stations and the collection system, including spare pumps. These stations operate in all conditions without needing to use a redundant pump.

The District also has two (2)a portable "trash" pumppumpss up to 4" in diameter. All pumps are stored in a single location along with palletized lengths of extra hose with quick connect couplings. The District also maintains a number of portable trailer mounted generators ranging in size from 45KW to 150KW.

DESIGN AND PERFORMANCE PROVISIONS:

Standards for Design, Installation, Rehabilitation and Repair — The District's has adopted the Design Standards of Central Sanitary District, located in Martinez, CA. They are available to contractors and citizens at no charge and are updated as necessary.

Inspection and Testing of New and Rehabilitated Facilities — The District has an in-house construction inspector who inspects both new construction as well as repairs to ensure they are constructed according to generally accepted construction practices. The inspector insures that all construction meets District standards and State codes. All sewers constructed by outside contractors are pressure cleaned, tested and video inspected before acceptance by the District.

OVERFLOW EMERGENCY RESPONSE PLAN:

Overflow Response — the District has adopted Standard Procedure No. I.A.8, which outlines policies and procedures for handling service calls and overflows. The Plan is updated annually and includes procedures for overflow mitigation, emergency response, clean-up, spill recovery, internal and external resources and rehabilitation of damaged dwellings and buildings. It also includes provisions for public notification, testing for contamination, and notification to regulators. The plan addresses overflows at lift stations and sanitary sewers. The District has a vacuum truck to maximize recovery of sewage which reaches the street and/or storm drain system.

Overflow Reporting Policy — The District defines an overflow as any time raw sewage escapes from the public sewer onto public or private property. All overflows, backups, etc., are investigated as to cause and corrective action to prevent future incidents. Overflows 99 gallons or less are generally documented only by journal entries. Overflows in excess of 100 gallons, or complex events require thorough written reports. Overflows in excess of 1000 gallons are reported to the Office of Emergency Services (OES). All overflows are reported to the Central Valley Regional Water Quality Control Board (RWQCB) and the State Water Resources Board including documenting through CWIQS SSO Program. The Plan also includes reporting requirements to other regulatory agencies as may be appropriate. The Town's Overflow Reporting Policy is attached and listed as Exhibit A.

FOG CONTROL PROGRAM (FATS, OILS, AND GREASE):

Fats, Oils, and Grease Control (FOG) — The District has relatively few commercial restaurants in ~~it's~~ service boundary and all utilize grease interceptors as a pre-treatment ~~system, and system and~~ are maintained by restaurant ~~owners-owners~~. The District ~~is in the process of developing~~ implemented a residential FOG program for our residents, along with a diaper and rag disposal program "NO WIPES IN THE PIPES" campaign.

Veolia's collection staff accelerates cleaning frequencies in areas identified as being prone to grease collection or blockage. The District is also looking into replacing old lift station pumps with "chopper" type pumps which would reduce ragging buildup throughout the sewer main system.

SYSTEM EVALUATION CAPACITY AND ASSURANCE PLAN:

Financial Commitment — ~~The District's sewer collection system is rather young in terms of age.~~ Based upon the assessment, cleaning and video work performed annually District's current collection system, the District plans to replace any and all sewer mains that require replacement. The District ~~is also allocates~~ allocates \$150,000 ~~monies~~ towards the sewer main reserve fund that builds up annually.

MONITORING, MEASUREMENT, AND PROGRAM MODIFICATIONS:

Veolia NA prepares a monthly report tied to specific performance measures which are reviewed and refined each fiscal year. This includes a list of spot repairs identified and submitted for repair, blockages, overflows, miles televised, miles cleaned, number of service calls and service call response time during and after business hours.

SSMP PROGRAM AUDITS:

The District will audit its SSMP Program ~~at intervals of not more than two years periodically~~ with ~~it's~~ vendor Veolia Water Contractor. ~~to seek "what's working and what's not".~~ A written report will be prepared and kept on file. The audit will focus on evaluating ~~the effectiveness~~ the effectiveness ~~the of~~ the SSMP ~~the SSMP~~ and ~~the~~ the District's compliance with SSMP requirements. ~~The audit will be conducted by the end of each even numbered year.~~

COMMUNICATION PROGRAM:

The District will communicate with the public on development, implementation, and performance of its SSMP ~~through its semi-annual newsletter, public events, annual, and other methods of communication.~~ The District will also provide the public with the opportunity to offer input ~~through the newsletter and~~ at public meetings of the Board of Directors to review and approve the SSMP.

RE-CERTIFICATION

The SSMP must be updated every five (5) ~~years, and years and~~ must include any significant program changes. Re-certification by the District's Board of Directors is required when significant updates to the SSMP are made. To complete the re-certification process, the District shall enter the data in the Online Database and mail the form to the State Water Board, as applicable.

SSMP GLOSSARY

ADDWF	Average Daily Dry Weather Flow
CWEA	California Water Environment Association
CMMS	Computerized Maintenance Management System
	HDPE High Density Polyethylene
I/I	Infiltration/Inflow
MGD	Million Gallons per Day
13267 Letter	Specific order issued by a Regional Water Quality Control Board requiring an agency to comply with a regulatory rule or requirement pursuant to Section 13267 of the California Water Code
SCADA	Supervisory Control and Data Acquisition (computer program)
SSO	Sanitary Sewer Overflow



Town of Discovery Bay

"A Community Services District"

STAFF REPORT

Meeting Date

February 15, 2023

Prepared By: Mike Yeraka, Projects Manager
Submitted By: Dina Breitstein, General Manager

Agenda Title

Discussion and Possible Action to Adopt Resolution 2023-06 Adopting an Addendum to the Pantages Bay Residential Development Project EIR to address the Town's Well 8 Project and Directing Staff to File a Notice of Determination.

Recommended Action

It is recommended that the Board take the following Action:

- a. Adopt Resolution 2023-06 Adopting an Addendum to the Pantages Bay Residential Development Project EIR.
- b. Authorize Staff to file a Notice of Determination Once Completed by Legal Counsel.

Executive Summary

At the November 17, 2021, Board Meeting the Board authorized Harris and Associates to prepare the necessary environmental documents in compliance with CEQA for the Well 8 project. During their review of the project and existing environmental documents they determined that an Addendum to the existing EIR for the Pantages Project was the appropriate environment document for the project. Town legal counsel informed Staff that they concur with Harris and Associates that an Addendum to the existing Pantages EIR is the appropriate environmental document for the project.

Both Staff and Legal Counsel have reviewed the attached Addendum and all of our comments have been incorporated into the document.

In order to satisfy CEQA for the Project, the Board will need to adopt the attached Resolution 2023-06 adopting the July 2022 Addendum.

Specific Board Action:

It is recommended that the Board take the following Action:

- a. Adopt Resolution 2023-06 Adopting an Addendum to the Pantages Bay Residential Development Project EIR.
- b. Authorize Staff to file a Notice of Determination Once Completed by Legal Counsel.

Fiscal Impact:

Amount Requested: Standard County Clerk CEQA Filing Fees, TBD

Sufficient Budgeted Funds Available?: Yes

Prog/Fund # Category: TBD

Previous Relevant Board Actions for This Item

November 17, 2021, Board Meeting authorizing Harris and Associates to prepare the necessary environmental document.

Attachments

1. Resolution 2023-06
2. July 2022 CEQA EIR Addendum for Well No. 8

AGENDA ITEM: F5



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2023- 06

**RESOLUTION OF THE
TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT
DETERMINING COMPLIANCE WITH THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT
AND CONSIDERING AN ADDENDUM AND ADOPTING
A MINOR MODIFICATION TO A PROJECT DESCRIPTION.**

WHEREAS, Contra Costa County (the "County") certified the Pantages Bay Residential Development Project EIR (hereinafter referred to as "2013 EIR") (SCH # 2007052130), which evaluated a General Plan Amendment, Rezoning, Subdivision, and Final Development Plan related to the proposed residential development; and

WHEREAS, in 2015, an Addendum to the 2013 EIR (hereinafter referred to as the "2015 Addendum") was prepared to address project modifications that included a reconfiguration of the proposed residential units, eliminating the widening of the west bank of Kellogg Creek, and removing some of the wetlands in the northern part of the project site, concluding that the modifications to the project would not result in new or substantially more severe impacts than were identified in the 2013 EIR and thus did not warrant supplemental environmental review; and

WHEREAS, in 2020, an Addendum to the 2013 EIR was prepared to address additional project modifications (the "2020 Addendum"), which included a reconfiguration of residential land uses, reducing the project acreage evaluated in the 2013 EIR and 2015 Addendum, concluding that the modifications to the project would not result in new or substantially more severe impacts than were identified in the 2013 EIR and thus did not warrant supplemental environmental review; and

WHEREAS, the July 2022 Addendum has been prepared by the Town to address project modifications that include using the lot located at the end of a planned cul-de-sac in the southwest corner of the planned Pantages Development for the Town's new water production Well No. 8 Project (the "Well Project"); and

WHEREAS, the Town is acting as the responsible agency under CEQA in connection with the construction and operation of the Well Project; and

WHEREAS, the project modification to include the Town's Well Project has been considered by the Town's Board of Directors together with the 2013 EIR, 2015 Addendum, and 2020 Addendum and has been determined to represent a minor modification, and therefore, an Addendum to the 2013 EIR is the appropriate documentation pursuant to the California Environmental Quality Act ("CEQA") Guidelines, Sections 15162 and 15164; and

which result in less than significant impact with applicable mitigation as identified in the 2013 EIR and July 2022 Addendum; and

WHEREAS, having heard and considered the evidence, and being fully advised regarding the environmental consequences of approving the Well Project, it is in the interest of the Town and desires to approve the Project.

NOW, THEREFORE, the Town of Discovery Bay Community Services District Board of Directors finds as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. The Town of Discovery Bay Community Services District Board of Directors has considered the July 2022 Addendum together with the relevant facts and the approved and adopted 2013 EIR, 2015 Addendum, and 2020 Addendum.
3. The Town of Discovery Bay Community Services District Board of Directors determine that the modifications to the project identified in the July 2022 Addendum would not result in new or substantially more severe impacts than were identified in the 2013 EIR and thus did not warrant supplemental environmental review.
4. The 2013 EIR shall be modified by the July 2022 Addendum as provided in CEQA Guideline Section 15164 to allow for construction of the Town's new water production Well No. 8 Project in the southwest corner of the planned Pantages Development.
5. The Town of Discovery Bay Community Services District Board of Directors approves the Project.
6. The General Manager, or her designee, is directed to file a Notice of Determination as provided in Sections 15094 and 15096(i) of the California CEQA Guidelines.
7. The General Manager, or her designee, is authorized to commence all necessary design and bidding documents necessary to enable the construction of the approved Well Project.

PASSED AND ADOPTED by the Board of Directors of the Town of Discovery Bay Community Services District at a regular meeting thereof held on this 15th day of February, 2023, by the following vote, TO WIT:

AYES:

NOES:

ABSTENTION:

ABSENT:

TOWN OF DISCOVERY BAY COMMUNITY SERVICES
DISTRICT

By: _____
ASHLEY PORTER, PRESIDENT

ATTEST:

DINA BREITSTEIN, BOARD SECRETARY

CEQA EIR Addendum

Discovery Bay New Water Production Well No. 8

July 2022

Prepared for:



**Town of Discovery Bay
1800 Willow Lake Road
Discovery Bay, California 94505
Contact: Mike Yeraka, PE**

Prepared by:



**1401 Willow Pass Road, Suite 500
Concord, California 94520**

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Acronyms and Abbreviations

2013 EIR	Contra Costa County certified the Pantages Bays Residential Development Project Environmental Impact Report
2015 Addendum	Addendum to the Contra Costa County certified the Pantages Bays Residential Development Project Environmental Impact Report
2020 Addendum	Addendum to the Contra Costa County certified the Pantages Bays Residential Development Project Environmental Impact Report
BAAQMD	Bay Area Air Quality Management District
bgs	below ground surface
BMP	best management practice
CalEEMod	California Emissions Estimator Model
CAP	Climate Action Plan
CMU	concrete masonry unit
CO	carbon monoxide
CO ₂	carbon dioxide
CO _{2e}	carbon dioxide equivalent
CSD	Community Services District
dBA	A-weighted decibel
Delta	Sacramento-San Joaquin Delta
DWSAPP	Drinking Water Source Assessment and Protection Program
ECCID	East Contra Costa Irrigation District
EIR	Environmental Impact Report
HCP	Habitat Conservation Plan
LED	light-emitting diode
MBTA	Migratory Bird Treaty Act
MT	metric ton
NCCP	Natural Community Conservation Plan
NO _x	oxides of nitrogen
Pantages Development	Pantages Bay Residential Development
PG&E	Pacific Gas & Electric
PM	particulate matter
PM _{2.5}	fine particulate matter measuring no more than 2.5 microns in diameter
project	Discovery Bay New Water Production Well No. 8
ROG	reactive organic gas
SR-	State Route
TAC	toxic air contaminant
Town	Town of Discovery Bay

Section 1 Introduction

The Town of Discovery Bay (Town) is proposing the Discovery Bay New Water Production Well No. 8 (project) and has determined that the appropriate environmental documentation is an addendum to the environmental impact report (EIR) that was prepared for the Pantages Bay Residential Development (Pantages Development) and certified in 2013.

1.1 Project Location

The Town is an unincorporated community in Contra Costa County, abutting the Sacramento-San Joaquin Delta (Delta) and located approximately 10 miles southeast of the City of Brentwood, off Byron Highway/State Route (SR-) 4 (**Figure 1**, Regional Location).

The Town is situated within a network of human-made lakes and channels that are connected to the Delta. Residential development is on the levees that form the human-made lakes and waterways. The Town is a California independent Community Services District (CSD), governed by a five-member Board of Directors, that provides municipal water treatment and distribution; wastewater collection and treatment; and parks, landscaping, and recreation services.

The project site is on a 0.44-acre vacant parcel, located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development in the Town (**Figure 2**, Project Location). The Pantages Development is an approximately 171-acre planned residential development. The 0.44-acre parcel is bordered by Kellogg Creek to the east and south, the existing Ravenswood residential development to the west, and the Pantages Development to the north.

1.2 Project Background of Previously Certified EIR

In July 2013, Contra Costa County certified the Pantages Bays Residential Development Project EIR (2013 EIR) (State Clearinghouse No. 2007052130), which evaluated a General Plan Amendment, Rezoning, Subdivision, and Final Development Plan related to the proposed residential development. The proposed development consisted of 292 detached single-family residential housing units; a Sheriff Marine Patrol Substation; a public trail; and associated roadways, pedestrian facilities, and utilities infrastructure on an approximately 171-acre site. Of the 292 residential units, 116 units were waterfront and included docks on Kellogg Creek, and 176 units were internal with no deep water access. Additionally, the project included widening Kellogg Creek immediately east of the project site and creating bays and coves to provide deep water access to the 116 waterfront lots. The project included a portion of Pantages Island northeast of the residential development, would have preserved emergent marsh in the northern portion of the project site and on Pantages Island, and would have created new seasonal wetlands.

In 2015, an Addendum to the 2013 EIR (2015 Addendum) was prepared to address project modifications that included a reconfiguration of the 292 proposed residential units, eliminating the

widening of the west bank of Kellogg Creek and removing some of the wetlands in the northern part of the project site. In addition, the project modifications included reducing waterfront residential units from 116 to 105 and increasing non-waterfront residential units from 176 to 187. The 2015 Addendum concluded that the 2015 project modifications would not result in new or substantially more severe impacts than were identified in the 2013 EIR and thus did not warrant supplemental environmental review.

In 2020, an Addendum to the 2013 EIR was prepared to address additional project modifications, which included a reconfiguration of the residential land uses to avoid impacts to the northern wetland complex and Kellogg Creek, reduction of residential units from 292 to 277, expansion of the trail network and clubhouse area, and addition of two internal lakes. The project modifications also included a reduction of medium-density residential units and land designated for water, and an increase of high-density residential units and parks and open spaces. With the project modifications, the total project acreage (161.5 acres) is smaller than the project evaluated in the 2013 EIR and 2015 Addendum (171.2 acres each). The 2020 Addendum concluded that the 2020 project modifications would not result in new or substantially more severe impacts than were identified in the 2013 EIR and thus would not warrant supplemental environmental review.

This Addendum is being prepared to address project modifications that include using the lot located at the end of a planned cul-de-sac in the southwest corner of the planned Pantages Development for the Town's New Water Production Well No. 8 Project (project).

1.3 Project Description

The purpose of the project is to provide supplemental potable water system capacity, redundancy for the aging infrastructure, and accommodate planned development in the Town.

The water supply infrastructure is aging, parts of the system are not reliable, and the Town may need to take some wells offline for repair and/or replacement in the future. The new well would compensate for that loss and provide some additional capacity for planned development.

1.3.1 Well, Pump Station, and Associated Infrastructure

1.3.1.1 Well

The project includes construction of a new domestic water supply well designed to provide up to 2.6 million gallons per day of regular use water supply to the CSD water system (**Figure 3**, Production Well No. 8 Conceptual Plan).

The proposed 18-inch diameter well would be constructed to a depth of 355 feet below ground surface (bgs) and would be screened between 255 and 345 feet bgs. The well would be constructed with a conductor casing and sanitary seal to a depth of 55 feet bgs. The conductor casing and sanitary seal would terminate in a clay zone that extends from zero to 90 feet bgs. An annular seal would be

placed in the annulus between the borehole wall and the well casing from ground surface to a depth of 234 feet bgs. The redundant seals would protect groundwater in the well from surface water.

The new well is anticipated to have a pumping capacity of up to 1,800 gallons per minute. The new well would be an independent water source with on-site, wellhead water treatment that allows water to be directly supplied to the distribution system. The new well would be equipped with a filter for removal of iron and manganese and disinfection facilities to meet all drinking water requirements.

1.3.1.2 Pump Station

The new well pump station would include the submersible well pump, a 16-foot by 22-foot concrete masonry unit (CMU) wall chemical building, an 8-foot by 35-foot 3-cell filter vessel water treatment system, a 60,000-gallon 10-foot-tall reclaimed water tank, and a 10-foot by 10-foot transformer pad (**Figure 3**). The pump size would be approximately 250 horsepower and would operate approximately 12 hours per day on average when other potable water source or source(s) that are normally online with the same capacity are offline.

1.3.1.3 Pipelines and Catch Basin

A new 16-inch water pipeline would be installed to convey treated water from the well site to the existing distribution system located adjacent to the project site within the proposed roadway for the Pantages Development, and a new 8-inch sewer lateral would be installed to convey wastewater from the site to the existing wastewater collection system, located adjacent to the project site within the proposed roadway for the Pantages Development. Additionally, a stormwater catch basin would be constructed on site to accommodate the well overboard water,¹ and a 24-inch storm drainpipe would be installed to convey the stormwater to the planned Pantages lake. These facilities would be extended to the project site boundary and capped, and the extension to Pantages lake would be constructed when the Pantages Development and lake are constructed as part of that development.

1.3.1.4 Emergency Generator

The pump station would include a diesel-powered generator to maintain service in the event of a power outage. The generator would be located on an approximately 10-foot by 14-foot concrete pad equipped with noise attenuation enclosure. The generator would be operated once a month as part of routine maintenance.

1.3.1.5 Electricity, Lighting, and Landscaping

All equipment at the site (well pump, lighting, instrumentation, and appurtenances) would be operated by electricity provided to the site by Pacific Gas & Electric (PG&E). The equipment

¹ When the well pump is started, the initial surge of air and water is automatically directed out (overboard) to reduce the hydraulic system surging during pump startup and shutdown.

would be housed in outside cabinets that are approximately 30 feet long by 2 feet deep and 6 feet tall. Electrical equipment would be mounted on a 4-inch concrete pad and protected from sun with integral sunshade or separate shaded structure.

Exterior lighting at the site would include light-emitting diode (LED) wall-mounted lighting on the facility structures and a few yard lights for security and visibility at night. To reduce light and glare on surrounding residences, the exterior lighting would be low mounted, directed downward, shielded, use motion detection where applicable, and comply with the standard California Building Code (Title 24, Building Energy Efficiency Standards) to reduce the lateral spreading of light to surrounding uses.

A 7-foot-tall CMU block wall would be constructed along the north and west boundary of the site as a noise buffer and visual screen, and chain-link fencing would be installed along the southern boundary of the site. Landscaping (e.g., drought tolerant shrubs) would be installed along the frontage of the parcel for aesthetics or beautification.

1.3.2 Operation and Maintenance

The well should become operational at the same time as the Pantages Development subdivision improvements are completed. However, if there is a significant delay in completing the subdivision improvements, the well would still become operational.

The well site would be accessed for operation and maintenance by a new roadway constructed as part of the Pantages Development and located just east of the temporary access road identified on **Figure 2**. Operation and maintenance activities would be incorporated into the CSD's existing maintenance schedule. The CSD maintains several facilities within proximity.

1.3.3 Project Construction

1.3.3.1 Timing

The project would be constructed in two phases starting December 2022.

1. The first phase (approximately 2-month duration) would include site grading, well drilling and construction, pump testing, and water quality testing. Well drilling activities would occur 24 hours per day for 6 to 10 calendar days.
2. The second phase (approximately 9-month duration) would include construction of the pump station including the well pump, pipelines, stormwater catch basin, chemical building, treatment system, reclaim water tank, generator, and electrical transformer. The phase will also include fencing, CMU wall installation, landscaping, and paving.

Aside from the 24-hour well drilling that would occur during the first phase, construction activities would generally occur Monday through Friday, between 7:30 a.m. and 5:00 p.m.

The new well should become operational by the beginning of 2024. A subdivision roadway to be located just east of the proposed temporary access road along the western boundary would be used to access the well site.

1.3.3.2 Grading and Paving

The project site is flat, and the site elevation would be raised from approximately 4.4 feet to 14.4 feet, which is above the 200-year flood level. Following the construction of the new water supply well, pump station and supporting infrastructure, the remaining portion of the site (approximately 18,000 square feet) would be paved. The site would be designed to convey stormwater surface flow to the new stormwater catch basin on the project site.

During construction, a 20-foot-wide temporary access road would be located immediately west of the future paved road extending from Wilde Drive to the well site, and the proposed temporary staging area for construction equipment and materials storage would be adjacent to the well site on the northern side (see **Figure 2**). An alternate temporary staging area located farther northeast of the project site could be used, and it would be accessed from a 20-foot-wide alternate temporary access road from the project site.

The 0.44-acre project site plus the potential temporary access roads and staging area comprise 2.25 acres considered to be the area of potential effect.

The following best management practices (BMPs) would be implemented during construction to reduce construction-related impacts.

1.3.3.3 Best Management Practices

The CSD or the construction contractor on their behalf shall include the following BMPs in the construction documents and implement them during construction to reduce potential environmental impacts.

Air Quality. In accordance with the Bay Area Air Quality Management District (BAAQMD) recommendations and regulations, the project construction contracts shall prepare and implement a fugitive dust control plan that at least includes but is not limited to the following:

- Promptly removing mud, dirt, or similar debris from paved surfaces and roadways
- Water flushing and/or vacuum sweeping of paved surfaces and roadways at least once a day
- Controlling trackout of soil materials through the application of gravel to unpaved surfaces adjacent to paved access roads
- Wetting unpaved surfaces with water or suitable stabilizing agent to prevent the creation of dust plumes

- Limiting vehicle speeds on unpaved services to 15 miles per hour
- Using construction equipment, diesel trucks and generators equipped with Best Available Control Technology for emission reductions of nitrogen oxides and particulate matter

Hydrology and Water Quality. The project shall be designed to reduce potential impacts to water quality during construction in accordance with the guidelines of the Contra Costa County Stormwater Management Program, including but not limited to the following:

- Installing and maintaining on-site storm drain protection
- Installing and maintaining sandbags and other erosion control measures at the edges of Kellogg Creek and the drainage ditch
- Keeping outdoor areas swept and clean
- Covering and tarping oily, dirty items that must be stored outdoors
- Moving waste oil storage indoors or placing it under permanent coverage where/when practical
- Providing secondary containment for stored fluids
- Covering outdoor dumpsters, bins, and the like
- Properly disposing of pressure washing discharges and silt from settling tanks
- Cleaning spills promptly with dry methods (as opposed to hosing into a storm drain)

Hazards and Hazardous Materials. Hazardous materials typically used on site during construction and operation would include gas, diesel, and lubricants for equipment. During construction, any spills or leakage of petroleum products shall be immediately contained, the hazardous material identified, and the material remediated in compliance with applicable state and local regulations for the cleanup and disposal of that contaminant including the California Health and Safety Code, Section 25510, and California Vehicle Code, Section 23112.5. For operation, the treatment system requires use of 12.5 percent Sodium Hypochlorite for disinfection. The CSD or their construction contractor shall implement the following measures:

- The contractor shall comply with all applicable local, state, and federal laws, rules and regulations concerning the use, storage, transport, and disposal of hazardous materials and waste.
- The pump station design shall include a double walled sodium hypochlorite tank (a tank within a tank) for secondary containment. All hazardous material shall be stored and used in a safe manner and as directed by manufacturer recommendations.
- Any hazardous products, waste, or empty containers used or generated shall be properly and legally transported and disposed and shall not be poured down any drain or sewer nor disposed of in any trash container or dumpster.

Noise. The CSD or their construction contractor shall implement the following measures:

- The CSD shall provide notification to all neighbors within at least 1,000 feet of the project construction zone at least 2 weeks prior to the start of construction activities. The notice shall include the overall construction schedule, the normal construction hours of 7:30 a.m. to 5:00 p.m., Monday through Friday, the estimated start date and duration of evening and nighttime (5:00 p.m. to 7:30 a.m.) construction activities, and a name and 24-hour accessible telephone number of a contact person they may call if necessary.
- The CSD shall post a publicly visible sign, with the telephone number and contact person, at a visible location adjacent to the project site throughout the construction period.
- The construction contractor shall implement the following measures to minimize vibration during any construction that occurs during evening and nighttime hours (e.g., well drilling during the first phase). The vibration BMPs shall include but not be limited to the following:
 - Limit use of most vibration-intense equipment (drill rig, trucks) to daytime hours to the extent possible
 - Use only properly maintained equipment with vibratory isolators
 - Operate equipment as far from sensitive receptors as possible
 - Use rubber-tired vehicles as opposed to tracked vehicles
- A sound barrier, such as a temporary sound wall or blankets, would be installed during well drilling. The barrier would be approximately 20 feet tall. In addition, the use of impact wrenches would only be allowed between the normal construction hours of 7:30 a.m. and 5:00 p.m., Monday through Friday. Following well drilling, the permanent 7-foot-tall CMU block wall would be constructed along the northern and western boundary of the site to provide a sound barrier during the remaining construction period.

Utilities and Service Systems. At least 65 percent by weight of the project construction debris shall be recycled, reused, or otherwise diverted from landfill disposal.

1.4 Purpose of this Addendum and Basis for Decision to Prepare Addendum

The purpose of this Addendum and analysis herein is to demonstrate that the Town's New Water Production Well No. 8 project represents a minor modification to the project evaluated in the 2013 EIR, and therefore, an Addendum to the 2013 EIR is the appropriate documentation pursuant to California Environmental Quality Act (CEQA) Guidelines, Sections 15162 and 15164.

CEQA Guidelines, Section 15164(a), states a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

CEQA Guidelines, Section 15162(a)(1), states that a subsequent EIR shall be prepared if substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects.

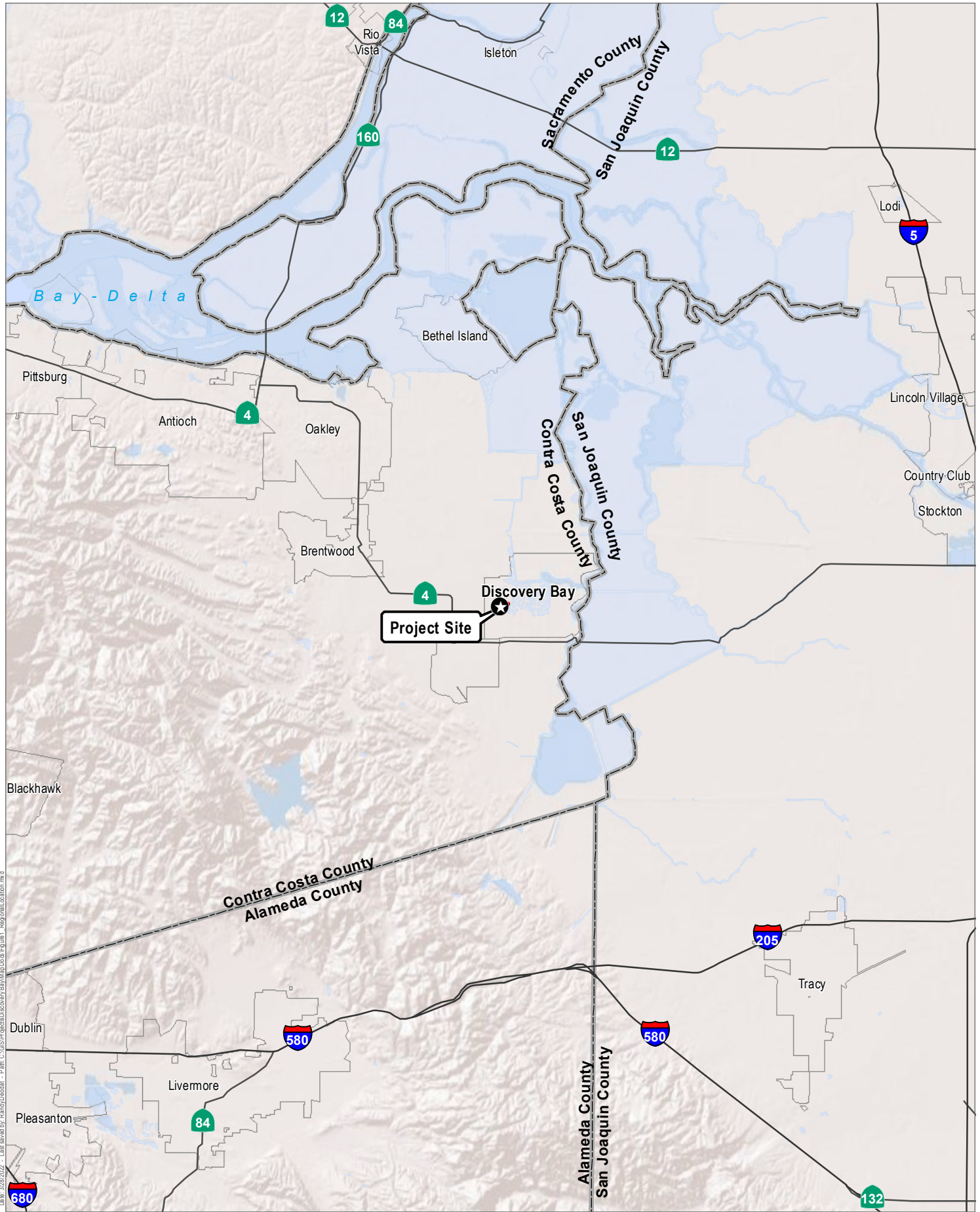
This Addendum is intended to inform the Town's consideration and action on the project by demonstrating that the project would not result in any new significant or substantially more severe impacts than were identified in the 2013 EIR. The Town's approval of this Addendum requires concurrence by the Town's Board of Directors that all procedures required by the Town were followed. Pursuant to CEQA Guidelines, Section 15164(c), this Addendum need not be circulated for public review.

The Addendum is only required to address those environmental topics addressed in the original 2013 EIR. This precedent has been set in two appellate court decisions upholding the preparation of an Addendum for a previously certified EIR *Concerned Dublin Citizens V. City of Dublin*, 214 Cal.App.4th 1301 (2013) and *Citizens for Responsible Equitable Environmental Development V. City of San Diego*, 196 Cal.App.4th 515 (2011). In both cases the lead agency prepared an Addendum to a previously certified EIR. These appellate court decisions indicate that the issues discussed in an Addendum are limited to those addressed in the original EIR. They also indicate that "changed circumstances" means physical changes, not legal changes. Based on this approach, only the topics originally addressed in the certified EIR are required to be addressed in the Addendum. Thus, any CEQA topics that have been added or modified since 2013 are not required to be addressed. This Addendum addresses all the topics addressed in the 2013 EIR.

The following environmental resources, if checked below, would be potentially affected by this project and would involve at least one significant impact that substantially exceeds or is otherwise outside the scope of activities evaluated for potential environmental effects in the 2013 EIR. If "None" is checked below, this project is deemed entirely consistent with and covered by the environmental analysis contained in the 2013 EIR.

- | | | |
|---|--|--|
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Global Climate Change |
| <input type="checkbox"/> Hazards/Hazardous
Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use and Planning |
| <input type="checkbox"/> Noise and Vibration | <input type="checkbox"/> Public Services and
Recreation | <input type="checkbox"/> Transportation and
Circulation |
| <input type="checkbox"/> Utilities | <input checked="" type="checkbox"/> None | |

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Source: ESRI 2021.



Harris & Associates

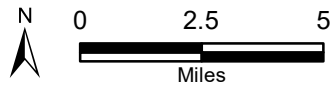


Figure 1

Regional Location

Town of Discovery Bay Well 8 Project

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Source: SanGIS Imagery 2017.



Harris & Associates



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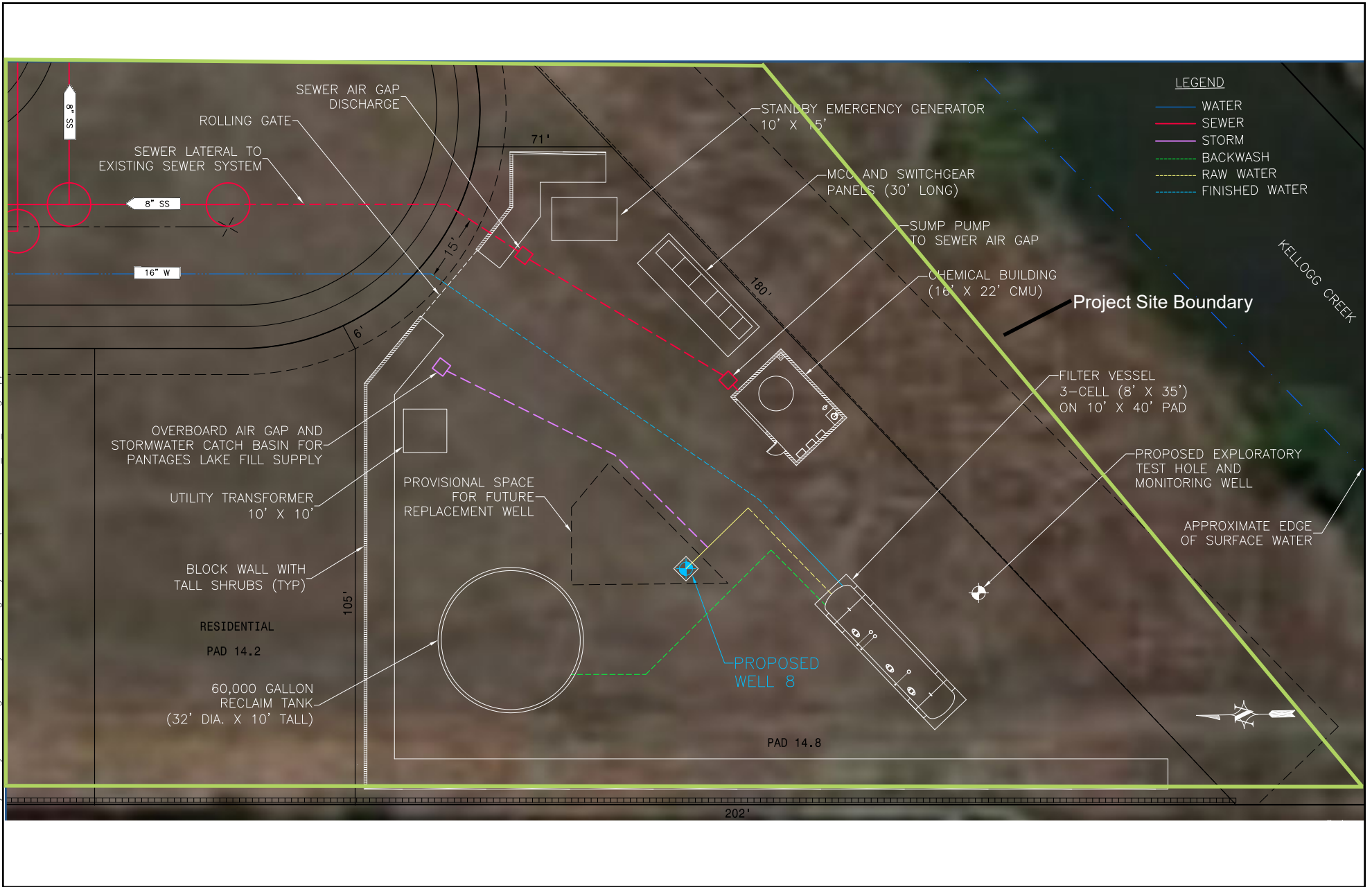
Figure 2

Project Location

Town of Discovery Bay Well 8 Project

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Source: Luhdorff & Scalmanini 2022.



Harris & Associates



Figure 3
Production Well No. 8 Conceptual Plan

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Section 2 Determination

On the basis of this initial evaluation:

- I find that the proposed project WOULD NOT have any significant effects on the environment that either have not already been analyzed in the prior 2013 EIR or that are more significant than previously analyzed. Pursuant to CEQA Guidelines Section 15168(c), CEQA does not apply to such effects. A Notice of Determination (Section 15094) will be filed.
- I find that the proposed project will have effects that either have not been analyzed in the prior 2013 EIR or are more significant than described in the prior 2009 EIR. With respect to those effects that are subject to CEQA, I find that such effects WOULD NOT be significant and a NEGATIVE DECLARATION will be prepared.
- I find that the proposed project will have effects that either have not been analyzed in the prior 2013 EIR or are more significant than described in the prior 2013 EIR. I find that although those effects could be significant, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project would have effects that either have not been analyzed in a prior 2013 EIR or are more significant than described in the prior 2013 EIR. I find that those effects WOULD be significant, and an ENVIRONMENTAL IMPACT REPORT is required to analyze those effects that are subject to CEQA.

Mike Yeraka

1/25/2023

Mike Yeraka, P.E.
Projects Manager
Town of Discovery Bay

Date

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Section 3 Environmental Checklist

3.1 Agricultural and Forest Resources

<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>	<p>2013 EIR Impact Conclusion</p>	<p>Does the Proposed Change Involve New Impacts?</p>	<p>New Circumstances Involving New impacts?</p>	<p>New Info Requiring New Analysis or Verification?</p>	<p>Applicable 2013 EIR Mitigation Measures</p>
<p>a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>	<p>LTS</p>	<p>No</p>	<p>No</p>	<p>No</p>	<p>None</p>
<p>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<p>LTS</p>	<p>No</p>	<p>No</p>	<p>No</p>	<p>None</p>
<p>c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>	<p>LTS</p>	<p>No</p>	<p>No</p>	<p>No</p>	<p>None</p>

<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
d. Result in the loss of forest land or conversion of forest land to non-forest use?	LTS	No	No	No	None
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	LTS	No	No	No	None

NI = No Impact; LTS = Less than Significant (without Mitigation); LTS w/ M = Less than Significant with Mitigation; SU = Significant and Unavoidable; MM = mitigation measure. The MM number in this checklist corresponds with the MM number in the 2013 EIR and is presented in its entirety in Section 4.

- a) The 2013 EIR concluded that the Pantages Development area is designated as Farmland of Local Importance. However, it does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, nor is the Pantages Development area defined as “Prime Farmland” as defined in Section 56064 of the California Government Code (Contra Costa County 2012). Therefore, the impact was determined less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. Consistent with the 2013 EIR, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and the project impact would be less than significant, with no mitigation.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

b, c, d, e) The 2013 EIR determined that the Pantages Development area is not under a Williamson Act contract nor does it contain forest and timberland. The 2013 EIR concluded that no land in Contra Costa County at large is used for timber harvesting. Although the project site was not actively used for agricultural production or timber harvesting, the site was zoned as General Agricultural District (A-2) and Heavy Agricultural District (A-3), which required that the applicant submit a rezoning request in order to implement the 2013 project. Subsequent to certification of the 2013 EIR, the project site was rezoned as a Planned Unit District (P-1) interspersed with the Urban Farm Animal Exclusion Combining District, which is consistent with residential development. The impacts were determined to be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. Consistent with the 2013 EIR, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract. The project would not conflict with zoning for, or cause rezoning of, forest land, or timberland and would not result in the loss or conversion of forest land to non-forest use(s). Furthermore, the project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. The project impact would be less than significant, with no mitigation.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding existing zoning for an agricultural use or a Williamson Act contract; regarding existing zoning or rezoning of forest land, timberland, or timberland zoned Timberland Production; regarding the loss of forest land or conversion of forest land to a non-forest use; and other changes that could result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use.

In summary, project impacts to agricultural resources would be **less than significant**, with no mitigation required.

3.2 Air Quality

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. Would the project result in a community risk due to an increased cancer risk of greater than 10 people in a million, an increased non-cancer risk of greater than 1.0 Hazard Index, or increased PM _{2.5} of greater than 0.3 micrograms per cubic meter (µg/m ³) if the project is within 1,000 feet from a source	LTS	No	No	No	None
b. Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?	LTS	No	No	No	None
c. Would the project create objectionable odors affecting a substantial number of people?	LTS	No	No	No	None
d. Would the project conflict with or obstruct implementation of the applicable air quality plan	LTS	No	No	No	None
e. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	LTS w/ M	No	No	No	None
f. Would the project expose sensitive receptors to substantial pollutant concentrations?	LTS w/ M	No	No	No	MM-AQ-2a MM-AQ-2b

NI = No Impact; LTS = Less than Significant (without Mitigation); LTS w/ M = Less than Significant with Mitigation; SU = Significant and Unavoidable; MM = mitigation measure. The MM number in this checklist corresponds with the MM number in the 2013 EIR and is presented in its entirety in Section 4.

- a) The 2013 EIR determined that operation would have less than significant impact with respect to a community risk from increased cancer/non-cancer risk because there were no sources of toxic air contaminants (TACs) or particulate matter that are 2.5 microns or less in diameter (PM_{2.5}) identified within 1,000 feet of the project site. No mitigation was required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. Consistent with the 2013 EIR, the project would not introduce sensitive receptors to an increased risk resulting from a stationary source. The proposed project does include new sources of TACs. Consistent with the 2013 EIR, project impacts would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects increased cancer risk.

- b) The 2013 EIR determined that the traffic may increase localized carbon monoxide (CO) concentrations. However, the 2013 EIR determined that the highest 8-hour concentration with project implementation would be below the California ambient air quality standard of 9.0 ppm. Therefore, the impact was determined to be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The project would be an unmanned well and would result in a nominal increase in vehicle trips due to CSD maintenance requirements. Project-generated truck trips would be spread over the course of the workday, would not result in any significant long-term impacts to the local roadway network, and would not contribute to any CO hotspot. The project impacts would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding air quality standard violations.

- c) The 2013 EIR determined that odors associated with construction of the Pantages Development had the potential to be generated during architectural coating activities. However, the 2013 EIR concluded that the construction activities would be required to comply with BAAQMD Regulation 8, Rule 3, which outlines regulations to minimize odor impacts. Furthermore, land uses surrounding the site were found to not constitute a significant odor source. Therefore, the 2013 EIR determined that impacts would be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The project would not require the use of architectural coating. Construction associated with the proposed project could result in minor amounts of odor compounds associated with diesel-heavy equipment exhaust; however, diesel equipment would not be operating together at one time, and construction near existing receptors would be temporary. Project operation would include pumping and treating potable water and would not create new objectionable odors affecting a substantial number of people. Consistent with the 2013 EIR, neither project construction nor operation would result in other emissions, including

those leading to odors, that would adversely affect a substantial number of people. The project impact would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding odors.

- d) The 2013 EIR concluded that the proposed residential development would be consistent with the Association of Bay Area Governments' regional population forecast and was therefore found to be consistent with applicable air quality plans, which are based upon regional forecasts for growth in population and employment. Therefore, the impact was determined to be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The proposed project does not contain a land development component that would result in a long-term contribution of criteria pollutant emissions. The purpose of the project is to supplement the current potable water system capacity to provide redundancy for the aging infrastructure and accommodate planned development in the Town. No direct growth inducement is expected to result from proposed project implementation. In addition, construction emissions would be temporary, and the project does not include operational components that would have the potential to expose residents to TACs or conflict with transportation efficiency goals. Vehicle trips would be limited to weekly maintenance trips that would be incorporated into existing maintenance schedules and routes. Operational emissions would be limited to monthly recommended emergency generator testing. Consistent with the 2013 EIR, the proposed project would not include any components that would have the potential to conflict with or obstruct implementation of the BAAQMD Clean Air Plan. The project impact would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding Air Quality Plan consistency.

- e) The 2013 EIR determined the project would result in an increase of reactive organic gases (ROGs), a criteria pollutant for which the project region is in non-attainment under applicable federal or state ambient air quality standards. Implementation of Mitigation Measure AQ-1 was required to prohibit the installation of wood-burning fireplaces and stoves, reducing ROG emissions during operation below the BAAQMD's applicable threshold. Therefore, the impact was determined less than significant with mitigation.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. Potential construction emissions from the project have been quantified using the California Emissions Estimator Model (CalEEMod) and are presented in **Table 1**,

Estimated Construction Daily Maximum Air Pollutant Emissions (lb/day). As shown in **Table 1**, the project is not estimated to generate pollutant levels in exceedance of any threshold during any phase of construction. Additionally, as identified in Section 1.3, Project Description, the project includes implementation of BMPs for dust control. Therefore, the project would not result in a cumulatively considerable net increase of criteria pollutant emissions during construction.

Table 1. Estimated Construction Daily Maximum Air Pollutant Emissions (lb/day)

Construction Phase	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Phase 1	2	24	15	<1	5	3
Phase 2	2	7	7	<1	<1	<1
Phase 3	1	5	7	<1	<1	<1
BAAQMD Threshold	54	54	-	-	82	54
Significant Impact?	No	No	-	-	No	No

Source: CalEEMod Version 2020.4.0.

Notes: VOC = volatile organic compounds; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM₁₀ = particulate matter 10 micrometers or less in diameter; PM_{2.5} = particulate matter 2.5 micrometers or less in diameter

Following construction, operation of all equipment would be electric-powered and would not result in an increase in criteria pollutant emissions. A nominal increase in vehicle emissions is anticipated associated with maintenance of the proposed project because it would be incorporated into existing maintenance routes and schedule. The new emergency generator would require testing once per month for approximately 30 minutes. Due to the limited duration and infrequency of testing, testing of the generator would result in a nominal net increase in emissions. Landscape equipment could occasionally be used for maintenance. However, the plants would be low maintenance and drought tolerant, and once new landscaping is established, only periodic brush clearing, trimming, and weed abatement would be required. As such, the net increase in air pollution emissions from operation of the proposed project would be minimal and well below significance thresholds for all pollutants. Therefore, the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment.

Both construction and operation of the new production well would result in a less than significant impact, with no mitigation. The project does not include or propose the use of wood-burning fireplaces; therefore, implementation of Mitigation Measure AQ-1 is not required for the proposed project.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment.

The 2013 EIR determined that the use of diesel-powered vehicles and equipment would generate temporary emission of dust and diesel particulate that could adversely affect existing

and planned residential sensitive receptors surrounding the project site. However, the 2103 EIR concluded that criteria air pollutant emissions generated during construction of the Pantages Development project would not exceed BAAQMD's applicable thresholds. The 2013 EIR required implementation of Mitigation Measures AQ-2a and AQ-2b to further reduce criteria air pollutant emissions, namely nitrogen oxides (NO_x) and particulate matter (PM), and implement BAAQMD-recommended BMPs to reduce TAC emissions from diesel exhaust. Therefore, the impact was determined less than significant with mitigation.

- f) The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The nearest sensitive receptors to the project site are residences located along Wilde Court, adjacent to the proposed boundary wall and approximately 25 feet west of the proposed water tank and filter vessels (**Figure 2**). Therefore, the overall scale and duration of construction activity would not exceed what was assumed in the 2013 EIR. The project would be required to implement Mitigation Measures AQ-2a and AQ-2b to reduce TAC emissions to a less than significant level. Therefore, the project impact would be less than significant with mitigation.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding sensitive receptors.

In summary, project impacts to air quality resources would be **less than significant with mitigation**, requiring implementation of the following mitigation identified in the 2013 EIR. Refer to Section 4, Summary of Applicable Mitigation Measures from 2013 EIR, for the mitigation measures in their entirety.

- Mitigation Measure AQ-2a. Measures to reduce PM emissions during construction
- Mitigation Measure AQ-2b. Measures to reduce TACs during construction

3.3 Biological Resources

Would the project result in:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	LTS	No	No	No	None
b. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	NI	No	No	No	None
c. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	LTS w/ M	No	No	No	MM-BIO-6 MM-BIO-8 MM-BIO-9 MM-BIO-10 MM-BIO-11
d. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	LTS w/ M	No	No	No	None
e. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	LTS w/ M	No	No	No	None
f. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	LTS	No	No	No	None

NI = No Impact; LTS = Less than Significant (without Mitigation); LTS w/ M = Less than Significant with Mitigation; SU = Significant and Unavoidable; MM = mitigation measure. The MM number in this checklist corresponds with the MM number in the 2013 EIR and is presented in its entirety in Section 4.

- a) The 2013 EIR concluded that development would not interfere with the pathway or corridor of migratory or resident species because the project site does not overlap a wildlife movement corridor. Therefore, the impact was determined less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. No routes of movement for large mammals were identified as occurring on the project site during the field reconnaissance survey of the project site conducted by a Harris & Associates biologist in April 2022. The area likely only provides local wildlife movement opportunities, and these species are capable of moving through developed areas, and any disruption of this movement would be minor and temporary in nature (during construction only). No known wildlife nursery sites are located on the project site, and wildlife is not expected to use the site seasonally for significant breeding or migration opportunities. Consistent with the 2013 EIR, implementation of the project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. The project impact would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding wildlife corridors.

- b) The 2013 EIR concluded the proposed development was not located within the East Contra Costa County Habitat Conservation Plan (HCP)/Natural Community Conservation Plan (NCCP) inventory area and accordingly was excluded from participation in the plan. Therefore, no conflict with any HCP/NCCP would occur, and there would be no impact.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The project site is located immediately east of and outside the permit area of the adopted HCP/NCCP. Consistent with the 2013 EIR, the project would not conflict with the provisions of an HCP/NCCP, and there would be no impact.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects related to a conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or state HCP.

- c) The 2013 EIR concluded that the proposed development would have a potentially significant impact on the following sensitive species (candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service: Steelhead federally listed threatened species); Central Valley Spring-run Chinook salmon federally and state-listed threatened species; Central Valley Fall-run/late-Fall-run Chinook salmon California species of special concern);

Sacramento River Winter-run Chinook salmon federally and state-listed endangered species; giant garter snake, a federal and state-listed threatened species; western pond turtle, a California species of special concern; Swainson's hawk, a state-listed threatened species; and western burrowing owl, a state species of special concern; tree nesting raptors; vernal pool fairy shrimp, a federal listed threatened species; and California red-legged frog, a federal listed threatened species and a California species of special concern. Implementation of Mitigation Measures BIO-3 through BIO-9 would reduce impacts to less than significant.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. A field reconnaissance survey of the project site was conducted by a Harris & Associates biologist during April 2022. In addition, database search results returned 10 sensitive wildlife species known to occur within the region. Based on habitat requirements and the availability and quality of the habitats on site, it was determined that vernal pool fairy shrimp, vernal pool tadpole shrimp, valley elderberry longhorn beetle and overwintering monarch butterfly, California red-legged frog, and California tiger salamander have a low likelihood of occurring at the project site. Therefore, impacts would not occur to these species as a result of project implementation. The impact would be less than significant, with no mitigation required. Implementation of Mitigation Measures BIO-3 and BIO-4 identified in the 2013 EIR to protect these species would not be required for the proposed project.

However, the following sensitive species have a moderate to high likelihood of occurring at the project site and could be adversely affected by project construction activities.

Anadromous and Freshwater Fish

The project site falls within critical habitat for Delta smelt. In addition, anadromous and freshwater fish including the following species may have some potential to occur within Kellogg Creek, the East Contra Costa Irrigation District (ECCID) Dredge Cut, and Indian Slough: steelhead, Central Valley Spring-run Chinook salmon, Central Valley Fall-run/late-Fall-run Chinook salmon, Sacramento River Winter-run Chinook salmon, longfin smelt, Pacific lamprey, western river lamprey, southern California Distinct Population Segment green sturgeon, and Sacramento splittail. They have some potential to occur within the ECCID Dredge Cut to the north of the project area (splittail) or Kellogg Creek and Indian Slough (sturgeon).

The proposed channel widening and excavation of Kellogg Creek is not a part of the proposed project. However, upland construction activities associated with the well construction could result in temporary construction-related impacts from the increased turbidity and suspended pollutants in the water column, which has the potential to smother eggs and disrupt larval development and dispersal and disrupt migration patterns, feeding behavior, and predator avoidance behavior.

The project has been designed to avoid and minimize impacts to Kellogg Creek and Indian Slough and thus to the fish species identified above through the implementation of BMPs during construction (refer to the BMPs listed in Section 1.3). In addition, the site would be graded away from Kellogg Creek, and surface runoff would be captured in a storm drain catch basin and carried away from the site. Therefore, the potential for temporary construction-related impacts to Delta smelt and other anadromous and freshwater fish would be less than significant, with no mitigation required. Implementation of Mitigation Measure BIO-7 identified in the 2013 EIR to protect listed fish species would not be required for the proposed project.

Giant Gartersnake

Giant gartersnake has not been observed on the project site during any surveys of the site. The ECCID Dredge Cut and vegetated edges of Kellogg Creek provide suitable habitat for this species.

The project would not result in widening and excavation of Kellogg Creek and associated bank habitats. The project has been designed to avoid and minimize impacts to Kellogg Creek and Indian Slough and thus to giant gartersnake through the implementation of BMPs during construction (refer to the BMPs listed in Section 1.3). Therefore, the potential for temporary construction-related impact to giant garter snake would be less than significant, with no mitigation required. Mitigation Measure BIO-5 identified in the 2013 EIR to protect the giant gartersnake would not be required for the proposed project.

Western Pond Turtle

The western pond turtle is a California state species of special concern that has been observed basking in the emergent marsh habitat to the north of the project site, and along Kellogg Creek/Indian Slough to the north, east and south of the project site. The project site may be utilized for movement by western pond turtles.

The project site was surveyed in April 2022, and no species were observed. It is unknown whether or not the western pond turtle nests on the project site due to the amount of disturbance that occurs on the project site (i.e., cattle grazing and disking). Consistent with the 2013 EIR, impacts to individual western pond turtles or their basking/aquatic habitats would be a potentially significant impact. Implementation of Mitigation Measure BIO-6, identified in the 2013 EIR and revised to reflect current best practices for protecting western pond turtle, would reduce impacts to less than significant. Therefore, this project impact would be less than significant with mitigation.

Swainson's Hawk

Swainson's hawk is a state-listed threatened species and is protected under the Migratory Bird Treaty Act of 1918 (MBTA). Swainson's hawk is a year-round resident of the Central Valley and is typically found near sources of water. The project site may be used for foraging and nesting.

During the April 2022 biological reconnaissance survey of the project site, the biologist heard a Swainson's hawk calling but was not able to identify the hawk's location. The 0.44-acre project site and adjacent areas provide habitat suitable for foraging and nesting. A Swainson's hawk exhibiting defensive behavior was documented during a survey by Monk and Associates in 2006 just north of the project site, providing evidence that the project site may be within a pair's nesting territory (Contra Costa County 2012). While potential for nesting within the 0.44-acre project site remains low, the trees surrounding the project site provide suitable nesting habitat for Swainson's hawks. In addition, the project site contains quality habitat for foraging Swainson's hawks. Therefore, consistent with the 2013 EIR, implementation of the project could result in a loss of Swainson's hawk foraging and nesting habitat, which would be a potentially significant impact. Implementation of Mitigation Measure BIO-9, identified in the 2013 EIR and revised to reflect current BMPs, would reduce impacts to less than significant. Therefore, this project impact would be less than significant with mitigation.

Western Burrowing Owl

Although western burrowing owls or signs were not observed during the surveys on the project site in April 2022, they are known to nest nearby. The project site contains suitable burrows that have the potential to be used and occupied by western burrowing owls. Therefore, consistent with the 2013 EIR, implementation of the project would have the potential to impact western burrowing owls through direct removal of foraging and nesting habitat resulting in a potentially significant impact. Implementation of Mitigation Measure BIO-10 identified in the 2013 to protect western burrowing owls would reduce impacts to western burrowing owl to less than significant. Therefore, this project impact would be less than significant with mitigation.

Nesting Birds and Raptors

Consistent with the 2013 EIR, project implementation has the potential to impact bird and raptor species that are protected under the MBTA and California Fish and Game Code, Sections 3510 and 3503. Suitable nesting habitat for multiple raptor species (white-tailed kite, northern harrier) and other bird species observed during surveys in 2003 and 2022 occurs within and adjacent to the project site. If construction is conducted during the general bird breeding season (January 15 through September 1), temporary direct impacts from disturbance and displacement of nesting birds during vegetation removal could result in significant direct impacts on bird species protected under the MBTA and California Fish and Game Code. In addition, indirect impacts from construction noise and vibration during clearing, grubbing, and

trenching activities, if conducted during the bird breeding season, could result in significant indirect impacts on bird species protected under the MBTA and California Fish and Game Code. Therefore, consistent with the 2013 EIR, implementation of the project could result in a potentially significant impact to nesting raptors and birds. Implementation of Mitigation Measures BIO-8 and BIO-11, identified in the 2013 EIR to protect nesting raptors and other nesting birds, would reduce impacts to less than significant. Therefore, this project impact would be less than significant with mitigation.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding the sensitive species addressed in this section.

- d) The 2013 EIR concluded the proposed removal of approximately half of the existing bank habitat within the project area along Kellogg Creek, the ECCID Dredge Cut, Old Kellogg Creek, and Pantages Island in order to widen Kellogg Creek, create new bays and coves, and develop waterfront homes would result in as significant impact. Implementation of Mitigation Measure BIO-2 was required to reduce this impact by requiring permits and approved mitigation measures from the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the Reclamation Board.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. During the April 2022 biological reconnaissance survey, no riparian or otherwise sensitive natural communities were observed on the project site. Potential indirect impacts to adjacent sensitive habitats from construction activities would be reduced by implementing BMPs during construction (refer to the BMPs listed in Section 1.3), which include installing and maintaining on-site storm drain protection; installing and maintaining sandbags and other erosion control measures at the edges of Kellogg Creek and the drainage ditch; keeping outdoor areas swept and clean; covering and tarping oily, dirty items that must be stored outdoors; covering outdoor dumpsters, bins, and the like; properly disposing of pressure washing discharges and silt from settling tanks; and cleaning spills promptly with dry methods (as opposed to hosing into a storm drain). Therefore, temporary impacts during project construction would be less than significant, with no mitigation required. The project would avoid impacts to bank habitat; therefore, Mitigation Measure BIO-2, identified in the 2013 EIR to reduce impacts to the loss of moderate and high quality bank habitat, would not be required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

- e) The 2013 EIR determined that construction activities, including widening of Kellogg Creek, would result in a potentially significant impact to waters of the United States and waters of the State. Implementation of Mitigation Measure BIO-12, which required permits from the U.S. Army Corps of Engineers and the Regional Water Quality Control Board and compensatory mitigation, would reduce this impact to less than significant.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. During the April 2022 biological reconnaissance survey, no wetlands, marshes, vernal pools, coastal wetlands or marshes, or otherwise federally or state protected waters were observed on the project site. Potential indirect impacts to adjacent aquatic resources from construction activities would be reduced through by implementing BMPs during construction (see Section 1.3). Therefore, the impact would be less than significant, with no mitigation required. The project would avoid filling or modifying wetlands or waters of the United States and/or State; Therefore, Mitigation Measure BIO-12, identified in the 2013 EIR to reduce impacts to waters of the United States and/or state, would not be required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding wetlands.

In summary, project impacts to biological resources would be **less than significant with mitigation**, requiring implementation of the following mitigation identified in the 2013 EIR. Refer to Section 4 for the mitigation measures in their entirety.

- Mitigation Measure BIO-6. Measures to protect western pond turtle
- Mitigation Measure BIO-8. Measures to protect tree nesting raptors
- Mitigation Measure BIO-9. Measures to protect Swainson's hawk
- Mitigation Measure BIO-10. Measures to protect western burrowing owl
- Mitigation Measure BIO-11. Measures to protect other nesting birds

3.4 Cultural Resources

Would the project:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	LTS w/ M	No	No	No	MM-CUL-1
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	LTS w/ M	No	No	No	MM-CUL-1
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	LTS w/ M	No	No	No	MM-CUL-1
d. Disturb any human remains, including those interred outside of dedicated cemeteries?	LTS w/ M	No	No	No	MM-CUL-4

NI = No Impact; LTS = Less than Significant (without Mitigation); LTS w/ M = Less than Significant with Mitigation; SU = Significant and Unavoidable; MM = mitigation measure. The MM number in this checklist corresponds with the MM number in the 2013 EIR and is presented in its entirety in Section 4.

- a) The 2013 EIR determined that, although cultural surveys and research conducted did not identify historical resources on the project site, there is always a possibility that an unknown resources may exist on the project site and could be inadvertently discovered during grading, excavation, or construction which could result in a potentially significant impact. Implementation of Mitigation Measure CUL-1, which provides direction for inadvertent discovery of prehistoric, historical, archaeological, or paleontological resources, was identified to reduce this impact to less than significant.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. An updated pedestrian survey of the project area was conducted in May 2022 by qualified archaeologists (Albion 2022) and did not locate any definitive precolonial or historic-era resources. Consistent with the 2013 EIR, there is a possibility that previously unidentified resources or an unknown site could be discovered during grading, excavation, or construction activities which could be a significant impact. Implementation of Mitigation Measure CUL-1, identified in the 2013 EIR, provides specific direction for protection of unanticipated historical resources discovered during project construction. Therefore, the project impact would be less than significant with mitigation.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding historical resources.

- b) The 2013 EIR determined that, although cultural surveys and research conducted did not identify archaeological resources on the project site, there is always a possibility that an unknown site may exist in the project area and could be inadvertently discovered during grading, excavation, or construction which could result in a potentially significant impact. Implementation of Mitigation Measure CUL-1 was identified to would reduce this impact to less than significant.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. An updated pedestrian survey of the project area was conducted in May 2022 (Albion 2022) and did not locate any definitive archaeological resources. Consistent with the 2013 EIR, there is a possibility that previously unidentified resources could be encountered during construction which could be a significant impact. Implementation of Mitigation Measure CUL-1, identified in the 2013 EIR, provides specific direction for protection of unanticipated archaeological resources discovered during project construction. Therefore, the project impact would be less than significant with mitigation.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding archaeological resources.

- c) The 2013 EIR determined that, although no paleontological resources or unique geologic features were observed or are known to be present on the project site, there is the possibility that paleontological resources may become visible once vegetation is removed or during construction activities such as grading and excavation, which could result in a significant impact. Implementation of Mitigation Measure CUL-1 was identified to reduce impacts to less than significant.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. No paleontological resources or unique geologic features were observed or are known to be present at the project site. Consistent with the 2013 EIR, there is a possibility that the project could encounter unidentified paleontological resources during construction which could be a significant impact. Implementation of Mitigation Measure CUL-1, identified in the 2013 EIR, provides specific direction for protection of unanticipated paleontological resources discovered during project construction. Therefore, the project impact would be less than significant with mitigation.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding paleontological resources.

- d) The 2013 EIR concluded that, although no signs of human remains or burial sites were observed or known to be present in the project area, there is always a possibility that such remains may become visible once vegetation is removed or during construction activities such as grading and excavation. This impact would be potentially significant. Implementation of Mitigation Measure CUL-4, requiring compliance with California law regarding the treatment of Native American human remains, would reduce impacts to less than significant.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. No signs of human remains or burial sites were observed during the May 2022 survey (Albion 2022). Consistent with the 2013 EIR, there is a possibility that the project could encounter buried human remains during construction, which could be a significant impact. Implementation of Mitigation Measure CUL-4, identified in the 2013 EIR, requires compliance with the California Health and Safety Code, Section 7050.5 and Section 7052, and California Public Resources Code, Section 5097, for the treatment of human remains. Therefore, this project impact would be less than significant with mitigation.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding human remains.

In summary, project impacts to cultural resources would be **less than significant with mitigation**, requiring implementation of the following mitigation identified in the 2013 EIR. Refer to Section 4 for the mitigation measures in their entirety.

- Mitigation Measure CUL-1. Measures for inadvertent discovery of prehistoric, historic, archaeological, or paleontological resources during construction
- Mitigation Measure CUL-4. Measures for accidental discovery or recognition of any human remains

3.5 Geology and Soils

Would the project result in:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New Impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	LTS	No	No	No	None
ii. Strong seismic ground shaking?	LTS w/ M	No	No	No	MM-GEO-1a
iii. Seismic-related ground failure, including liquefaction?	LTS w/ M	No	No	No	MM-GEO-1a
iv. Landslides?	LTS	No	No	No	None
b. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	NI	No	No	No	None
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	LTS w/ M	No	No	No	None
d. Result in substantial soil erosion or the loss of topsoil?	LTS w/ M	No	No	No	MM-GEO-2
e. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	LTS w/ M	No	No	No	None

NI = No Impact; LTS = Less than Significant (without Mitigation); LTS w/ M = Less than Significant with Mitigation; SU = Significant and Unavoidable; MM = mitigation measure. The MM number in this checklist corresponds with the MM number in the 2013 EIR and is presented in its entirety in Section 4.

- a.i) The 2013 EIR did not identify any faults identified as Alquist-Priolo Earthquake Fault Zones. The 2013 EIR concluded that development would not expose people or structures to potential substantial adverse effects from these types of earthquake fault zones. The impact was determined less than significant, and no mitigation was required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The project site is located in eastern Contra Costa County and is outside the limits of the Alquist-Priolo Earthquake Fault Zoning map (Contra Costa County 2005). However, the project site is located within a seismically active region. The following faults exist within the region, with the distance from the project site indicated in parentheses: Greenville (11 miles), Great Valley (13 miles), Calaveras (22 miles) and Hayward (30 miles), as shown in the ENGEO Geotechnical Report (2020). A blind thrust fault has been mapped through the eastern portion of Contra Costa County and could be within approximately 5 miles of the project site. The project would be subject to the California Building Code seismic design force standards (2019) to ensure the stability of project elements and reduce potential impacts caused by seismic ground shaking. Consistent with the 2013 EIR, project impacts would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map.

- a.ii, iii) The 2013 EIR determined that there is a seismic source in the region capable of generating considerable ground shaking, which could lead to strong seismic ground shaking and seismic-related ground failure including liquefaction or lateral spreading. Impacts would be potentially significant. Implementation of Mitigation Measures GEO-1a through GEO-1d, which require consistency with building codes and implementation of monitoring plans, were identified to reduce this impact to less than significant.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. Consistent with the 2013 EIR, the project site's underlying soil would still be prone to liquefaction, lateral spreading, and expansion which could expose people and structures to these adverse effects. Implementation of Mitigation Measure GEO-1a requires the structures and foundations be designed to withstand expected seismic events in accordance with the current version of the California Building Code, as adopted by the County. This would reduce the potential impact to less than significant. Therefore, the project impact would be less than significant with mitigation. However, since the proposed project does not involve bank stabilization measures or the construction of residential structures, Mitigation Measures GEO-1b through GEO-1d would not be required for the project.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding strong seismic ground shaking and seismic-related ground failure including liquefaction or lateral spreading.

- a.iv) The 2013 EIR determined that there is no history of landslides in the vicinity of Discovery Bay. As such, the 2013 concluded that there is a negligible level of risk related to landslides, and impacts were less than significant. No mitigation was required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The flat nature of the topography surrounding the project site would not support the conditions for the surrounding slope to fail, such as during a seismic event or saturated surface runoff conditions. Consistent with the 2013 EIR, the project impact would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding landslides.

- b) The Pantages Development proposed connection with the municipal wastewater collection and treatment systems and did not require septic tanks or alternative wastewater disposal systems. Therefore, the 2013 EIR concluded no impact related to soil capability of supporting wastewater systems.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The proposed project does not include the use of septic tanks or alternative wastewater disposal systems. Therefore, there is no need for the on-site soils to be capable of supporting such facilities. The only “wastewater” (not sewage) generated by the project would be the well overboard water. When the well pump is started, the initial surge of air and water is automatically directed out (overboard) to reduce the hydraulic system surging during pump startup and shutdown. A stormwater catchment basin would be constructed on site to accommodate the well overboard water, and a storm drainpipe would be installed to convey the stormwater to the planned Pantages lake. Consistent with the 2013 EIR, there would be no impact related to soil capability of supporting wastewater systems.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

- c) The 2013 EIR determined that the project would be located on an unstable geologic unit or soil that is unstable, or that would become unstable as a result of the project, and thus could potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. To reduce this impact to a less than significant level, the 2013 EIR identified

Mitigation Measures GEO-1a, requiring structures and foundations be constructed in accordance with the California Building Code; GEO-1b, requiring updated improvements plans for geologic review; GEO-1c, requiring updated geology, soils, and foundation report for geologic review; GEO-1d, requiring observation and testing by a geotechnical engineer during construction; and GEO-3, requiring a plan for monitoring corrosivity.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The project site is located on top of geologic units that consist of clay, sand, and silt that are considered unstable. Soil borings taken by ENGEO (2020) identified fine grain alluvium (soft silt and clay) in the upper 0 to 15 feet, and up to 30 feet bgs. Consistent with the 2013 EIR, these soil conditions make the project site sensitive to potential collapse, lateral spreading, subsidence, liquefaction and landslides. For the proposed project (new well), implementation of Mitigation Measure GEO-1a would be required to reduce impacts to less than significant. Therefore, the project impact would be less than significant with mitigation. However, Mitigation Measures GEO-1b through GEO-1d and GEO-3 would not be required because the proposed project does not involve bank stabilization measures, the construction of residential structures, or the placement of concrete or asphalt road beds.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

- d) The 2013 EIR determined that development could result in soil erosion or loss of topsoil because construction would increase the amount of exposed surfaces and increased sedimentation in receiving water bodies. Project construction includes raising the project site elevation by approximately 10 feet so it is above the 200-year flood level. The 2013 EIR identified Mitigation Measure GEO-2, which includes preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP), to reduce these impacts to less than significant.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development, on a topographically flat site. Like the rest of the Pantages Development, project construction would involve raising the site elevation by approximately 10 feet, so it is above the 200-year flood level. This earth movement could result in adverse effects of soil erosion and loss of topsoil. As described in Section 1.3, the project would implement several BMPs to avoid and minimize the loss of topsoil and soil erosion, including the following:

- Prompt removal of mud, dirt, or similar debris from paved surfaces and roadways
- Water flushing and/or vacuum sweeping of paved surfaces and roadways at least once a day

- Control of trackout of soil materials through the application of gravel to unpaved surfaces adjacent to paved access roadways
- Installation and maintenance of on-site storm drain protection
- Installation and maintenance of sandbags and other erosion control measures at the edges of Kellogg Creek and the drainage ditch
- Keeping outdoor areas swept and clean
- Properly disposing of pressure washing discharges and silt from settling tanks

Consistent with the 2013 EIR, implementation of the proposed BMPs and Mitigation Measure GEO-2 (preparation and implementation of a SWPPP) would reduce impacts to less than significant. Therefore, the project impact would be less than significant with mitigation.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding soil erosion or loss of topsoil.

- e) The 2013 EIR determined that the expansive characteristics of the soils may cause ground subsidence and/or settlement that could damage the proposed building foundations, if not taken into consideration during final design of the project. To reduce this potentially significant impact, the 2013 EIR identified Mitigation Measures GEO-1b and GEO-1c to ensure that the final development plans for the project were peer reviewed, and that any issues to the stability of the foundations, etc. were properly engineered given the conditions of the project site.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The project site contains soils that are subject to expansion and contraction in volume, which are caused by cycles of swelling and drying shrinking based on soil moisture conditions. The soils at the project site are composed of expansive clay soil and may be subject to ground subsidence. However, the project does not propose any new buildings or structures intended for human use or occupancy. The only new structures proposed would be the new well and pump station, which would be designed in accordance with California Building Code seismic design force standards (State of California 2020). The potential impact would be less than significant, with no mitigation required. Mitigation Measures GEO-1b and GEO-1c would not be required because there would be buildings or structures intended for human use or occupancy.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding expansive soils.

In summary, project impacts to geology and soils would be **less than significant with mitigation**, requiring implementation of the following mitigation identified in the 2013 EIR. Refer to Section 4 for the mitigation measures in their entirety.

- Mitigation Measure GEO-1a. Design structures and foundations in accordance with the California Building Code, as adopted by the County
- Mitigation Measure GEO-2. Prepare and Submit a SWPPP

3.6 Global Climate Change

	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	SU	No	No	No	None
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	SU	No	No	No	None

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a, b) The 2013 EIR determined that there would be an increase per capita carbon dioxide (CO₂) emissions beyond BAAQMD thresholds that would contribute to regional and global increases in greenhouse gas (GHG) emissions as result of the proposed development. The 2013 project included Mitigation Measures CUM-GCC-1a and CUM-GCC-1b, which outline energy efficiency measures to reduce project emissions; however, it was determined that impacts would remain significant and unavoidable.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. Implementation of the project would generate construction-related GHG emissions, a one-time total project construction emission of 174 metric tons of CO₂e (MTCO₂e). Following construction, operation of all equipment would be electric-powered. Energy demand would be approximately 40,000 kilowatt-hours per year. One new emergency generator would require testing once per month for approximately 30 minutes. Landscape equipment would occasionally be used for maintenance. Energy use, landscaping, and generator testing would generate approximately 5 MTCO₂e/year. A nominal net increase in vehicle emissions is anticipated associated with maintenance of the proposed project because the project would be incorporated into the existing maintenance routes and schedule.

Contra Costa County has adopted a Climate Action Plan (CAP), and the BAAQMD has established a numeric threshold for screening impacts related to GHG emissions. The CAP was prepared in accordance with BAAQMD guidance for a qualified CAP that allows the County to determine that a development project has a less than significant impact on GHG emissions. CAP compliance is determined through a CAP Development Checklist. The checklist includes required reduction measures for land development projects including requirements for energy efficiency and electric vehicle infrastructure. The BAAQMD has

adopted a numeric threshold for operational-related GHGs to a level below either 1,100 MTCO_{2e}/year or 4.6 MTCO_{2e} per service population per year (BAAQMD 2017).

In February 2022, BAAQMD released the draft CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans. The threshold consists of either compliance with minimum required design elements, such as vehicle miles traveled reductions, or compliance with an adopted qualified CAP.

Both the CAP and BAAQMD thresholds apply to land use development (e.g., residential and commercial development), rather than infrastructure improvements such as the proposed project. However, the proposed project would support planned development and would therefore be consistent with forecast assumptions in the CAP. Additionally, the estimated project GHG emissions during both construction and operation would be well below the adopted BAAQMD numeric threshold for ongoing emissions.

The proposed project would generate a temporary increase in GHG emissions during construction and minimal ongoing annual GHG emissions following construction. However, emissions would not exceed the annual emissions threshold adopted by BAAQMD for ongoing operational impacts. Therefore, the project would not result in significant GHG emissions, and the impact would be less than significant, with no mitigation required. Mitigation Measures CUM-GCC-1a and CUM-GCC-1b, which were identified in the 2013 EIR for cumulative GHG emissions associated with the proposed land development, would not be required for the well infrastructure improvements.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding GHG emissions.

In summary, project impacts to global climate change or greenhouse gas emissions would be **less than significant**, with no mitigation required.

3.7 Hazards and Hazardous Materials

Would the project:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	LTS w/ M	No	No	No	None
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	LTS w/ M	No	No	No	None
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	LTS w/ M	No	No	No	None
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	NI	No	No	No	None
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	NI	No	No	No	None
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	NI	No	No	No	None
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	NI	No	No	No	None

NI = No Impact; LTS = Less than Significant (without Mitigation); LTS w/ M = Less than Significant with Mitigation; SU = Significant and Unavoidable; MM = mitigation measure. The MM number in this checklist corresponds with the MM number in the 2013 EIR and is presented in its entirety in Section 4.

a, b) The 2013 EIR concluded that construction activities could potentially cause the release of hazardous materials into the environment during grading and construction activities, due to

existing dredge spoils located outside the delineated wetland areas, primarily in the central portion of the site. Implementation of Mitigation Measure HAZ-1 would reduce impacts to less than significant. In addition, the 2013 EIR concluded that that demolition activities associated with the existing on-site residence could cause the release of hazardous materials into the environment; however, implementation of Mitigation Measure HAZ-2 would reduce impacts to less than significant. The 2013 EIR further concluded that, because no hazardous materials would be stored on the project site, other than consumer related home and garden products (e.g., cleansers, paint removers, fertilizers), there would be no significant hazard to the public or the environment from operational activities.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. Standard construction techniques would be used to construct the proposed new municipal water well and associated facilities. Consistent with the 2013 EIR, oil, diesel fuel, paints, solvents, and other hazardous materials would be used at the site during construction. As described under the BMPs listed in Section 1.3, spills or leakage of petroleum products during construction activities shall be immediately contained, the hazardous material identified, and the material remediated in compliance with applicable state and local regulations for the cleanup and disposal of that contaminant including the California Health and Safety Code, Section 25510, and California Vehicle Code, Section 23112.5.

The new well system would be equipped with a filter and disinfection facilities for removal of iron and manganese to meet all drinking water requirements. The new well pump station would include a CMU wall chemical building. Other hazardous materials typically used on site would include gas, diesel, and lubricants for equipment. As described under the BMPs listed in Section 1.3, the following measures shall be implemented to ensure that the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, nor through a reasonably foreseeable upset or accident involving the release of hazardous materials:

- The contractor shall comply with all applicable local, state, and federal laws, rules and regulations concerning the use, storage, transport, and disposal of hazardous materials and waste.
- The pump station design shall include a double walled sodium hypochlorite tank (a tank within a tank) for secondary containment. All hazardous material shall be stored and used in a safe manner and as directed by manufacturer recommendations.
- Any hazardous products, waste, or empty containers used or generated shall be properly and legally transported and disposed and shall not be poured down any drain or sewer nor disposed of in any trash container or dumpster.

With implementation of the BMPs included as part of the project description, the impact would be less than significant, with no mitigation required. Although identified in the 2013 EIR, implementation of Mitigation Measures HAZ-1 and HAZ-2 would not be required because

construction activities would occur in the area of previously deposited dredge spoils, and the project does not require the demolition of any structures that could potentially cause a release of these hazardous materials such as arsenic, asbestos, and lead-based paints.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials and foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

- c) The 2013 EIR determined that construction activities could involve the release of hazardous materials in proximity to the Timber Point Elementary School, which is located 0.25 mile west of the project site western boundary, and identified Mitigation Measures HAZ-1 and HAZ-2 to ensure potentially hazardous materials would be properly handled to reduce exposure risks to less than significant.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. Timber Point Elementary School is located approximately 0.32 mile northwest of the project site. Although identified in the 2013 EIR, Mitigation Measures HAZ-1 and HAZ-2 would not be required because the project does not require grading activities in the location of the dredged spoils nor would it involve any demolition activities, and because the project site is located more than 0.25 mile from the school. Additionally, as described above and in Section 1.3, the project includes the implementation of several BMPs during construction and operation to minimize the risk of emitting or releasing hazardous materials, substances, or waste. Therefore, the impact would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding hazardous emissions hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.

- d) The 2013 EIR concluded that there was no documentation of hazardous materials violations or discharge within 1 mile of the project site and as a result would not create a significant hazard to the public or environment. There would be no impact, and no mitigation is required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. Based on the State Water Resources Control Board GeoTracker database and the State Department of Toxic Substances Control EnviroStor database, there are no hazardous materials sites on or within 1,000 feet of the project site (DTSC 2022). Therefore, consistent with the 2013 EIR, there would be no impact, and no mitigation is required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding hazardous materials sites.

- e) The 2013 EIR determined that the project site is not located within the airport sphere of influence for the East County (Byron) Airport and that project implementation would not result in a safety hazard for construction workers or future residents. The 2013 EIR concluded that no impacts would occur, and no mitigation is required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The project is located approximately 8 miles north of the East County (Byron) Airport. The project is not located within the airport sphere of influence and is not located within the approach zone of the Airport runway (Contra Costa County Airport Land Use Commission 2000). Therefore, consistent with the 2013 EIR, the project would not result in a safety hazard or excessive noise for people residing or working in the project area. No impacts would occur, and no mitigation is required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding safety hazard for construction workers or future residents.

- f) The 2013 EIR determined that emergency response plans would not be impacted because the project would comply with County standards for emergency vehicle access. The 2013 EIR concluded that no impact would occur and no mitigation is required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. Contra Costa County has not prepared a county-wide or town-specific evacuation plan or routes. The Contra Costa County Emergency Operations Plan establishes the emergency organization; assigns tasks, specific policies, and general procedures; and provides coordination of the planning efforts of the various emergency staff and service elements using the California Standardized Emergency Management System (Contra Costa County 2015). The project site is not located on or adjacent to heavily traveled roadways and would not result in the modification or blockage of any evacuation route or result in an increased concentration of large numbers of people in an at-risk location. Project construction and operation would not interfere with emergency response or evacuation plans, including the County's Emergency Operations Plan or other. Consistent with the 2013 EIR, the impacts would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding impair or physically interfere with an adopted emergency response plan or emergency evacuation system.

- g) The 2013 EIR determined that the Pantages Development was not located in a high-risk zone for wildland fires. The 2013 EIR concluded that people or structures would not be exposed to a significant loss, injury, or death involving wildland fires. Impacts were determined to be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. As stated in the 2013 EIR, the Contra Costa County General Plan does not identify this project site as a high-risk zone for wildland fires (Contra Costa County 2005). Further, the well project site is bounded by waterways to the south and east, and lands to the west are developed with single-family residential subdivisions. The well would be operated remotely and require little on-site maintenance; therefore, workers would not be on site for extended periods of time. Consistent with the 2013 EIR, the project would not expose people or structures to a significant loss, injury, or death involving wildland fires. The impact would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding wildland fires.

In summary, project impacts to hazards and hazardous materials would be **less than significant**, with no mitigation required.

3.8 Hydrology and Water Quality

Would the project:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New Impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. Violate any water quality standards or waste discharge requirements?	LTS w/ M	No	No	No	MM-HYD-1b MM-HYD-1c
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	NI	No	No	No	None
c. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	LTS w/ M	No	No	No	MM-HYD-1b MM-HYD-1c
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or offsite?	LTS w/ M	No	No	No	MM-HYD-1b MM-HYD-1c
e. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	LTS w/ M	No	No	No	MM-HYD-1b MM-HYD-1c
f. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?	LTS w/ M	No	No	No	None
g. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	LTS w/ M	No	No	No	None

Would the project:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New Impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
h. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	LTS	No	No	No	None
i. Inundation by seiche, tsunami, or mudflow?	LTS	No	No	No	None

NI = No Impact; LTS = Less than Significant (without Mitigation); LTS w/ M = Less than Significant with Mitigation; SU = Significant and Unavoidable; MM = mitigation measure. The MM number in this checklist corresponds with the MM number in the 2013 EIR and is presented in its entirety in Section 4.

- a) The 2013 EIR concluded that construction activities would alter the existing drainage patterns, resulting in erosion, sedimentation, and contamination of stormwater runoff, which could degrade water quality in adjacent water bodies. Implementation of Mitigation Measures HYD-1a through HYD-1c, which includes water quality monitoring, prevention of pollution from construction, and ensures compliance with the SWPPP, would reduce this impact to less than significant.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The new well would draw groundwater from the East Contra Costa Subbasin. The project will be designed to ensure that all California State Water Resources Control Board Division of Drinking Water (SWRCB-DDW) primary drinking water standards are met (Luhdorff & Scalmanini 2021a). Groundwater quality results from the monitoring well tested on site show levels of manganese in exceedance of the SWRCB-DDW Secondary Maximum Contaminant Level of 50 ug/L (Luhdorff & Scalmanini 2021). Therefore, a Drinking Water Source Assessment and Protection Program (DWSAPP) was developed for Well 8, in order to address all water quality concerns and ensure the drinking water source is protected from potential surface contaminating activities. The DWSAPP includes a well profile based on a test hole at the project site, a review of relevant hydrogeologic data, as well as local, state and federal agency database file review (Luhdorff & Scalmanini 2020). The project includes a water treatment system equipped with a filter to remove iron and manganese, as well as disinfection facilities. The water treatment system would be designed to adequately address any water quality issues from the raw well water and ensure that the filtered well water would meet drinking water requirements.

Consistent with the 2013 EIR, temporary increases in erosion of exposed soils during construction of the facility could result in minor on or off-site water quality impacts, particularly if rainfall events occur during the active construction phase. Throughout construction activities, erosion and sedimentation BMPs would be implemented to protect

water quality and reduce sedimentation runoff within the project area. As described in Section 1.3, these include the following:

- Installation and maintenance of on-site storm drain protection
- Installation and maintenance of sandbags and other erosion control measures at the edges of Kellogg Creek and the drainage ditch
- Properly disposing of pressure washing discharges and silt from settling tanks
- Cleaning of spills promptly with dry methods (as opposed to hosing into a storm drain)

Consistent with the 2013 EIR, the project also would implement Mitigation Measures HYD-1b and HYD-1c (which require preparation of a SWPPP and development of guidelines for equipment fueling, storage, and maintenance), which would further reduce impacts to a less than significant level. However, Implementation of Mitigation Measure HYD-1a would not be required since the project does not include dredging of Kellogg Creek.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding violate any water quality standards or waste discharge requirements.

- b) The 2013 EIR determined that groundwater recharge was not feasible due to the low permeability of the site's clay soils; therefore, the addition of new impervious surfaces from project development was not expected to significantly affect groundwater recharge. Impacts were determined to be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The project site is located within the East Contra Costa (ECC) Groundwater Basin. As stated in Section 4 of the ECC Groundwater Sustainability Plan (GSP), population growth for the Town is expected to double by 2050, groundwater will continue to be the sole source of water for the town, and groundwater production is expected to increase from about 4,000 acres per feet per year (AFY) to 7,000 AFY. The proposed Well No. 8 would produce approximately 1,800 gallons per minute (2.6 million gallons per day), equivalent to the production capacity of other wells within the project area. As explained in Section 5 of the GSP, the ECCSim groundwater model was utilized to simulate how groundwater production would be impacted by higher demands, as well as climate and land use changes; and under simulated conditions, the subbasin continues to be sustainable, pumping below the sustainable yield for the Subbasin (Luhdorff & Scalmanini 2021b). Therefore, impacts would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding groundwater recharge.

c, d, e) The 2013 EIR determined that connection to an existing or planned water drainage system was not required and therefore would not contribute to or exceed the existing system's capacity. The proposed drainage system was designed to comply with National Pollution Discharge Elimination System and the County's C.3 requirements. The 2013 EIR concluded that adherence to the drainage system plan and applicable regulations would reduce operational impacts to less than significant. In addition, the 2013 EIR determined that potential erosion and water quality impacts would result from construction-related activities, such as excavation and widening of Kellogg Creek. Implementation of Mitigation Measures HYD-1a, HYD-1b, and HYD-1c, which proposes to monitor water quality, prevent pollution from construction and ensure compliance with the SWPPP, would reduce impacts to less than significant. Finally, the 2013 EIR concluded that the stormwater drainage and treatment system would sufficiently handle all stormwater runoff from the developed portion of the site, so that on- and off-site flooding would not occur, and impacts would be less than significant.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The proposed project includes drilling and installing a well, well pump station, stormwater catch basin, and pipelines to convey water, sewer, and stormwater. The well and pumping system would only discharge clean water into the storm drain system. An 8-inch sewer lateral pipeline would convey operational wastewater (not sewage) from the site to the existing wastewater collection system.

The project would result in a minor amount of new impervious surface from installing the well facilities and pavement on the 0.44-acre project site, and stormwater runoff would be directed to the new on-site stormwater catch basin. Although this would result in minor alteration to the existing drainage pattern on the project site, it would not substantially alter or adversely affect existing or planned stormwater drainage systems. Further, the project would not alter a stream or river or substantially increase the rate or amount of runoff in a manner that would result in on-site or off-site flooding.

Consistent with the 2013 EIR, construction activities could temporarily increase on-site erosion and siltation, which could adversely affect water quality. As described above and in Section 1.3, the following erosion and sedimentation BMPs would be implemented during construction activities to protect water quality, in accordance with the Contra Costa County Stormwater Management Program:

- Installation and maintenance of on-site storm drain protection
- Installation and maintenance of sandbags and other erosion control measures at the edges of Kellogg Creek and the drainage ditch
- Properly disposing of pressure washing discharges and silt from settling tanks
- Cleaning of spills promptly with dry methods (as opposed to hosing into a storm drain)

Consistent with the 2013 EIR, the project would implement Mitigation Measures HYD-1b and HYD-1c (which require preparation of a SWPPP and development of guidelines for equipment fueling, storage and maintenance), which would reduce impacts to less than significant. However, implementation of Mitigation Measure HYD-1a would not be required because the project does not include the dredging of Kellogg Creek.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding alter the existing drainage pattern of the site or area.

f, g) The 2013 EIR concluded that the development project area is located within a 100-year flood zone that is not protected by an outside levee. Implementation of Mitigation Measures HYD-3a and HYD-3b was required to ensure that the minimum elevation required to protect against a 300-year base flood event was achieved. Mitigation Measures HYD-3a and HYD-3b included grading plans for minimum floor elevations for residential units and street level elevations to reduce impacts to less than significant.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The Federal Emergency Management Administration flood maps for the project site show that the well site is located in an area with a 1 percent chance of annual flooding (Zone AE) or 100-year flood zone (Luhdorff & Scalmanini 2021). Consistent with the 2013 EIR and Mitigation Measures HYD-3a and HYD-3b identified therein (and as described in Section 1.3), the elevation of the project site would be raised approximately 10 feet, so it would be located above the 1 percent flood inundation level. Therefore, the impact would be less than significant with mitigation identified in the 2013 EIR and incorporated into the project description. However, implementation of Mitigation Measures HYD-3a and HYD-3b would not be required since the project does not propose any residential structures.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding placing housing within a 100-year flood hazard area.

- h) The 2013 EIR determined that exposure of people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam failure of a levee or dam, would be less than significant. The nearest reservoir, Los Vaqueros Reservoir located approximately 10 miles southwest of Discovery Bay, was designed to withstand a maximum credible earthquake and can reduce the level of inundation in the event of an emergency. Impacts would be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The only structures on site would be the well facilities, which would

be operated remotely and require little on-site maintenance, so workers would not be on site for extended periods of time. Consistent with the 2013 EIR, the project would be approximately 10 miles from Los Vaqueros Reservoir, and project implementation would not expose people or structures to a significant risk of loss, injury or death. Impacts would be less than significant, with no mitigation is required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam failure of a levee or dam.

- i) The 2013 EIR concluded that the development project site would not likely be affected by a tsunami, seiches, or mudflow due to the topography and geography of the project site. There was no evidence of tsunami and seiche sources and the flat topography and would not be subject to mudflows. Impacts were determined to be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The project site is approximately 40–50 miles inland from the San Francisco Bay and Pacific Ocean, respectively, so there is minimal to no risk of a tsunami or seiche hazard. A seiche is a seismically-induced wave or series of waves in a fully or partially enclosed body of water (e.g., lakes, reservoirs, pools) caused by similar natural occurrences. Consistent with the 2013 EIR, there is little to no risk of a tsunami, seiche, or mudflow adversely affecting the project area. Impacts would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding inundation due to tsunami, seiches, or mudflow.

In summary, project impacts to hydrology and water quality would be **less than significant with mitigation**, requiring implementation of the following mitigation identified in the 2013 EIR. Refer to Section 4 for the mitigation measures in their entirety.

- Mitigation Measure HYD-1b. Prepare and implement a SWPPP to protect water quality
- Mitigation Measure HYD-1c. Develop guidelines for equipment fueling, storage, and maintenance to prevent pollution of receiving waters

3.9 Land Use and Planning

Would the project result in:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. Physically divide an established community?	LTS	No	No	No	None
b. Conflict with any applicable habitat conservation plan or natural community conservation plan?	NI	No	No	No	None
c. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	LTS	No	No	No	None

NI = No Impact; LTS = Less than Significant (without Mitigation); LTS w/ M = Less than Significant with Mitigation; SU = Significant and Unavoidable; MM = mitigation measure. The MM number in this checklist corresponds with the MM number in the 2013 EIR and is presented in its entirety in Section 4.

- a) The 2013 EIR determined that the Pantages Development would continue the pattern of residential development that exists to the east, west, and south of the vacant project site and would not physically divide an existing community. Impacts were determined to be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. Drilling of the well and construction of the well pump station, pipelines, and catch basin would be contained within the 0.44-acre project site within the planned Pantages Development. Consistent with the 2013 EIR, implementation of the project would not require subdivision or restrict access to surrounding parcels and would not physically divide an established community, including the surrounding residential area. The impact would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding physically dividing a community.

- b) The 2013 EIR concluded that the development site is located outside the inventory area of the HCP/NCCP and would not conflict with applicable HCP/NCCP. No mitigation was required. Therefore, no conflict with any HCP/NCCP would occur, and there would be no impact.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The project site is located immediately east of and outside the permit area of the adopted HCP/NCCP. Consistent with the 2013 EIR, the project would not conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or state HCP. There would be no impact, and no mitigation is required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding conflicting with an applicable HCP/NCCP.

- c) The 2013 EIR concluded that the proposed General Plan Amendment from Agricultural Lands (AL), Delta Recreation (DR), and Water (WA) land use designation to Single-Family Residential – Medium-Density (SM), Single-Family Residential – High-Density (SH), Water (WA), Public/Semi-Public (PS), and Open Space (OS) was within the urban limit line and would not conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Impacts were determined to be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The project, including drilling of public facilities (well installation) is an allowed use within the Open Space land use designation and High-Density Single-Family Residential (SH) zoning designation. The construction and operation of a municipal well and associated facilities is a permitted use consistent with the approved development plan for the Town. Consistent with the 2013 EIR, implementation of the project would not conflict with any land use plan, policy, or regulation adopted for the purpose(s) of avoiding or mitigation an environmental effect. Impacts would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding conflicting with any land use plan, policy, or regulation.

In summary, project impacts to land use and planning would be **less than significant**, with no mitigation required.

3.10 Mineral Resources

Would the project:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	NI	No	No	No	None
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	NI	No	No	No	None

NI = No Impact; LTS = Less than Significant (without Mitigation); LTS w/ M = Less than Significant with Mitigation; SU = Significant and Unavoidable; MM = mitigation measure. The MM number in this checklist corresponds with the MM number in the 2013 EIR and is presented in its entirety in Section 4.

a, b) The 2013 EIR determined that the Pantages Development area is not classified or designated within a mineral resource zone nor based on Contra Costa County General Plan maps of the area, the located within an area of known mineral importance. In addition, the 2013 EIR determined that there is no history of mining and no delineation as a mineral resource recovery site exists on any known map or plan. The 2013 EIR concluded that there would be no impact to mineral resources or result in the loss of a locally important mineral resource recovery site, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. Consistent with the 2013 EIR, the project area has not been identified as an area that contains any known mineral resources that would be of value to the region and the residents of the state. The project would involve installing a water well by drilling approximately 355 feet bgs. These ground-disturbing activities would be limited to areas where no mineral resources have been identified and are not likely to occur. In addition, neither the project site nor the project vicinity has a history of mining, and the project site is not delineated as a mineral resource recovery site on any known map or plan. Consistent with the 2013 EIR, implementation of the project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state nor result in the loss of a locally important mineral resource recovery site. There would be no impact to mineral resources.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding mineral resources.

In summary, the project would result in **no impacts** to mineral resources, with no mitigation required.

3.11 Noise and Vibration

Would the project result in:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New Impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	NI	No	No	No	None
b. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	NI	No	No	No	None
c. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	LTS w/ M	No	No	No	MM-NOI-1a MM-NOI-1b MM-NOI-1c
d. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	LTS	No	No	No	None
e. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	LTS	No	No	No	None
f. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	LTS w/ M	No	No	No	MM-NOI-1a MM-NOI-1b MM-NOI-1c

NI = No Impact; LTS = Less than Significant (without Mitigation); LTS w/ M = Less than Significant with Mitigation; SU = Significant and Unavoidable; MM = mitigation measure. The MM number in this checklist corresponds with the MM number in the 2013 EIR and is presented in its entirety in Section 4.

a, b) The 2013 EIR determined the Pantages Bay Development site is not located within an airport land use plan, within 2 miles of an airport, or within the vicinity of a private airstrip. The 2013 EIR concluded that there would be no impact to people residing or working in the project area to excessive noise levels, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The proposed project site is located more than 2 miles from the nearest public or private airport, which is the East County (Byron) Airport located approximately 8

miles south of the project site. Noise levels from airport operations do not exceed Contra Costa County General Plan standards at the project site. Consistent with the 2013 EIR, workers at the proposed project site would not be exposed to adverse levels of aircraft noise. There would be no impact, and no mitigation is required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding exposing people residing or working in the project area to excessive aircraft noise levels.

c, d, f) The 2013 EIR determined noise levels at the project site would increase as a result of increased traffic and watercrafts, but would not exceed 5 A-weighted decibels (dBA); therefore, the impacts to sensitive receptors (e.g., residences) would be less than significant. In addition, the 2013 EIR concluded that a temporary and periodic increase in ambient noise levels would occur from construction, and noise levels would exceed 75 dBA at 50 feet (decreases by 6 dBA per doubling distance), which is a potentially significant impact. Implementation of Mitigation Measures NOI-1a, NOI-1b, and NOI-1c would reduce impacts to less than significant by restricting the timing of construction activity, preparing and implementing a detailed construction noise mitigation plan, and erecting temporary noise barrier on the project site.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. Consistent with the 2013 EIR, construction of the project would generate temporary noise from operation of heavy construction equipment and truck trips. Although construction activities mostly occur during daytime hours and would be temporary (two phases over approximately 1 year), noise may be audible to nearby sensitive receptors (adjacent residences to the west). Additionally, approximately 6 to 10 days of nighttime construction may be required during well drilling.

Reference noise levels for construction equipment anticipated to be required for the project are listed in **Table 2**, Typical Noise Levels for Common Construction Equipment (at 50 Feet). Noise levels are measured at 50 feet, and typically attenuate 6 dB for each doubling of distance. Based on the activities proposed for the project, the equipment with the loudest operating noise level that would be used during most construction phases would be an excavator, which would produce noise levels of 85 dBA at a distance of 50 feet, followed by trucks, which would produce noise levels of 84 dBA at 50 feet. Drill equipment required for 6 to 10 days during well drilling would have the potential to generate noise levels of 95 dBA at 50 feet. The nearest sensitive receptors to the project construction area are residences located adjacent to the project site on Wilde Court, set back approximately 25 feet from the property line, and approximately 75 feet

from the well drilling location. At this distance, the nearest residences would have the potential to be exposed to noise levels up to 92 dBA during normal construction and well drilling.

Table 2. Typical Noise Levels for Common Construction Equipment (at 50 Feet)

Equipment	Lmax (dBA)
Air Compressor	80
Backhoe	80
Crane	83
Excavator	85
Pick-Up Truck	55
Rock Drill	95
Truck	84

Source: FTA 2018.

Notes: dBA = A-weighted decibel

Therefore, consistent with the 2013 EIR construction noise would have the potential to result in noise levels that could disturb nearby receptors, especially during nighttime construction. Implementation of Mitigation Measures NOI-1a through NOI-1c, which are identified in the 2013 EIR and also included in the project description in Section 1.3, would reduce impacts to less than significant.

Following construction, equipment would be located underground (pumping systems) or enclosed (emergency generator) to attenuate equipment noise, in addition to the 7-foot CMU wall on the project boundary with existing sensitive receptors (residences to the west). Due to its underground location, operation of pumping equipment, including motors and valves, is not anticipated to be audible at adjacent receptors. The emergency generator enclosure would be designed in compliance with County standards for noise exposure, and generator testing would be limited to approximately 30 minutes each month during daytime hours. Operation of the proposed project is not anticipated to generate more than a nominal increase in vehicle trips for maintenance activities. Operation of the proposed project would not result in a permanent increase in ambient vehicle noise levels. Consistent with the 2013 EIR, operational noise impacts of the proposed project would not be excessive, unnecessary, or unusually loud; and impacts would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding increase in ambient noise levels.

- e) The 2013 EIR assessed potential vibration effects and concluded that construction would not include any components that would generate excessive groundborne vibration. No mitigation was required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The use of construction and grading equipment would potentially generate periodic vibration in the project area. The equipment required for the project with the potential to generate the highest level of vibration during any phase is a drill rig, which typically generates vibration levels of 0.089 peak particle velocity at 25 feet. Vibration from operation of the drill rig is below the Federal Transit Administration potential damage criteria of 0.2 peak particle velocity for non-engineered timber and masonry buildings (FTA 2018). All nearby receptors are set back at least 25 feet from the project area, and construction would only occur adjacent to existing receptors for a limited time during CMU wall construction. Therefore, normal construction would not result in excessive groundborne vibration, and the impact would be less than significant, with no mitigation required.

Well drilling would also have the potential to disturb sleep for approximately 6 to 10 days of nighttime construction. A vibration velocity level of 65 vibration decibel would have the potential to disturb sleep. As described above, a drill rig typically generates vibration levels of 0.089 peak particle velocity at 25 feet, which is equivalent to a vibration velocity level of 87 vibration decibel (FTA 2018). Vibration would be reduced to below 65 vibration decibel beyond 135 feet of equipment operation. Existing residences are located within 135 feet of the well drilling area. However, construction would include BMPs to minimize vibration exposure which include limiting the use of most vibration-intense equipment (drill rig, trucks) to daytime hours to the extent possible; the use only properly maintained equipment with vibratory isolators; operating equipment as far from sensitive receptors as possible; and the use rubber-tired vehicles as opposed to tracked vehicles. Additionally, nighttime construction would be temporary and short term (only occur for approximately 6 to 10 days). Due to the short extent of nighttime construction and implementation of BMPs, vibration impacts from nighttime well installation would be less than significant, with no mitigation required.

Following construction, the proposed well and pump facilities would be located underground and would not generate adverse levels of vibration. Impacts during operation would be less than significant and no mitigation is required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding excessive groundborne vibration.

In summary, project impacts to noise would be **less than significant with mitigation**, requiring implementation of the following mitigation identified in the 2013 EIR. Refer to Section 4 for the mitigation measures in their entirety.

- Mitigation Measure NOI-1a: Measures to reduce construction noise
- Mitigation Measure NOI-1b: Noise Mitigation Plan to reduce construction noise
- Mitigation Measure NOI-1c: Construction of noise barrier to reduce construction noise

3.12 Population and Housing

Would the project result in:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	LTS	No	No	No	None
b. Displace substantial numbers of existing housing, necessitating the construction of the replacement housing elsewhere?	LTS	No	No	No	None
c. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	LTS	No	No	No	None

NI = No Impact; LTS = Less than Significant (without Mitigation); LTS w/ M = Less than Significant with Mitigation; SU = Significant and Unavoidable; MM = mitigation measure. The MM number in this checklist corresponds with the MM number in the 2013 EIR and is presented in its entirety in Section 4.

a, b) The 2013 EIR determined that the Pantages Development would not displace existing housing or residents because the project site is vacant. Impacts were determined to be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The project site is a vacant parcel zoned “SH,” or High-Density Single-Family Residential, which allows for water infrastructure development, and use of the site for well development was negotiated between the Town and the Pantages Development group. Consistent with 2013 EIR, the project site does not contain residential structures and would not result in the temporary or permanent displacement of people or housing, nor would the project necessitate the construction of replacement housing elsewhere. The impact would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding displacement of people or housing.

c) The 2103 EIR determined that there would be an increase in population through the development of 292 residential units. The 2013 EIR concluded that the population generated was within population forecasts for the County as a whole, as outlined in the Contra Costa County General Plan Land Use and Housing Element. In addition, the 2013 EIR determined

that extension of municipal services and roads to a previously undeveloped area has the potential to indirectly increase growth. However, since adjacent lands are either developed with residential uses or located outside the urban limit line further development would be prohibited. Impacts were determined to be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The proposed project is a new municipal water well and associated infrastructure, not a residential or commercial development. The purpose of the project is to supplement the current potable water system capacity and provide redundancy for the aging infrastructure, as well as accommodate planned development in the Town. The project would not induce substantial unplanned population growth indirectly for the following reasons.

The existing water supply system is aging and unreliable. The new well would provide redundancy in the event maintenance at existing well sites needs to be performed and/or aging infrastructure fails and would replace existing capacity as the aging wells are taken out of service. The project would provide approximately 15 percent increased capacity to accommodate the remainder of planned residential growth in the Town, including the Pantages Development (2013 EIR) and Newport Pointe Development, as well as other planned development identified in the Contra Costa County General Plan.

The project is not removing a current obstacle to growth by extending water infrastructure to an unplanned area or area that could not otherwise be developed. The addition of a new well source would serve the population increase analyzed in the 2013 EIR. Consistent with the 2013 EIR, project would not induce unplanned growth indirectly, and the impact would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding substantial population growth.

In summary, project impacts to population and housing would be **less than significant**, with no mitigation required.

3.13 Public Services and Recreation

Would the project:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire protection?	LTS	No	No	No	None
Police protection?	LTS	No	No	No	None
Schools?	LTS	No	No	No	None
Parks?	LTS w/ M	No	No	No	None
Other public facilities?	LTS	No	No	No	None
b. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	LTS w/ M	No	No	No	None
c. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	LTS w/ M	No	No	No	None

NI = No Impact; LTS = Less than Significant (without Mitigation); LTS w/ M = Less than Significant with Mitigation; SU = Significant and Unavoidable; MM = mitigation measure. The MM number in this checklist corresponds with the MM number in the 2013 EIR and is presented in its entirety in Section 4.

- a) The 2013 EIR determined that the project would generate a small increase in demand for fire protection, emergency services, police services, school services, and public facilities. However, the 2013 EIR concluded that project implementation would not require the construction any additional fire facilities, police protection services, high school facilities, or library services, the construction of which could result in environmental impacts. Impacts would be less than significant, with no mitigation required. In addition, the 2013 EIR concluded the need for new or physically altered parkland would be required, the construction of which could cause significant environmental impacts, in order to maintain acceptable County Parkland requirement. Implementation of Mitigation Measure PS-1, which includes

the implementation of public trails and two passive recreation locations, would reduce impacts to less than significant.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The proposed project is construction of a municipal water well and associated facilities on a site zoned High-Density Single-Family Residential (SH). Consistent with the 2013 EIR, the project itself would not result in the need for new, expanded, or physically altered governmental facilities to maintain acceptable service ratios, response times or other performance objectives for the public services listed above. Project construction would not displace or remove any existing school, park, or other public facilities. The impact would be less than significant, with no required mitigation. Although identified in the 2013 EIR, implementation of Mitigation Measure PS-1 would not be required for the project, because the project site is part of the normal service area for police and fire protection, and the proposed use (new municipal well and associated facilities) would not require additional parkland to meet the County's parkland dedication requirements.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding public services.

- b, c) The 2013 EIR concluded that the County has ample public parkland and other recreational facilities to serve the new development, and that the potential impacts related to the substantial deterioration of existing park facilities would be less than significant, with no mitigation required. In addition, the 2013 EIR determined that the proposed construction of the public trail and the creation of seasonal wetland and emergent marsh could result in an adverse physical effect on the environment, and these potential impacts from construction were adequately addressed in the 2013 EIR Section 4.3, Biological Resources. No additional mitigation was required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The proposed project is construction of a municipal water well and associated facilities. As discussed in Section 3.12, Population and Housing, project implementation would not directly induce population growth, which could otherwise increase the use of existing neighborhood and regional parks. Consistent with the 2013 EIR, the project would not increase the use or demand for park or recreational facilities that would cause substantial physical deterioration of surrounding recreational facilities, nor accelerate deterioration of recreational facilities because the project does not include the development of uses that would place demands, such as residential dwellings or office employment, on these facilities. Furthermore, the project does not propose the construction of new or expanded recreational facilities, which could result in adverse physical effects on the environment. The impact would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding recreation.

In summary, project impacts to public services and recreation would be **less than significant**, with no mitigation required.

3.14 Public Utilities

Would the project:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New Impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	LTS w/ M	No	No	No	None
b. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	LTS	No	No	No	None
c. Not comply with federal, state, and local statutes and regulations related to solid waste?	LTS	No	No	No	None
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	LTS w/ M	No	No	No	None
e. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	LTS w/ M	No	No	No	None
f. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	LTS w/ M	No	No	No	None
g. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	LTS	No	No	No	None

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a, d) The 2013 EIR identified a potentially significant impact associated with increased water supply demands. The impact would be reduced to a less than significant level with implementation of Mitigation Measure UTIL-1, which requires providing documentation to

the County that sufficient capacity exists to serve the project, and implementing indoor and outdoor water conservation measures to reduce water consumption.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The proposed project is a new municipal water well and associated infrastructure, not a residential or commercial development. As described in Section 1.3, the purpose of the project is to supplement the current potable water system capacity and provide redundancy for the aging infrastructure, as well as accommodate planned development in the Town. The project would provide approximately 15 percent increased capacity to accommodate the remainder of planned residential growth in the Town, including the Pantages Development (2013 EIR) and Newport Pointe Development, as well as other planned development identified in the Contra Costa County General Plan. Impacts related to the construction of the new well and associated facilities is discussed throughout this Addendum. The impact would be less than significant, with no mitigation required. Mitigation Measure UTIL-1 identified in the 2013 EIR would not be required for the project, because the project inherently provides additional water supplies, effectively implementing this measure in part.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding new water facilities and sufficient water supplies.

- a, e, f) The 2013 EIR concluded that the existing wastewater treatment facility did not have adequate capacity to serve the Pantages Development, which is a potentially significant impact. The 2013 EIR referenced the Town's Wastewater Master Plan, which outlined improvements required to accommodate the increase in wastewater capacity due to the Town's projected growth. Implementation of Mitigation Measure UTIL-2 was required to demonstrate that sufficient funding for the construction of capacity or treatment improvements outlined in the Wastewater Master Plan have been identified and secured to reduce impacts to less than significant.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The project includes connections to the existing sewer system so wastewater from well installation and maintenance (not sewage) can be treated, rather than entering the storm drain system. The Town determined the wastewater system has adequate capacity for the small volume of wastewater generated by the project. The impact would be less than significant, with no mitigation required. Mitigation Measure UTIL-2 identified in the 2013 EIR would not be required for this project, because there is adequate sanitary sewer capacity to serve the minimal amount of backwash water that would be generated from the pump and treatment facilities.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding new wastewater facilities and adequate wastewater capacity.

- b, c) The 2013 EIR determined that the Potrero Hills Landfill had capacity to accommodate the proposed generated solid waste. However, as a condition of approval to the 2013 EIR, a Debris Recovery Plan is required to be submitted prior to issuance of the building or demolition permit. Therefore, the project was determined to comply with all applicable regulations related to solid waste, and no mitigation was required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The project would result in a minor amount of construction-related solid waste, including debris associated with minor land clearing required to install the well facilities, utility connections, and landscape improvements. The nearest solid waste facility is the Brentwood Transfer Station, which is located approximately 5 miles away and has existing capacity for project waste disposal (CalRecycle 2022). The 2019 California Green Building Standards Code, as amended in Contra Costa County Code, requires that at least 65 percent by weight of job site debris be recycled, reused, or otherwise diverted from landfill disposal. Once constructed, the project would not generate solid waste.

Consistent with the 2013 EIR, the project would not generate solid waste in excess of state or location standards or in excess of the capacity of local infrastructure. Further, the project would not impair the attainment of solid waste reduction goals and would not be inconsistent with federal, state, or local management and/or reduction statutes and regulations related to solid waste. Impacts would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding solid waste generation.

- g) The 2013 EIR determined that stormwater would be detained and treated by on-site bioswales before release into local waterways in compliance with the County's C.3 requirements and would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. The impact was determined less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. In addition to the new well, pump station and treatment system, the project would include the installation of a new 16-inch water pipeline to convey treated water from the well site to the existing distribution system and a new 8-inch sewer lateral to convey waste from the site to the existing wastewater collection system. A stormwater catch basin

would be constructed on site to accommodate the well overboard water, and a 24-inch storm drainpipe would be installed to convey stormwater to the planned Pantages lake. However, while new utility and service connections would need to be extended to and from the project site, these new connections would not result in a need to modify the larger off-site infrastructure. Consistent with the 2013 EIR, the project impact would be less than significant, with no mitigation is required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding stormwater drainage facilities.

In summary, project impacts to public utilities would be **less than significant**, with no mitigation required.

3.15 Transportation and Circulation

Would the project:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	NI	No	No	No	None
b. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	NI	No	No	No	None
c. Result in inadequate emergency access?	NI	No	No	No	None
d. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	LTS	No	No	No	None
e. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance?	SU	No	No	No	None

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- a) The 2013 EIR determined that the proposed activities would not result in the change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. The 2013 EIR concluded no impact and no mitigation was required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The proposed project site is located more than 2 miles from the nearest public or private airport, which is the East County (Byron) Airport located approximately 8 miles south of the project site. Noise levels from airport operations do not exceed Contra Costa County General Plan standards at the project site. Consistent with the 2013 EIR, implementation of the project would not result change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. No mitigation is required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding air traffic patterns.

- b) The 2013 EIR determined that there would not be a substantial increase in hazards due to a design feature because the project would have designated residential traveling speeds and pedestrian buffers, and project design would comply with safety measures identified in the Caltrans Highway Design Manual. The impact would be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The proposed project is an installation of a new municipal water production well and would not alter the physical configuration of the existing roadway network serving the project area nor introduce unsafe design features, such as sharp curves or dangerous intersections. In addition, the project would not introduce incompatible uses, such as farm equipment. No impact would occur, and no mitigation is required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding increased hazards due to a design feature.

- c) The 2013 EIR determined that adequate emergency access would be provided to the site, and impacts would be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. During construction, a temporary 20-foot-wide road would be located immediately west of the future paved road extending, from Wilde Drive to the well site; and the proposed construction staging area would be adjacent to the well site. The project would not require full or partial lane closures during construction. Once construction is complete, operation of the project facilities would be contained on the project site. Well No. 8 would be incorporated into the CSD's existing maintenance schedule, and there would be no substantial increase in traffic that would result in inadequate emergency access. Consistent with the 2013 EIR, emergency access to the project site and surrounding residents would not be impacted. The impact would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding inadequate emergency access.

- d) The 2013 EIR concluded that that proposed pedestrian and bicycle access would be consistent with the Transportation and Circulation Element of the Contra Costa County General Plan. Impacts were determined to be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The proposed project is an installation of a new municipal water

production well and would not interfere with potential implementation of bike or pedestrian facilities and access. Therefore, no impact would occur, and no mitigation is required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding conflict with adopted policies, plans, or programs regarding alternative transportation.

- e) The 2013 EIR determined that the project would result in increased traffic volumes and decreased level of service at the intersection of SR-4/Byron Highway and Vasco Road. Implementation of Mitigation Measure TRA-1, which would add an additional left-turn lane, would reduce impacts to less than significant. The 2013 EIR also concluded that the project would result in potentially significant impacts along Vasco Road due to increased traffic volumes and decreased level of service conditions. Implementation of Mitigation Measure TRA-2, which included the payment of a regional roadway fee to the East Contra Costa Regional Fee and Financing Authority, would reduce impacts but not to a less than significant level. The 2013 EIR concluded that impacts to Vasco Road would remain significant and unavoidable. In addition, the 2013 EIR determined that the project would result in significant cumulative increases in traffic volumes at various locations near the project. Implementation of Mitigation Measures CUM-TRA-1 through CUM-TRA-11, which would install traffic signals and turn lanes at the impacted areas, would reduce the impacts at most intersections, but the traffic impact along Vasco Road and Marsh Creek Road would remain significant and unavoidable.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The proposed project is an installation of a new municipal water supply well and associated infrastructure. During project construction activities, traffic would be generated from two sources: truck trips to and from the work area and commute trips for the work crew. Construction-generated traffic would be temporary and would not result in long-term degradation in operating conditions on area roadways or at area intersections. Project-generated truck trips are minimal and would be spread over the course of the workday. Once operational, the project would not result in any significant, long-term impacts to the local roadway network. The well would be operated remotely and require little on-site maintenance, and the project site would be incorporated into the CSD's existing maintenance schedule. The CSD maintains several facilities which are all within proximity. Therefore, implementation of the proposed project would not conflict with the Contra Costa County General Plan principles and policies addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Impacts would be less than significant and would not require the implementation of Mitigation Measures TRA-1 through TRA-2 and CUM-TRA-1 through CUM-TRA-11.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding conflicting an applicable plan, ordinance or policy establishing measures of effectiveness for the performance.

In summary, project impacts to transportation and circulation would be **less than significant**, with no mitigation required.

3.16 Visual Resources and Aesthetics

Would the project:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New Impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	NI	No	No	No	None
b. Have a substantial adverse effect on a scenic vista?	LTS	No	No	No	None
c. Substantially degrade the existing character or quality of public views of the site and its surroundings?	LTS	No	No	No	None
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	LTS w/ M	No	No	No	None

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- a) The 2013 EIR determined that the project would not impact views from a scenic highway as there are no state-designated scenic highways within proximity of the project site. No mitigation was required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. The closest designated state scenic highway to the project site is SR-4, which is located approximately 1 mile to the south. Given the relative distance from SR-4 and intervening residential and commercial development, the project site is not visible from SR-4 and would not damage any scenic resources within SR-4. Consistent with the 2013 EIR, implementation of the project would not impact on scenic resources within a state scenic highway. In addition, according to the Contra Costa County General Plan, a scenic route is defined as a “road, street, or freeway which traverses a scenic corridor of relatively high visual or cultural value. It consists of both the scenic corridor and the right-of-way.” Consistent with the 2013 EIR, the project site is not visible from a scenic route as defined in the Contra Costa County General Plan. Impacts would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding scenic resources within a state scenic highway.

- b) The 2013 EIR identified two major visual resources, the scenic ridges, hillsides, and rock outcroppings of the Diablo Range and the associated waterways of the San Francisco Bay/Delta estuary system. The 2013 EIR concluded that views of the scenic waterways from Discovery Bay (east of the site) would not be impacted by the development because the project site and proposed improvements would occur west of and be obscured by Kellogg Creek. Therefore, implementation would not result in altered views of scenic vistas and would result in less than significant impacts, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development and is adjacent to Kellogg Creek, which is identified as part of the delta system of the San Francisco, San Pablo, and Suisun Bays and is designated in the Contra Costa County General Plan as a scenic vista and a scenic waterway. Consistent with the 2013 EIR, public views of Kellogg Creek are not likely to be impacted by the project due to the relatively low profile of the well infrastructure, planned landscaping, and surrounding vegetation along Kellogg Creek. The area immediately adjacent to Kellogg Creek is heavily disturbed and is dominated by black mustard and milk thistle (*Silybum marianum*), and also *Erodium* sp. (likely *E. moschatum*), and patches of open bare ground with other non-native grasses and plant species. Impacts would be less than significant, with no mitigation required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding scenic vistas.

- c) The 2013 EIR determined that surrounding land uses consisted of mostly single-family medium and high-density residential land uses and concluded that the proposed action resembled the visual character of the surrounding development. The 2013 EIR concluded existing visual character of the surrounding area would not be degraded, and impacts would be less than significant, with no mitigation required.

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development and is adjacent to Kellogg Creek. Public views of the project site are limited to those from the water area to the south and are substantially obscured by existing topography and vegetation, and there are no views from existing public roadways. The project includes the installation of a well, pump station, pipeline, and catch basin on a disturbed site adjacent to an existing residential development to the west, area planned for future residential development to the north and south, and Kellogg Creek to the southeast. The aboveground facilities such as the pump station would be housed in a new CMU wall building, which would not be entirely visible from surrounding public areas due to fencing that would be installed in the third and final phase of construction. Additionally, the proposed project includes the installation of landscaping along the fencing exterior that would improve views of the fencing from surrounding areas. Electricity connections provided by PG&E could be pole mounted or pad mounted and would not be

substantially visible from surrounding public views. Consistent with the 2013 EIR, the project would have a less than significant impact on the existing visual character or quality of public views of the site and its surroundings, and no mitigation is required.

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding existing character.

- d) The 2013 EIR determined that the project would result in new sources of light and glare from the residential development and associated vehicular traffic. This impact would be reduced to a less than significant level with implementation of Mitigation Measure VIS-1, which requires preparation and implementation of a lighting plan for the development to minimize adverse effects of new light and glare (e.g., exterior lighting shall be low mounted and directed downward).

The project is located at the end of a planned cul-de-sac, in the southwest corner of the planned Pantages Development. As described in Section 1.3, exterior lighting at the site would include LED wall-mounted lighting on the facility structures and a limited number of yard lights for security and visibility at night. All exterior lighting would be directed downward to reduce light and glare on surrounding residences. All exterior lighting would be of a similar character and intensity as the surrounding residential development. Therefore, the impact would be less than significant, with no mitigation required. Mitigation Measure VIS-1, identified in the 2013 EIR, would not be required for the project because the project site is small and requires little lighting. As described in Section 1.3, the planned exterior lighting would include LED wall-mounted lighting on the facility structures, and the exterior lighting would be directed downward to reduce light and glare on surrounding residences (consistent with the specifications identified in Mitigation Measure VIS-1).

Therefore, the project would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects regarding lighting and glare.

In summary, project impacts to visual resources and aesthetics would be **less than significant**, with no mitigation required.

3.17 Mandatory Findings of Significance

Would the project:	2013 EIR Impact Conclusion	Does the Proposed Change Involve New Impacts?	New Circumstances Involving New impacts?	New Info Requiring New Analysis or Verification?	Applicable 2013 EIR Mitigation Measures
a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	LTS w/ M	No	No	No	MM-BIO-6 MM-BIO-9 MM-BIO-8 MM-BIO-10 MM-BIO-11 MM-CUL-1 MM-CUL-4
b. Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	SU	No	No	No	None
c. Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	LTS	No	No	No	None

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- a) All applicable mitigation measures and project design features identified in the 2013 EIR to avoid and reduce impacts are integrated into the project. With the integration of these measures, the project would not substantially degrade the quality of the environment. As described in Section 3.3, Biological Resources, the proposed project would result in direct impacts to San Diego ambrosia and permanent impacts to western pond turtle, Swainson’s hawk, western burrowing owls, and nesting birds and raptors. Impacts to biological resources would be reduced to less than significant with the implementation of the 2013 EIR Mitigation Measures BIO-6, BIO-9 as modified, BIO-8, BIO-10, and BIO-11.

As described in Section 3.4, Cultural Resources, no historical or archaeological resources were identified on site. However, there is always a possibility that an unknown site may exist in the project area and could be discovered during grading, excavation, or construction which could result in a potentially significant impact. Impacts to cultural resources would be reduced to less than significant with implementation of Mitigation Measures CUL-1, and CUL-4. These measures provide protocol for protecting resources in the event that historical and archaeological resources are encountered during construction, so the project would not eliminate any examples of the major periods of California history or prehistory.

- b) The 2013 EIR identified significant and cumulative impacts related to global climate change and transportation and circulation. The proposed project would not result in new or more severe impacts, there would be no new significant cumulative impacts, no conditions have changed, and no new information has become available since certification of the 2013 EIR that would alter the previous analysis.
- c) Effects of the project would not result in substantial adverse effects on human beings beyond those analyzed in the 2013 EIR. No conditions have changed, and no new information has become available since certification of the 2013 EIR that would alter this analysis. All impacts with the potential to affect human beings were determined to be less than significant.

Section 4 **Summary of Applicable Mitigation Measures from 2013 EIR**

This section includes the mitigation measures identified in the 2013 EIR that would also be required for the project to reduce impacts to a less than significant level. The project would not result in any new significant impacts or substantially more severe impacts.

Air Quality

Mitigation Measure AQ-1 is not required.

Mitigation Measure AQ-2a: To reduce the air quality impacts of PM associated with grading and new construction, the project applicant shall incorporate the following mitigation measures for all phases of construction:

- 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 off-site 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.
- 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 California Code of Regulations [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 Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD phone number shall also be visible to ensure compliance with applicable regulations.

Mitigation Measure AQ-2b: To reduce health risks from TACs during project construction, the project applicant shall incorporate the following mitigation measures into the project:

- Minimize the idling time of diesel powered construction equipment to two minutes;
- Develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction of the project (i.e., owned, leased, and subcontractor vehicles)

would achieve a project wide fleet average 20 percent NO_x reduction and 45 percent PM reduction compacted to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel projects, alternative fuels, engine retrofit technology, after-treatment projects, add-on devices such as particulate filters, and /or other options as such become available;

- Require that all construction equipment, diesel trucks, and generators be equipped with best available technology for emission reductions of NO_x and PM; and
- Require all contractor's use equipment that meets CARB's more recent certification standard for off-road heavy duty diesel engines

Biological Resources

Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-7, and BIO-12 are not required for this project. As described in Section 3.3, Mitigation Measures BIO-6 and BIO-9 have been updated from the 2013 EIR to reflect current conditions and requirements (as shown with underline and strikeout), but the content and effectiveness are substantially the same as identified in the 2013 EIR.

Mitigation Measure BIO-6: Western Pond Turtle Protection Measures. The Town of Discovery Bay Community Services District or the construction contractor on their behalf shall include the following measures in the construction documents and implement them prior to and during construction, as specified below:

1. Conduct pre-construction surveys. Five days prior to the start of construction activities, a qualified biologist (knowledgeable and experienced in western pond turtle identification) shall conduct pre-construction surveys of the project site. Western pond turtles observed on the project site shall be allowed to leave the project site on their own. Any eggs observed on the project site shall be relocated by the qualified biologist to a suitable area outside the construction disturbance area. A survey report detailing the survey results shall be prepared and submitted to the California Department of Fish and Wildlife prior to the start of construction.
2. ~~The applicant shall install turbidity barriers around construction areas in Kellogg Creek and the buffers protecting the preserved emergent marsh to ensure that western pond turtles do not enter the project construction areas.~~ Install exclusion fencing. Immediately following the western pond turtle survey, an exclusion fence shall be placed at the limits of all disturbance areas to protect any western pond turtles within Kellogg Creek bank habitat and the emergent marsh habitat to the north, and to prevent turtle entry into the disturbance area. The qualified biologist shall be present during trenching activities for the installation of the exclusion fencing.
3. Exclusion fencing shall consist of standard silt fencing, approximately 42 inches in height, of which 6 inches shall be trenched into the soil. The soil shall then be compacted against both sides of the fence to secure the bottom to prevent wildlife entry. The stakes shall be placed on the inside of the fence facing the development. No gaps or holes are permitted in the fencing system, except for pedestrian and vehicle entry points. The fence shall be

inspected weekly by the qualified biologist for holes, gaps, or access points, which shall be repaired upon discovery. “Gated” entry/exit points may be constructed in the fencing system for equipment and personnel. The qualified biologist shall ensure no wildlife is capable of entering the fenced off site via the gate. The gate structure must be flush to the ground with no holes or gaps (i.e., plywood gates with silt fencing flaps).

4. Inspect for trapped wildlife. The area inside the fence shall also be inspected for trapped wildlife prior to the initiation of construction activities each day. If western pond turtles are discovered, construction activities in the area shall cease immediately. The fence shall be opened and monitored until the wildlife has left the fenced area on its own accord. If the wildlife does not leave on its own accord, the California Department of Fish and Wildlife shall be contacted before work may continue.

~~The western pond turtle is not a state listed species; therefore, it is not protected pursuant to the California Endangered Species Act. Thus, the resource agencies (CDFG and USFWS) do not have specific mitigation guidelines that must be followed to offset impacts to western pond turtle. Mitigation for this special status species is determined on a project by project basis. It is likely that any mitigation implemented for the California red-legged frog and the giant garter snake would also mitigate the proposed impacts on Western pond turtle. The mitigation measure for impacts to these two listed species would be a 1:1 mitigation ratio (that is, for each 1 acre of impact, 1 acre of mitigation land would be acquired offsite or preserved onsite) for impacts to aquatic habitat and a surrounding upland buffer area, or mitigation would be as worked out by the applicant, the USFWS, and the Corps at the time applications for permits/authorizations from these two agencies are submitted. Replacement habitat can be acquired via fee title acquisition of land, contribution into an existing mitigation bank, or, with permission from state and federal regulatory agencies and in agreement with the Conservancy, the applicant may make a financial contribution to the Conservancy.~~

Mitigation Measure BIO-8: Tree Nesting Raptors.

- a. If possible, tree removal shall be completed outside the nesting season (that is, between September 2 and February 28). In an abundance of caution, a preconstruction nesting survey of the tree to be removed shall be conducted within 30 days of the scheduled removal to ensure no birds are nesting.
- b. If construction or tree removal would commence between March 1 and September 1 during the nesting season, nesting surveys shall be conducted 30 days prior to grading/construction of the project or any proposed tree removal work. The raptor nesting surveys shall include examination of all trees and shrubs within sphere of influence of the proposed project, and not just of those trees slated for removal.

- c. If nesting raptors are identified during the surveys, the dripline of the nest tree shall be fenced with orange construction fencing (provided the tree is on the project site), and a 300-foot radius around the nest tree shall be staked with bright orange lath or other suitable staking.
- d. If the tree is adjacent to the project site then the buffer shall be demarcated per above where the buffer occurs on the project site. The size of the buffer may be altered if a qualified raptor biologist conducts behavioral observations and determines the nesting raptors are well acclimated to disturbance. If this occurs, the raptor biologist shall prescribe a modified buffer that allows sufficient room to prevent undue disturbance/ harassment to the nesting raptors. This buffer may be reduced no smaller than 100 feet from the nest tree.
- e. No construction or earth-moving activity shall occur within the established buffer until it is determined by a qualified raptor biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones. This typically occurs by August 1. This date may be earlier than August 1 or later, and would have to be determined by a qualified raptor biologist.

Mitigation Measure BIO-9: Swainson’s Hawk Protection Measures. The Town of Discovery Bay Community Services District or the construction contractor on their behalf shall include the following measures in the construction documents and implement them prior to and during construction, as specified below. To meet the CDFG’s mitigation requirement for impacts to Swainson’s Hawk foraging habitat the applicant shall implement one of the following scenarios:

- ~~i. Dedicate and preserve 135 acres of habitat (this is a 1:1 impact to mitigation ratio), as approved by CDFG, to a conservation organization. An operating endowment shall be provided to the conservation organization to manage any preserved lands in perpetuity.~~
- ~~ii. With permission from state and federal regulatory agencies and in agreement with the Conservancy, the applicant may make a financial contribution to the Conservancy, commensurate with approximately 135 acres of Swainson’s Hawk foraging habitat~~

~~b. To ensure that no impacts occur to any nesting Swainson’s Hawk, preconstruction nest surveys shall be conducted no more than one month prior to construction to establish whether Swainson’s hawk nests within 1,000 feet of the project site are occupied.~~

- 1. Conduct pre-construction nest surveys. To prevent impacts to nesting Swainson’s hawks, pre-construction nest surveys shall be conducted in conformance with the Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in California’s Central Valley (Swainson’s Hawk Technical Advisory Committee 2000):
 - a. Surveys must be conducted within 0.5-mile radius around all project activities. If active nesting is identified within the 0.5-mile radius, consultation is required (with the California Department of Fish and Wildlife).

- Car or boat “windshield” survey are preferred to walking if an adequate roadway is available, as surveyors can approach closer without causing the hawk to take off. Speed should not exceed 5 miles per hour. If the surveyor must travel faster than 5 miles per hour, stop frequently to scan trees.
 - Surveying trees from multiple angles shall increase the observer’s chance of detecting a nest or hawk.
 - Survey from both directions along a road and maintain a distance of 50–200 meters from the tree for optimal views of perched and flying hawks. Once the nesting territory is identified, a closer inspection may be required to locate the nest.
 - Minimize distractions to ensure the hawks can be heard and/or observed. Use binoculars to aid in identification.
 - Take detailed notes and map the location of observed Swainson’s hawk nests.
 - Survey periods are defined by the timing of migration, courtship and nesting and are as follows:
 - i. Period I: January–March 20 (all day) (optional)
 - ii. Period II: March 20–April 5 (sunrise to 1000 and 1600 to sunset)
 - iii. Period III: April 5–April 20 (sunrise to 1200 and 1630 to sunset)
 - iv. Period IV: April 21–June 20 (monitoring nest sites only, initiating surveys is not recommended)
 - v. Period V: June 10–July 30 (sunrise to 1200 and 1600 to sunset)
 - Surveys should be completed for at least two survey periods prior to a project’s initiation (i.e., If a project is scheduled to begin on June 20, you should complete 3 surveys in Period III and 3 surveys in Period V). Surveys are recommended to occur in Periods II, III, and V. They should not occur in Period IV.
 - Nests are extremely difficult to locate during Period IV. Period II, III and V have the highest probability of detection during these times.
2. ~~If an active nest is found on or adjacent to the project site “to avoid potential violations to Fish and Game Code 2080 (i.e., killing of listed species), project-related disturbance at active Swainson’s Hawk nesting sites show be reduced or eliminated during critical phases of the nesting cycle (March 1–September 15 annually) (Fish and Game Code 1994).~~ 3. If active nest is found, halt construction activities. If an active nest is found on the project site or within 0.25 mile of the project, no project activities that may cause disturbance to the nest shall be allowed between March 1 and September 15. If Swainson’s hawk nest are found on the project site, a qualified raptor biologist shall establish a non-disturbance boundary around the nesting site. The size of this non-disturbance boundary shall be determined by the qualified raptor biologist in the field and in coordination with California Fish and Wildlife CDFG. The buffer shall be based

on the location of the nesting tree, the birds' tolerance of noise and other disturbance (e.g., ground vibrations).

3. ~~Upon completion of nesting cycle, as determined by a qualified raptor biologist, and in coordination with CDFG, any non-disturbance boundary/nest buffer could be vacated. The buffer shall remain in place until the qualified biologist determines the nest is no longer active.~~
4. The loss of potential foraging for Swainson's hawks shall be mitigated in consultation with the California Department of Fish and Wildlife following recommendations set forth in the California Department of Fish and Wildlife 1994 Staff Report, which recommends the following for projects within 1 mile of an active nest (CDFW 1994):
 - a. Impacts shall be mitigated at a 1:1 ratio through the purchase of Habitat Management land. At least 10 percent of the Habitat Management land requirements shall be met by fee title acquisition or a conservation easement allowing for the active management of the habitat, with the remaining 90 percent of the Habitat Mitigation lands to be protected by a conservation easement as approved by the California Department of Fish and Wildlife on agricultural lands or other suitable foraging habits for Swainson's hawk.
 - b. A mitigation ratio of 0.5:1 acre shall be acquired, for Habitat Management land, to be met by fee title acquisition for a conservation easement as approved by the California Department of Fish and Wildlife that shall allow for the active management of the habitat for prey production on the Habitat Management lands.

~~If the nest tree must be removed as part of the project, removal of this tree shall be mitigated in accordance with the mitigation measure prescribed for tree removal impacts in BIO-1. Tree planting is proposed as mitigation at a 9.5:1 ratio (that is, planting: removal). Replacement nest trees shall be native species (such as oaks or cottonwoods).~~

Mitigation Measure BIO-10: Western Burrowing Owl. Burrowing owl surveys conducted according to the methodologies prescribed by California Department of Fish and Wildlife (CDFW) ~~CDFG~~ in their 1995 Staff Report on Burrowing Owl Mitigation and the Burrowing Owl Consortium in their 1993 Burrowing Owl Survey Protocol and Mitigation Guidelines are more likely to be accepted by CDFW ~~CDFG~~. Below we provide the survey methodology that shall be used to conduct burrowing owl surveys. These surveys would meet the standards of care required by CEQA for conducting surveys for the western burrowing owl and are accepted by CDFW ~~CDFG~~.

- a. A nesting survey shall be conducted for western burrowing owl in the spring of the year prior to construction of the project and again 30 days prior to construction of the project.
- b. If the site would be developed in the winter, then the following surveys should be conducted in the winter months. Since burrowing owls move around (through dispersal and local

movements) readily in the winter months, and since there are migrants that can temporarily occupy burrows in the winter, surveys conducted in the winter months are less reliable at detecting resident burrowing owls. Regardless of whether development commences in the winter months, surveys must be completed as described below for spring/summer surveys.

- c. Surveys shall commence at least 90 days in advance of projected site disturbance and again in the 30 day period just prior to breaking ground. In accordance with the Consortium's guidelines, four site visits are recommended for a complete survey. Two surveys shall be conducted 90 days before ground disturbance associated with the project and two surveys shall be conducted in the 30 day period prior to ground disturbance associated with the project. The CDFW ~~CDFG~~ Staff Report states that preconstruction surveys need to be completed within 30 days of grading prior to CDFW ~~CDFG~~ accepting a survey conclusion that no burrowing owls occur in a proposed study area (i.e., negative findings). If no owls are found during these surveys, no further regard for the burrowing owl would be necessary.
- d. Western burrowing owl surveys shall be conducted from two hours before sunset to one hour after, or one hour before to two hours after sunrise. All burrowing owl sightings, occupied burrows, and burrows with owl sign (e.g., pellets, excrement, and molt feathers) must be counted and mapped.
- e. Surveys shall be conducted by walking all suitable habitat on the entire project site and (where possible) in areas within 150 meters (approx. 500 feet) of the project impact zone. The 150-meter buffer zone is surveyed to identify burrows and owls outside of the project area which may be impacted by factors such as noise and vibration (heavy equipment) during project construction.
- f. Pedestrian survey transects shall be systematically spaced to allow 100 percent visual coverage of the ground surface. The distance between transect center lines shall be no more than 30 meters (approx. 100 ft.) and shall be reduced to account for differences in terrain, vegetation density, and ground surface visibility. To effectively survey large projects (100 acres or larger), two or more surveyors shall be used to walk adjacent, parallel transects.
- g. To avoid impacts to owls from surveyors, owls and/or occupied burrows should be avoided by a minimum of 50 meters (approx. 160 ft.) if in the non-breeding months (October 1st through February 1st) and 250 feet during the breeding permanent impacts to burrowing owl habitat. To months (February 1st through October 1st). Disturbance to occupied burrows and within the established buffers should be avoided until no burrowing owls occur on the site. Note that CDFW ~~CDFG~~ can approve a passive western burrowing owl eviction plan during the non-breeding season.
- h. If burrowing owls are detected on the site during the breeding season (peak of the breeding season is April 15 through July 15), and appear to be engaged in nesting behavior, a fenced

250-foot buffer would be required between the nest site(s) (i.e., the active burrow(s)) and any earth-moving activity or other disturbance in the project area. This 250-foot buffer could be decreased to 160 feet once it is determined by a qualified raptor biologist that the young have fledged (that is, left the nest). Typically, the young fledge by August 31. This date may be earlier than August 31, or later, and would have to be determined by a qualified burrowing owl biologist. If burrowing owls were found on the project site, a qualified biologist would also need to delineate the extent of burrowing owl habitat on the site.

- i. To mitigate impacts to burrowing owls, CDFW ~~CDFG~~ prescribes that six and a half acres (6.5 acres) of replacement habitat be set aside (i.e., protected in perpetuity) per pair of burrowing owls, or unpaired resident bird. Such a set-aside will offset illustrate the extent of mitigation land required by CDFW ~~California Department of Fish and Game~~, we provide this example: If two pairs of burrowing owls are identified on the project site, 13 acres of mitigation land would be acquired. Or, if one pair and one resident bird are identified, 13 acres of mitigation land would be acquired. The protected lands should be adjacent to occupied burrowing owl habitat if possible, and at a location selected in consultation with CDFW ~~CDFG~~. Land identified to offset impacts to burrowing owls must be protected in perpetuity by a suitable property instrument, e.g., a conservation easement or fee title acquisition. Any mitigation lands set aside for burrowing owl would also include preparation of a Mitigation Plan for burrowing owl and their habitat. A Mitigation Plan shall be prepared and submitted to CDFW ~~CDFG~~ for the agency's review and comment. Contra Costa County Department of Conservation and Development must approve the Mitigation Plan prior to issuing a grading permit for the proposed project.
- j. The Mitigation Plan shall identify the mitigation site and any activities proposed to enhance the site, including the construction of artificial burrows and maintenance of California ground squirrel populations on the mitigation site. In addition, for each pair of burrowing owls found in the construction area, two artificial nesting burrows will be created at the mitigation site. The Plan should also include a description of monitoring and management methods proposed at the mitigation site. Monitoring and management of any lands identified for mitigation purposes would be the responsibility of the applicant for at least five years. An annual report must be prepared for submittal to CDFW ~~CDFG~~ and Contra Costa County Department of Conservation and Development by December 31 of each monitoring year. Contingency measures for any anticipated problems should be identified in the plan.
- k. With permission from state and federal regulatory agencies and in agreement with the Conservancy, the applicant may make a financial contribution to the Conservancy to mitigate impacts to burrowing owls and burrowing owl habitat.

Mitigation BIO-11: Impacts to other nesting birds.

- a. A nesting survey shall be conducted prior to commencing with construction work if this work would commence between March 15 and August 31.
- b. If special-status birds, such as loggerhead shrike or tricolored blackbird, are identified nesting within the area of affect, a 100-foot nondisturbance radius around the nest must be fenced. No construction or earth-moving activity shall occur within this 100-foot staked buffer until it is determined by a qualified ornithologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones. This typically occurs by August 1. This date may be earlier than August 1, or later, and would have to be determined by a qualified ornithologist. Similarly, the qualified ornithologist could modify the size of the buffer based upon site conditions and the bird's apparent acclimation to human activities.
- c. If common (that is, not special-status) passerine birds (that is, perching birds such as northern mockingbirds) are identified nesting in the trees proposed for removal, tree removal would have to be postponed until it is determined by a qualified ornithologist that the young have fledged and have attained sufficient flight skills to leave the project site. Typically, most passerine birds can be expected to complete nesting by August 1, with young attaining sufficient flight skills by this date that are sufficient for young to avoid project construction zones. Unless otherwise prescribed for special-status bird species, upon completion of nesting no further protection or mitigation measures would be warranted for nesting birds.

Cultural Resources

Mitigation Measure CUL-1: Pursuant to CEQA Guidelines Section 15064.5, 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 applicant 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. If any find is determined to be significant, representatives of the County and the consulting professional shall determine the appropriate avoidance measures or other appropriate mitigation.

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.

If avoidance is infeasible, other appropriate measures, such as data recovery, shall be instituted. 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.

At the County's discretion, all work performed by the consulting professional shall be paid for by the applicant and the professional may work under contract with the County.

Mitigation Measure CUL-2: Implementation of Mitigation Measure CUL-1 would reduce impacts from changes in the significance of an archaeological resource to a less-than-significant level.

Mitigation Measure CUL-3: Implementation of Mitigation Measure CUL-1 would reduce impacts to paleontological resources or a unique geologic feature to a less-than-significant level.

Mitigation Measure CUL-4: 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:

1. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until
 - 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:
 - 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; or
2. Where the following conditions occur, the landowner or his authorized representative shall reburial the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:
 - 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.

Geological Resources

Mitigation Measure GEO-3 identified for the 2013 project would not apply.

Mitigation Measure GEO-1a: The project applicant 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.

Mitigation Measure GEO-2: The applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the Building Inspection Division of the Department of Conservation and Development. The SWPPP shall be consistent with the terms of the State Construction Storm Water General Permit, the manual of Standards for Erosion and Sedimentation Control Measures by the Association of Bay Area Governments, policies and recommendations of the County and the RWQCB. The County has SWPPP resources available on its website: <http://www.co.contracosta.ca.us/depart/pw/design/swppp/>.

With regard to long-term control of sedimentation and protection of water quality, a Storm Water Control Plan (SWCP) C.3 Report (dk Consulting 2006) was prepared for the project and submitted to the County's public works department in order to comply with County water quality requirements. Engineered linear bioretention facilities (dry swales) are the selected stormwater runoff treatment for this project, which are area based storm water treatment facilities.

Global Climate Change

Mitigation Measure CUL-GCC-1 identified for the 2013 project would not apply.

Hazardous Materials

Mitigation Measures HAZ-1, HAZ-2, and HAZ-3 identified for the 2013 project would not apply.

Hydrology and Water Quality

Mitigation Measures HYD-1a, HYD-2, and HYD-3 identified for the 2013 project would not apply.

Mitigation Measure HYD-1b: The applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the Building Inspection Division of the Department of Conservation and Development. The SWPPP shall be consistent with the terms of the State Construction Storm Water General Permit, the manual of Standards for Erosion and Sedimentation Control Measures by the Association of Bay Area Governments, policies and recommendations of the County and the RWQCB. The County has SWPPP resources available on its website: <http://www.co.contracosta.ca.us/depart/pw/design/swppp/>.

Mitigation Measure HYD -1c: To prevent pollution of receiving waters due to equipment fueling, storage, and maintenance, the contractor shall develop a detailed set of guidelines to follow. Final plan notes, and contractor bid documents shall include the following specifications:

1. Space in the staging area shall be reserved for storage of maintenance materials, and refueling purposes.
2. The staging area shall be graded to prevent any runoff so that any contaminants such as spilled fuel, oil, or grease will not reach the receiving waters.
3. If heavy-duty construction machinery is left overnight in an area that is not protected from direct runoff to receiving waters, drip pans shall be placed beneath the engine block and hydraulic systems.

Noise

Mitigation Measure NOI-1a: All noise generating construction activities shall be limited to the hours of 7:30 AM to 5:30 PM, Monday through Friday, and shall be prohibited on state and federal holidays on the calendar dates that these holidays are observed by the state or federal government as listed below:

- Birthday of Martin Luther King, Jr. (State and Federal)
- Washington's Birthday/Presidents Day (Federal)
- Lincoln's Birthday (State)
- Cesar Chavez Day (State)
- Memorial Day (State and Federal)
- Independence Day (State and Federal)
- Labor Day (State and Federal)
- Columbus Day (State and Federal)
- Veterans Day (State and Federal)
- Thanksgiving Day (State and Federal)
- Day after Thanksgiving (State)
- Christmas Day (State and Federal)

For specific details on the actual day the state and federal holidays occur, please visit the following websites:

Federal Holidays: <http://www.opm.gov/fedhol/2006.asp>

California Holidays: <http://www.edd.ca.gov/eddsthoh.htm>

Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a day and evening contact number for the County in the event of problems.

An on-site complaint and enforcement manager shall be available to respond to and track complaints. The manager will be responsible for responding to any complaints regarding construction noise and for coordinating with the adjacent land uses. The manager will determine

the cause of any complaints and coordinate with the construction team to implement effective measures (considered technically and economically feasible) warranted to correct the problem. The telephone number of the coordinator shall be posted at the construction site and provided to neighbors in a notification letter. The manager will be trained to use a sound level meter and should be available during all construction hours to respond to complaints.

At least one week prior to commencement of grading or construction activities for each major phase of construction the applicant shall prepare a notice that grading or construction work will commence. The notice shall be posted at the site and mailed to all the owners and occupants of property within 300 feet of the exterior boundary of the project site as shown on the latest equalized assessment roll. The notice shall include a list of contact persons with name, title, phone number and area of responsibility. The person responsible for maintaining the list shall be included.

The list shall be kept current at all times and shall consist of persons with authority to indicate and implement corrective action in their area of responsibility. The names of individuals responsible for noise and litter control, tree protection, construction traffic and vehicles, erosion control, and the 24-hour emergency number, shall be expressly identified in the notice. The notice shall be re-issued with each phase of the project and a copy shall be mailed to the Contra Costa County Department of Conservation and Development.

Mitigation Measure NOI-1b: The project applicant shall prepare a detailed construction noise mitigation plan for review and approval by the County. The goal of the plan is to provide a framework for notifying neighbors of the extent of the noise that can be expected during particular phases of the project grading, what mitigation will be applied, and who to call if there are noise-related complaints. Submission of this construction noise mitigation plan shall be required as part the building permit application.

The construction noise mitigation plan shall use the California Model Community Noise Ordinance limits of 75 dBA for mobile equipment and 60 dBA for stationary equipment as the primary noise mitigation goals.

Information in the plan shall include but not be limited to the following:

- Construction schedule showing dates and location of activities.
- List of equipment to be used during each major construction phase and sound level estimates for each phase.
- Height, length, and location of any recommended noise barriers. The barriers can be constructed out of wood or other materials as long as they have a minimum surface weight of approximately 2.5 pounds per square foot. Possible materials include 1-1/8-inch-thick plywood or fully overlapping 1x redwood boards (1-1/2-inch-thick total). The barriers would likely be 6 to 8 feet tall but this would be refined as part of the

construction noise control plan. Issues to consider when determining the ultimate height, length, and location of the barriers are the actual construction practices, including equipment to be used and the location and duration of noisier activities. The topography will also need to be considered in the final determination of barrier heights and effectiveness. Truck routing to minimize noise at existing noise sensitive locations. The project applicant shall limit trucks to routes, hours, and days of the week set by Contra Costa County.

- Location of stationary equipment as far from residents as is practicable and/or enclose noise sources.
- The project applicant shall require the contractor to use electric or hydraulically powered rather than diesel or pneumatically powered equipment and construction tools as feasible.
- Provide intake silencers and “resident-type” exhaust mufflers on vehicles and equipment and/or acoustically shroud or shield impact tools as feasible.

Public Services and Recreation

Mitigation Measure PS-1 identified for the 2013 project would not apply.

Public Utilities

Mitigation Measures UTIL-1, UTIL-2, and CUM UTIL-1 identified for the 2013 project would not apply.

Transportation and Circulation

TRA-1, TRA-2, TRA-3, CUM-TRA-1, CUM-TRA-2, CUM-TRA-3, CUM-TRA-4, CUM-TRA-5, CUM-TRA-6, CUM-TRA-7, CUM-TRA-8, CUM-TRA-9, and CUM-TRA-10 identified for the 2013 project would not apply.

Visual Resources and Aesthetics

Mitigation Measure VIS-1 identified for the 2013 project would not apply.

Section 5 References and List of Preparers

5.1 References

- Albion. 2022. Phase I Cultural Resource Inventory of Discovery Bay Well 8 Project, Discovery Bay, Contra Costa County, California. June.
- BAAQMD (Bay Area Air Quality Management District). 2017. California Environmental Quality Act Air Quality Guidelines. May.
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- Contra Costa County Airport Land Use Commission. 2000. Contra Costa County Airport Land Use Compatibility Plan. Accessed April 2022. <https://www.contracosta.ca.gov/DocumentCenter/View/851/Cover-Introduction-and-County-wide-Policies?bidId=>.
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- DTSC (Department of Toxic Substance Control). 2022. EnviroStor Database. Accessed April 2022. <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=724+Wilde+Ct%2C+Discovery+Bay%2C+CA+94505>.
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- Luhdorff & Scalmanini. 2021a. Request for Well Siting and Design Concurrence for the Town of Discovery Bay Well No. 8. October.
- Luhdorff & Scalmanini. 2021b. East Contra Costa Subbasin Groundwater Sustainability Plan. October.
- State of California. 2020. 2019 California Building Standards Code. January.
- Swainson’s Hawk Technical Advisory Committee. 2000. Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in California’s Central Valley. May 31. 5 pp.

5.2 List of Preparers

Town of Discovery Bay

Mike Yeraka, PE, Projects Manager

Jason Coleman, PE, Supervising Engineer (Luhdorff and Scalmanini Consulting Engineers)

Oscar Serrano, PE, Senior Engineer (Luhdorff and Scalmanini Consulting Engineers)

Harris & Associates

Kate Elliott, Project Director

Esther Daigneault, Project Manager

Sharon Toland, Air Quality/Noise Specialist

Emily Mastrelli, Biologist

Alec Barton, Environmental Analyst

Sarah Faraola, Environmental Analyst

Lindsey Messner, Technical Editor

Randy Deodat, Graphics/GIS

LANDSCAPING PROJECTS FOR FISCAL YEAR 2022-23

<u>TOWN ZONES</u>	<u>Proposed Project</u>	<u>Estimated Cost</u>	<u>Potential Vendor</u>	<u>Approximate Schedule</u>	<u>Comments</u>
Zone 8	Clipper Drive	\$ 470,000	Bid/Corps/TODB	Sept./Oct.	IN PROCESS
	Lido Median	\$ 3,000	TODB	3Q 2022	COMPLETED
	Willow Lake Road island enhancements	\$ 40,000	TODB/Bid	2Q 2023	Dryscape
	Prop 68 - Cornell Park	\$ 187,441	Bid/Corps/TODB	2023	Basketball court, BBQ area, benches and trash receptacles throughout
	<i>Estimated Subtotal</i>	\$ 700,441			
Zone 9	Fence repair	\$ 15,000	Corps/TODB	4Q 2022	
	Wilde enhancements	\$ 25,000	TODB	2023	
	<i>Estimated Subtotal</i>	\$ 40,000			
SPECIAL ZONES					
Zone 35 Medians	Remove and replace vegetation, add dryscape and drip irrigation	\$ 10,000	Corps	4Q 2022	
	Install lighted enhancement	\$ 70,000	Bid	TBD	Possible bollard lighting, decorative street lighting, marquee or directional sign
	<i>Estimated Subtotal</i>	\$ 80,000			
Zone 57 Regatta Park	Define and enhance shrubs beds nearest playground	\$ 2,000	TODB	TBD	May wait until new play structure is added from County Prop 68 funds
	Enhance areas nearest BBQ areas	\$ 1,000	Corps	4Q 2022	
	Enhance front sign entrance	\$ 5,000	Corps	4Q 2022	
	Repave and stripe parking lot	\$ 20,000	Bid	1Q 2023	
	New trash cans at park (6)	\$ 10,000	TODB	TBD	IN PROCESS
	New neighborhood entrance signs	\$ 10,000	TBD	TBD	IN PROCESS
	<i>Estimated Subtotal</i>	\$ 38,000			
Zone 57 Streets	Enhance all three entrances to this community	\$ 11,000	Corps/TODB	2Q 2023	To include the median on Porthole Drive
	<i>Estimated Subtotal</i>	\$ 11,000			
Zone 61 Slifer Park	Basketball court resurfaced	\$ 50,000	Bid	4Q 2022	
	Enhancements nearest BBQ areas and benches along paths	\$ 7,000	Corps	1Q 2023	COMPLETED
	Enhancements nearest basketball courts	\$ 2,500	Corps	1Q 2023	COMPLETED
	<i>Estimated Subtotal</i>	\$ 59,500			
Zone 61 Streets	Enhance Preston and Point of Timber intersection	\$ 10,000	Corps/TODB	2Q 2023	
	<i>Estimated Subtotal</i>	\$ 10,000			

Enhancements = mulch, stone, modifying current irrigation to drip, and vegetation



CONTRA COSTA

COUNTY, CALIFORNIA

East County Code Enforcement Meeting Thursday, January 26, 2022 1:30pm

Zoom: <https://cccouny-us.zoom.us/j/7352813716>

Dial-in: -888-278-0254

Conference code: 287093

Bethel Island

1) 4560 Gateway (Kevin Sharp) Junkyard conditions

- a. 2/28/19 Conrad sent notice
- b. 3/28/19 Conrad to red-tag
- c. 5/30/19 Conrad working with property owner to clean-up.
- d. 7/25/19 Conrad explained what had to go and will revisit.
- e. 8/29/19 Conrad to send 30-day notice to abate.
- f. Feb. – Locked gate. Conrad will continue to drive by in hopes the gate will be open and start tagging vehicles.
- g. Aug – Conrad to go back.
- h. September – Conrad’s plan is to go out and tag vehicles.
- i. October – Conrad is still working on it.
- j. January - still working the case.
- k. February - Met with property owner Kevin and explained the need to clean the property. Sent updated Notice to Comply
- l. April – met with property owner Kevin on site and tagged 20 of the cars for abatement. The property has been cleaned up in the front, a fence built about a 3rd into the property and a fence built on the side to hide the remaining junk. Gave the property owner 30 days to make more progress
- m. August – towed a couple vehicles, still a few left. Still working on getting property cleaned up. Having a hard time locating Kevin and gates closed to gain access to the property. May have to get a warrant. Rob to get a hold of him.

2) 1970 Taylor Road – Anchor Marina

- a. ACTION: Larry served NOV and fines can be up to \$57,200 a month (\$14,300 a month per parcel, per violation. In this case, 2 parcels and there are building and zoning violations.)
- b. 1/31/19 – Dave Larsen, Land Use Attorney (413-3258) want to negotiate resolution. Allow tenants/mobile home users to stay 6 months – 1 year while they transition.
- c. February – Conrad informed attorney that until the boat storage, RV’s, Alcohol sales, liveboards and U-Haul Business was removed, he wouldn’t entertain the discussion.
- d. 2/27/19 – Conrad recorded the violation.
- e. 3/28/19 – waiting to meet w/owners & attorney to discuss timeline.
- f. 5/30/19 Fine will be submitted first week of June. They can appeal.
- g. 8/19/19 Appeal Hearing
- h. Feb. – Joe met with one of the property owners. U-Haul business has been shut down in the meantime by U-Haul.
- i. September – approval for a Hearing. Date TBD.
- j. October – still waiting on Planning for Hearing date.
- k. January – still waiting on Hearing date.
- l. February - Waiting on department directors to meet with county counsel and schedule Appeal Hearing
- m. April - No update from the Director, maybe Joe has an update. Still waiting to schedule the appeal hearing
- n. August – May have a buyer. Owner is kicking people out
- o. October 2022 – Notice to Abate sent; meeting to discuss next steps

3) Tugs – 6201 Bethel Island Road

- a. August/September 2022 - Construction being completed without a permit
- b. Conrad has been in touch – construction to stop until permits issued
- c. October 2022 – Construction still occurring at night with lights and noise
- d. October 17, 2022 – Conrad will be doing a site visit to see if construction is still occurring

Discovery Bay

1) RV and Boat Trailers in driveways and street. (ongoing)

2) Unpermitted Short-Term Rentals

Byron

1) Byer Road property – junk on property w/leach line

- a. 4/30/20 Conrad said they’re living in the unit and made contact with the property owner. Conrad to send parcel number to John W. for leach line.
- b. February - Gave info to EH for property and they sent notices to the property owner. Property owner working with Planning to complete minor subdivision modification and then can apply for permits

- c. April – Property owner has completed the plans and should be submitting for permits in May

Knightsen

1) Anchor Marina impacts & Marsh Creek

- a. People living in RVs at Railroad site and Marsh Creek trail.



Liberty Union High School District

Wednesday, January 18, 2023

LUHSD Regular Board Meeting. Liberty Union High School District, located at 20 Oak Street, Brentwood, CA 94513. A link to the live video conference will be available below with the "video" icon at the start of the meeting on the day of the Board Meeting. Persons wishing to make a Public Comment have two options: Appear in-person to address the Board or submit a public comment by email to BoardComments@luhsd.net prior to 2:00 PM on the day of the meeting. Emailed public comments will be read aloud as time allows.

**Liberty Union High School District
20 Oak Street
Brentwood, CA 94513**

1. NOTICES

1.01 PUBLIC RECORDS NOTICE: Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the District Office located at 20 Oak Street, Brentwood, California during normal business hours.

1.02 AMERICANS with DISABILITIES ACT NOTICE: In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications or accommodations, including auxiliary aids, or services, in order to access the Board meeting room, access written documents being discussed at the Board meeting, or to otherwise participate in the public meetings of the District's governing board, please contact the office of the Superintendent at (925) 634-2166 x2025. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Please turn off any electronic paging device or cell phone.

1.03 TITLE IX: The Liberty Union High School District does not discriminate on the basis of race, color, national origin, sex, or disability.

2. CALL TO ORDER - 5:30PM

2.01 Roll Call

3. SPECIAL SESSIONS

3.01 GENERAL PUBLIC COMMENT ON ANY CLOSED SESSION ITEM: An information sheet with procedures for public input is available on the table near the entrance to the Board Room. The Board may limit public comments to 5 minutes per speaker and 30 minutes total per subject pursuant to Board Policy 9323. The Board values all input from the public; however, the practice is to not respond immediately to public comments. An additional opportunity is provided later in the agenda for public comment on remaining agenda items or non-agenda items and comments during public hearing(s).

3.02 Public Comments

3.03 Closed Session - Stipulated Expulsions: Student A

3.04 Open Session

3.05 Closed Session

4. OPENING PROCEDURES - 7:00 PM

4.01 Call to Order

4.02 Roll Call

4.03 Report Out of Closed Session

4.04 Pledge of Allegiance

4.05 The public is welcomed and encouraged to address the Liberty Union High School Board of Trustees. An information sheet with procedures for public input is available on the table near the entrance to the Board Room. The Board may limit public comments to 5 minutes per speaker and 30 minutes total per subject pursuant to Board Policy 9323. The Board values all input from the public; however, the practice is to not respond immediately to public comments.

4.06 Consider Agenda

4.07 Consider Approval of Regular Board Meeting Minutes of December 14, 2022

5. COMMUNICATIONS

5.01 Public Comments

5.02 Student Board Representatives

5.03 Staff Comments

5.04 Superintendent's Report

5.05 Board Comments

Noting to report

6. RECOGNITIONS

6.01 Recognition of Independence High School Student, Isaiah Chinchilla

6.02 Recognition of Freedom High School Parent Volunteer, Meghan Bell

Presentations

7. OVERNIGHT FIELDTRIPS

7.01 Consider Approval of Heritage High School Cheer Team to attend a team building retreat in the Multi-Use Room at Heritage High School

Discuss

8. PRESENTATIONS

8.01 Presentation on the WASC recommended updates for La Paloma Continuation High School

9. CONSENT AGENDA

9.01 Consider Approval of the Personnel Report No. 01 18 23

9.02 Consider Approval of Special Education Transition program in partnership with the Department of Rehabilitation offering students paid work experience through Independence High School

9.03 Consider Approval of Request of Permanent Exemption for Graduation Requirements

9.04 Consider Approval of Freedom High School Leadership program to travel to Anaheim, California

9.05 Consider Approval of a Short Form Service Contract with Psyched Services - Licensed Educational Psychology & Behavioral Services, PC.

9.06 Consider Approval of an Individual Service Agreement for Nonpublic School Services and a Short Form Service Contract with Youth Care of Utah, Inc.

9.07 Consider Approval of Out-of-State travel to attend the 2023 National Restaurant Association Showcase in Chicago, Illinois - Yamil Abed, Heritage

9.08 Consider Approval of the 3rd Year of a three-year service contract with Stephen Roatch Accountancy Corporation

9.09 Consider Approval of service contract with Stephen Roatch Accountancy Corporation for Measure U Audits

CERTIFICATE OF COMPLETION

Anti-Harassment Training for Supervisors and Managers - California (SB1343/AB1825)

Kevin Graves

has completed the online training and passed the examination for the 2-hour California Anti-Harassment Training for Supervisors and Managers training course (SB1343/AB1825). [Record ID #355581437] Town of Discovery Bay Community Services District



Victoria Zambito, SVP of Content & Communications

January 20, 2023

Date of Completion

Vector Solutions
Two Urban Centre
4890 West Kennedy Boulevard
Suite 300, Tampa, FL 33609
866.546.1212



As an IACET Accredited Provider,
Vector Solutions offers CEUs for its
programs that qualify under the
ANSI/IACET Standard



CERTIFICATE OF COMPLETION

CA Local Agency Ethics (AB1234)

Kevin Graves

Has completed the online training and successfully passed the examination for the CA Local Agency Ethics training course. [Record ID #355581432] Town of Discovery Bay Community Services District



Victoria Zambrano, SVP of Content & Communications

Vector Solutions
Two Urban Centre
4890 West Kennedy Boulevard
Suite 300, Tampa, FL 33609
866.546.1212

February 10, 2023

Date of Completion



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ANSI/IACET Standard



CERTIFICATE OF COMPLETION

Anti-Harassment Training for Supervisors and Managers - California (SB1343/AB1825)

Bryon Gutow

has completed the online training and passed the examination for the 2-hour California Anti-Harassment Training for Supervisors and Managers training course (SB1343/AB1825). [Record ID #254301717] Town of Discovery Bay Community Services District



Victoria Zambito, SVP of Content & Communications

Vector Solutions
Two Urban Centre
4890 West Kennedy Boulevard
Suite 300, Tampa, FL 33609
866.546.1212

January 11, 2023

Date of Completion



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ANSI/IACET Standard



CERTIFICATE OF COMPLETION

CA Local Agency Ethics (AB1234)

Bryon Gutow

Has completed the online training and successfully passed the examination for the CA Local Agency Ethics training course. [Record ID #259216922] Town of Discovery Bay Community Services District



Victoria Zambito, SVP of Content & Communications

Vector Solutions
Two Urban Centre
4890 West Kennedy Boulevard
Suite 300, Tampa, FL 33609
866.546.1212

January 12, 2023

Date of Completion



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programs that qualify under the
ANSI/IACET Standard



CALENDAR FOR THE BOARD OF DIRECTORS
CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT
BOARD CHAMBERS, ADMINISTRATION BUILDING, 1025 ESCOBAR STREET
MARTINEZ, CALIFORNIA 94553-1229

JOHN GIOIA, *CHAIR*
FEDERAL D. GLOVER, *VICE CHAIR*
CANDACE ANDERSEN
DIANE BURGIS
KEN CARLSON

MONICA NINO, CLERK OF THE BOARD AND COUNTY ADMINISTRATOR, (925) 655-2075
LEWIS BROSCARD, FIRE CHIEF

As permitted by Government Code section 54953 (e), and in accordance with the County Public Health Officer’s recommendations for virtual meetings and social distancing, Board members may participate in the meeting remotely. The Board meeting will be accessible in-person, via television, and via live-streaming to all members of the public. Board meetings are televised live on Comcast Cable 27, ATT/U-Verse Channel 99, and WAVE Channel 32, and can be seen live online at www.contracosta.ca.gov.

Persons who wish to address the board during public comment or with respect to an item on the agenda may comment in person or may call in during the meeting by dialing 888-278-0254 followed by the access code 843298#. A caller should indicate they wish to speak on an agenda item, by pushing "#2" on their phone. Access via Zoom is also available using the following link: <https://ccccounty-us.zoom.us/j/87344719204>. Those participating via Zoom should indicate they wish to speak on an agenda item by using the “raise your hand” feature in the Zoom app. To provide contact information, please contact Clerk of the Board at clerkoftheboard@cob.cccounty.us or call 925-655-2000.

Meetings of the Board are closed-captioned in real time. Public comment generally will be limited to two minutes. Your patience is appreciated. A Spanish language interpreter is available to assist Spanish-speaking commenters.

A lunch break or closed session may be called at the discretion of the Board Chair.
Staff reports related to open session items on the agenda are also accessible online at www.contracosta.ca.gov.

AGENDA
February 7, 2023

~~1:00~~ P.M. Convene and call to order. Meeting started at 2:30

CONSIDER CONSENT ITEMS (Items listed as C.1 through C.7 on the following agenda)
– Items are subject to removal from Consent Calendar by request of any Director. Items removed from the Consent Calendar will be considered with the Discussion Items.

DISCUSSION ITEMS

D.1 CONSIDER accepting a report from the Fire Chief providing a status summary for ongoing Fire District activities and initiatives. (No fiscal impact) (Lewis T. Broschard III, Fire Chief)

Attachments

Fire Chief's Report February 2023

*Fire Academy on Monday 28
Work for Friday wait time to
off load Ambulances*

D.2 CONSIDER accepting a report from the Deputy Fire Chief providing a status summary for Contra Costa County Fire Protection District fire station construction projects. (Aaron J. McAlister, Deputy Fire Chief)

Attachments

Construction Project Update February 2023

*Bids for Brentwood
Station 90 + 94*

D. 3 CONSIDER Consent Items previously removed.

D. 4 PUBLIC COMMENT (2 Minutes/Speaker)

CONSENT ITEMS

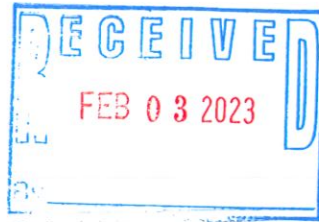
C.1 APPROVE and AUTHORIZE the Fire Chief, or designee, to execute a contract with DocuWare Corporation (DocuWare), in an amount not to exceed \$25,000 to provide document management software for the Fire District for the term February 15, 2023 through February 14, 2026, with two one-year extension options through February 14, 2028. (100% CCCFPD General Fund)

C.2 RATIFY the Fire District's grant application; and APPROVE and AUTHORIZE the Fire Chief, or designee, to accept grant funding from the California Office of Traffic Safety Grant Program, in an amount not to exceed \$216,898, for the purchase of a truck-mounted attenuator. (100% Federal)

C.3 APPROVE and AUTHORIZE the Auditor-Controller, on behalf of the Contra Costa County Fire Protection District, to make a payment to the State of California Department of Health Care Services in an amount not to exceed \$2,023,034 for the Ground Emergency Medical Transportation Quality Assurance Fee for ambulance transports provided by the Contra Costa County Fire Protection District in the months of January 2022 through September 2022. (100% CCCFPD EMS Transport Fund)

Attachments

Meeting Adjourned at 2:55



California Special Districts Association

Districts Stronger Together

DATE: January 30, 2023

TO: CSDA Voting Member Presidents and General Managers

FROM: CSDA Elections and Bylaws Committee

SUBJECT: CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS SEAT C

The Elections and Bylaws Committee is looking for Independent Special District Board Members or their General Managers who are interested in leading the direction of the California Special Districts Association for the 2024 - 2026 term.

The leadership of CSDA is elected from its six geographical networks. Each of the six networks has three seats on the Board with staggered 3-year terms. Candidates must be affiliated with an independent special district that is a CSDA Regular Member in good standing and located within the geographic network that they seek to represent.
(See attached CSDA Network Map)

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services, legislative advocacy, education and resources. The Board of Directors is crucial to the operation of the Association and to the representation of the common interests of all California's special districts before the Legislature and the State Administration. Serving on the Board requires one's interest in the issues confronting special districts statewide.

Commitment and Expectations:

- Attend all Board meetings, usually 4-5 meetings annually, at the CSDA office in Sacramento.
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento.
(CSDA reimburses Directors for their related expenses for Board and committee meetings as outlined in Board policy).
- Attend, at minimum, the following CSDA annual events: Special Districts Legislative Days - held in the spring, and the CSDA Annual Conference - held in the fall.
*(CSDA does **not** reimburse expenses for the two conferences even if a Board or committee meeting is held in conjunction with the event)*
- Complete all four modules of CSDA's Special District Leadership Academy within 2 years of being elected.
*(CSDA does **not** reimburse expenses for the Academy classes even if a Board or committee meeting is held in conjunction with the event).*

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**California Special
Districts Association**
Districts Stronger Together

2023 BOARD OF DIRECTORS NOMINATION FORM

Name of Candidate: _____

District: _____

Mailing Address: _____

Network: _____ (see map)

Telephone: _____
(PLEASE BE SURE THE PHONE NUMBER IS ONE WHERE WE CAN REACH THE CANDIDATE)

Fax: _____

E-mail: _____

Nominated by (optional): _____

Return this form, a Board resolution/minute action supporting the candidate, and Candidate Information Sheet by mail or email to:

CSDA
Attn: Amber Phelen
1112 I Street, Suite 200
Sacramento, CA 95814
(877) 924-2732

amberp@csla.net

DEADLINE FOR RECEIVING NOMINATIONS:
March 31, 2023 at 5:00 p.m.



2023 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: _____

District/Company: _____

Title: _____

Elected/Appointed/Staff: _____

Length of Service with District: _____

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

4. List civic organization involvement:

****Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office March 31, 2023, after 5:00 p.m. will not be included with the ballot.**



California Special Districts Association
DISTRICT NETWORKS





Lou Ann Teixeira
Executive Officer



February 2, 2023

TO: Presiding Officer and District Clerk, Each Independent Special District in Contra Costa County

FROM: Lou Ann Teixeira, LAFCO Executive Officer

SUBJECT: **Special Election - Special District Seat on LAFCO, Call for Nominations and Names of District Voting Delegates**

This is to advise all independent special districts of a special election for a vacant Special District (Alternate) seat on Contra Costa Local Agency Formation Commission (LAFCO). The vacancy was created by the recent passing of Stan Caldwell (Mt. View Sanitary District). We are seeking nominations to fill the unexpired term ending May 4, 2026.

Pursuant to Government Code Section 56332 (Attachment 1) and the *Procedures for the Special District Selection Committee* (Attachment 2), I am announcing the election and calling for nominations for this seat to be submitted to the LAFCO office by **April 3, 2023** - please see attached 2023 Election Schedule (Attachment 3).

The following summarizes the process:

Selection Committee: The Independent Special District Selection Committee (ISDSC) consists of the presiding officer (or their designee) of the legislative body of each independent special district. This group appoints the special district members of LAFCO.

Attached please find a list of the independent special districts eligible to vote in this election (Attachment 4). Please review and **update as necessary** the attached list of district’s presiding officers/voting delegates (must be a board member/trustee). Board action is not necessary to name your voting representative. Please provide/update this information no later than **April 3, 2023**.

Nominations: Each candidate must be nominated by a Special District Board resolution and must be a board member/trustee of an independent special district. The nomination should include the name of the nominee and the district they serve. The nominating resolution must be submitted to LAFCO by **April 3, 2023**. Each independent special district is entitled to nominate a maximum of one board member, either from its own district or from another district, if so desired. Prior to the election deadline, eligible nominated candidates may circulate a statement of qualifications.

Note: At the end of the nomination period, if only one candidate is nominated for the vacant seat, that candidate will be deemed appointed and the election will be cancelled. If two or more candidates are nominated, the election process described below will ensue.

Election Procedures: In early April 2023, a list of candidates and official ballots will be sent to each independent special district via email and U.S. Mail. Please ensure that the presiding officer/voting designee for your district casts a vote. Only the presiding officer, or their Board designee can vote; staff members/legal counsel are not authorized to vote.

In order to maximize voting participation and ensure a quorum, LAFCO will accept ballots via email and/or U.S. mail. No meeting of the Independent Special District Selection Committee will be held; the election will be conducted by email and U.S. mail. ***All ballots must be received via email or U.S. mail in the LAFCO office by 5:00 pm on May 19, 2023.***

Majority Vote: For the *Selection Committee* to transact business, a quorum (50% plus one) of independent special districts must cast a vote. Each district is entitled to one vote. We encourage presiding officers or his/her designee to vote in order to assure a quorum. There is a total of 40 districts eligible to vote; thus, we need at least 21 districts to cast a vote to achieve a quorum.

The following is background information on LAFCO:

Composition of LAFCO Commission: The LAFCO Commission consists of two city members, two county members, two special district members, one public member, and one alternate member in each category for a total of 11 Commissioners. Alternates generally attend Commission meetings, participate in the deliberations, and vote when a regular member in their category is absent or excused from voting. Commissioners are expected to represent the interests of the public as a whole when sitting on LAFCO.

Obligations of Service on LAFCO: The Commission typically meets monthly on the second Wednesday. Meetings start at 1:30 p.m. and are generally over before 3:30 p.m. LAFCO meetings are held at 1025 Escobar Street, 1st Floor (Board Chambers) in Martinez. Effective March 1, 2023, LAFCO Commissioners may attend LAFCO meetings remotely for limited reasons and a limited number of times per year under the new Brown Act teleconferencing rules pursuant to Assembly Bill 2446 (January 2023). An agenda packet for each LAFCO meeting is made available to Commissioners approximately one week prior to the meeting.

Please contact the LAFCO office if you have questions or need additional information.

c: Each Member of the Commission

Enclosures

1. Government Code Section 56332
2. Procedures for the Special District Selection Committee
3. 2023 Election Schedule
4. List of Independent Special Districts Eligible to Vote in the 2023 Election

Attachment 1

Gov. Code 56332. (a) The independent special district selection committee shall consist of the presiding officer of the legislative body of each independent special district. However, if the presiding officer of an independent special district is unable to participate in a meeting or election of the independent special district selection committee, the legislative body of the district may appoint one of its members as an alternate to participate in the selection committee in the presiding officer's place. Those districts shall include districts located wholly within the county and those containing territory within the county representing 50 percent or more of the assessed value of taxable property of the district, as shown on the last equalized county assessment roll. Each member of the committee shall be entitled to one vote for each independent special district of

which he or she is the presiding officer or his or her alternate as designated by the governing body. Members representing a majority of the eligible districts shall constitute a quorum.

(b) The executive officer shall call and give written notice of all meetings of the members of the selection committee. A meeting shall be called and held under one of the following circumstances:

(1) Whenever the executive officer anticipates that a vacancy will occur within the next 90 days among the members or alternate member representing independent special districts on the commission.

(2) Whenever a vacancy exists among the members or alternate member representing independent special districts upon the commission.

(3) Upon receipt of a written request by one or more members of the selection committee representing districts having 10 percent or more of the assessed value of taxable property within the county, as shown on the last equalized county assessment roll.

(4) Upon the adoption of a resolution of intention pursuant to Section 56332.5.

(5) Upon receipt of a written request by one or more members of the selection committee notifying the executive officer of the need to appoint a member representing independent special districts on an oversight board pursuant to paragraph (3) of subdivision (j) of Section 34179 of the Health and Safety Code.

(c) The selection committee shall appoint two regular members and one alternate member to the commission. The members so appointed shall be elected or appointed members of the legislative body of an independent special district residing within the county but shall not be members of the legislative body of a city or county. If one of the regular district members is absent from a commission meeting or disqualifies himself or herself from participating in a meeting, the alternate district member may serve and vote in place of the regular district member for that meeting. Service on the commission by a regular district member shall not disqualify, or be cause for disqualification of, the member from acting on proposals affecting the special district on whose legislative body the member serves. The special district selection committee may, at the time it appoints a member or alternate, provide that the member or alternate is disqualified from voting on proposals affecting the district on whose legislative body the member serves.

(1) The executive officer may prepare and deliver a call for nominations to each eligible district. The presiding officer, or his or her alternate as designated by the governing body, may respond in writing by the date specified in the call for nominations, which date shall be at least 30 days from the date on which the executive officer mailed the call for nominations to the eligible district.

(2) At the end of the nominating period, if only one candidate is nominated for a vacant seat, that candidate shall be deemed appointed. This paragraph shall be operative only if the written notice of the meeting provided pursuant to subdivision (b) discloses that, if nominations are received for only one candidate by the end of the nominating period, the candidate shall be deemed appointed and the meeting may be cancelled.

(d) If the office of a regular district member becomes vacant, the alternate member may serve and vote in place of the former regular district member until the appointment and qualification of a regular district member to fill the vacancy.

(e) A majority of the independent special district selection committee may determine to conduct the committee's business by mail, including holding all elections by mailed ballot, pursuant to subdivision (f).

(f) If the independent special district selection committee has determined to conduct the committee's business by mail or if the executive officer determines that a meeting of the special district selection committee is not feasible, the executive officer shall conduct the business of the committee by mail. Elections by mail shall be conducted as provided in this subdivision.

(1) The executive officer shall prepare and deliver a call for nominations to each eligible district. The presiding officer, or his or her alternate as designated by the governing body, may respond in writing by the date specified in the call for nominations, which date shall be at least 30 days from the date on which the executive officer mailed the call for nominations to the eligible district.

(2) At the end of the nominating period, if only one candidate is nominated for a vacant seat, that candidate shall be deemed appointed. If two or more candidates are nominated, the executive officer shall prepare and deliver one ballot and voting instructions to each eligible district. The ballot shall include the names of all nominees and the office for which each was nominated. Each presiding officer, or his or her alternate as designated by the governing body, shall return the ballot to the executive officer by the date specified in the voting instructions, which date shall be at least 30 days from the date on which the executive officer mailed the ballot to the eligible district.

(3) The call for nominations, ballots, and voting instructions shall be delivered by certified mail to each eligible district. As an alternative to the delivery by certified mail, the executive officer may transmit materials by electronic mail. All notices and election materials shall be addressed to the presiding officer, care of the clerk of the district.

(4) Nominations and ballots may be returned to the executive officer by electronic mail.

(5) Each returned nomination and ballot shall be signed by the presiding officer or his or her alternate as designated by the governing body of the eligible district.

(6) For an election to be valid, at least a quorum of the special districts must submit valid ballots. The candidate receiving the most votes shall be elected, unless another procedure has been adopted by the selection committee. Any nomination and ballot received by the executive officer after the date specified is invalid, provided, however, that if a quorum of ballots is not received by that date, the executive officer shall extend the date to submit ballots by 60 days and notify all districts of the extension. If ballots from a quorum of the districts have not been received at the end of the 60-day extension period, the executive officer shall extend the period to return ballots for a length of time at his or her discretion until a quorum is achieved, unless another procedure has been adopted by the selection committee. The executive officer shall announce the results of the election within seven days of the date specified.

(7) For a vote on special district representation to be valid, at least a quorum of the special districts must submit valid ballots to the executive officer by the date specified in the voting instructions, which date shall be at least 30 days from the date on which the executive officer mailed the ballot to the eligible district. If ballots from a quorum of the districts have not been received at the end of the 60-day extension period, the executive officer shall extend the period to return ballots for a length of time at his or her discretion until a quorum is achieved, unless another procedure has been adopted by the selection committee. By a majority vote of those district representatives voting on the issue, the selection committee shall either accept or deny representation. The executive officer shall announce the results of the election within seven days of the date specified.

(8) All election materials shall be retained by the executive officer for a period of at least six months after the announcement of the election results.

(g) For purposes of this section, "executive officer" means the executive officer or designee as authorized by the commission.

**CONTRA COSTA COUNTY SPECIAL DISTRICTS
Procedures for the Special District Selection Committee
(Revised January 2010)**

The California Government Code, specifically Section 56332, sets forth requirements for the Independent Special Districts Selection Committee ("Selection Committee"). The procedures contained herein are intended to supplement the code and provide local rules relating to the selection of special district members to the Contra Costa Local Agency Formation Commission (LAFCO).

Selection Committee Purpose

The purpose of the Selection Committee shall be to appoint the regular and/or alternate special district members to the Contra Costa LAFCO whenever a term expires or a vacancy exists for the regular or alternate special district member seats. The term of office of each LAFCO member shall be four years and until the appointment and qualification of his or her successor (Gov. Code §56334).

Selection Committee Membership

The Selection Committee shall be comprised of the presiding officer of the legislative body of each independent special district. If the presiding officer is unable to attend a Committee meeting, the district may appoint one of its other members to attend the meeting (Gov. Code §56332).

Selection Committee Meetings

The LAFCO Executive Officer shall notify all independent special districts of a vacancy or impending vacancy in the position of regular or alternate special district member and shall schedule a meeting of the Selection Committee.

To the extent possible, Selection Committee meetings shall be scheduled in conjunction with meetings of the Contra Costa Special Districts Association as a convenience to members and for efficiency.

The Executive Officer shall provide a schedule to submit nominations to all independent special districts prior to the Selection Committee meeting.

All meetings of the Selection Committee shall be open meetings and comply with all applicable provisions of the Ralph M. Brown Act.

Quorum

Each presiding officer (or appointed alternate board member) attending the Selection Committee meeting shall be required to register their attendance. Members representing a majority of the eligible districts shall constitute a quorum for the conduct of the Selection Committee business. No meeting shall be convened prior to establishing a quorum. The Committee shall act by majority vote of the quorum, or if more than a quorum is present at the meeting, by majority vote of those members present.

Nomination Procedures

Members of governing boards of independent special districts may be nominated to serve as a regular or alternate special district member of the Contra Costa LAFCO (Gov. Code §56332).

Each independent special district shall be entitled to nominate a maximum of one board member per vacancy (i.e., for each regular and each alternate seat) from any district. Districts are required to make nominations by adoption of a Board resolution.

Upon selection of a nominee, the presiding officer of the district shall provide written notification of the nomination, including a copy of the Board resolution, to the LAFCO Executive Officer.

All nominations received in sufficient time prior to a Selection Committee meeting will be copied and distributed to the presiding officer of each independent special district.

Nominations may be made from the floor at the Selection Committee meeting, but only if no prior nominations by resolution were submitted by any of the independent special districts.

Balloting Process

Each nominee will be afforded an opportunity to make a brief statement (maximum of five minutes) at the Selection Committee meeting. Following these presentations, members of the Selection Committee may discuss the appointment prior to the vote being taken.

Nominees shall be selected based on the following process:

- A ballot listing all known nominees shall be prepared and copied for the meeting. Each ballot shall have opposite the nominee's name a box to record the vote. In the event that no prior nominations by resolution are submitted, a ballot containing blank lines to vote for nominees who are put forth from the floor at the Selection Committee meeting shall be distributed at the meeting.
- Each ballot shall have a line for the name of the special district that is casting the vote and a line for the name of the voting delegate. The ballot will not be counted if the name of the special district and voting delegate are not included.
- After votes are tallied, each delegate's vote will be announced during the meeting.

Selection of LAFCO Members

The person selected to serve shall have received a majority of the votes cast in the election.

If there are more than two nominees for a single seat and no individual receives the majority of the total votes cast in the first ballot there shall be a run-off election between the two nominees who received the greatest number of votes.

If there are only two nominees for a single seat and each receives an equal number of votes, the selection to serve on LAFCO shall be done by a "straw draw" unless one of the two candidates chooses to relinquish the position.

If, as a result of an election, the Alternate Special District member on LAFCO is chosen as a Regular Special District Member, another election shall be held at a subsequent Selection Committee meeting to fill the new vacancy in the Alternate Member position.

Alternate Nominating and Balloting Process

In the event that the LAFCO Executive Officer determines that securing a quorum of Selection Committee members for a meeting is not feasible, the Executive Officer may conduct the business of the Selection Committee in writing (Gov. Code §56332).

2023 SPECIAL DISTRICT SELECTION COMMITTEE ELECTION SCHEDULE

<u>Date/Deadline</u>	<u>Task</u>
2/2/23	LAFCO sends letter announcing vacancy, election schedule, and calls for nominations and names of voting delegates
3/6/23	LAFCO sends reminder
4/3/23	Districts' deadline for submitting names of voting delegates and nominating resolutions

IF AN ELECTION IS NEEDED, THE FOLLOWING SCHEDULE WILL APPLY:

Early April 2023	LAFCO transmits list of candidates and ballots to voting delegates (email and US mail)
Late April 2023	LAFCO sends reminder to return completed ballots to the LAFCO office by <u>May 19, 2023</u> .
5/19/23	Election date/deadline for returning ballots
5/26/23	LAFCO must make election results available within 7 days of election [Gov. Code §56332(f)(6)]

2023 INDEPENDENT SPECIAL DISTRICT SELECTION COMMITTEE

DISTRICT	NAME	TITLE	ALTERNATE
ALAMO-LAFAYETTE CEMETERY DIST	Nancy J. Flood	Chair	Carolyn Thiessen, Trustee
AMBROSE REC & PARK DIST	Trina Hudson	Chair	Mae Torlakson, Vice Chair
B-B-K-U CEMETERY DIST	Patricia Bristow	Chair	Emil Geddes, Trustee
BETHEL ISLAND MID	Bruce Smith	Board President	Anthony Berzinas, Vice Pres
BYRON SANITARY DISTRICT	Danny Hamby	Chair	Mike Nisen, Vice Chair
CASTLE ROCK COUNTY WATER DISTRICT	Dan Moylan		Joe Atturio
CENTRAL CONTRA COSTA SANITARY DIST	Barbara Hockett	Board President	Mariah L. Lauritzen, Vice Pres
CONTRA COSTA MOSQUITO & VECTOR CONTROL	Michael Krieg	President	Darryl Young, Vice Pres
CONTRA COSTA RESOURCE CON DIST	Walter Pease	President	
CONTRA COSTA WATER DISTRICT	Ernesto Avila	President	Antonio Martinez, Vice Pres
CROCKETT COMMUNITY SERVICES DISTRICT	Luigi Barassa	President	Jena Goodman, Vice Pres
DIABLO CSD	Kathy Urbelis	President	Matthew Cox, Vice Pres
DIABLO WATER DISTRICT	Marilyn Tiernan	President	Scott R. Pastor, Vice Pres
TOWN OF DISCOVERY BAY CSD	Ashley Porter	President	Michael Callahan, Vice Pres
EAST CONTRA COSTA IRRIGATION DISTRICT	Glenn Stonebarger	President	Mark Dwelley, Vice Pres
GREEN VALLEY REC & PARK DIST	Kathi Bachelor	President	Donna Coon, Vice President
IRONHOUSE SANITARY DIST	Dawn Morrow	President	Chris Lauritzen, Vice Pres
KENSINGTON FIRE PROTECTION DISTRICT	Julie Stein	President	Daniel Levine, Vice Pres
KENSINGTON POLICE PROT & CSD	Alexandra Aquino-Fike	President	Sarah Gough, Vice Pres
TOWN OF KNIGHTSEN CSD	Trish Bello-Kunkel	Chair	Gilbert Somerhalder, Vice Chair
MORAGA-ORINDA FIRE DIST	John Jex	President	Mike Roemer, Vice Pres
MT. VIEW SANITARY DIST	Dave Maggi	President	Brian Danley, Vice Pres
PLEASANT HILL REC & PARK DISTRICT	Bobby Glover	Chair	Sandra Bonato, Vice Chair
RECLAMATION DIST (RD) 799	Jim Price	President	Richard Kent, Vice Pres
RD 800	Robert Lyman	President	David Harris, Secretary
RD 830	Chad Davisson	President	Domenic Cianfichi, Secretary
RD 2024 *	Don Wagenet	President	John Jackson, Trustee Thomas Robinson, Trustee
RD 2025	David Forkel	Chair	Pamela A. Forbus, Secretary
RD 2026*	David A. Forkel	Chair	Pamela A. Forbus, Secretary
RD 2059	Rob Davies	President	
RD 2065*	Coleman Foley	President	Thomas Baldocchi, Sr., Trustee Thomas Baldocchi, Jr., Trustee
RD 2090*	Jake Messerli	Chair	Pamela A. Forbus, Attorney
RD 2117*	Joyce Speckman	President	Sandra Kiefer, Trustee
RD 2122	Katherine Wadsworth	President	
RD 2137*	Pamela A. Forbus	Attorney/Secretary	
RODEO-HERCULES FIRE PROTECTION DIST	Steve Hill	Vice Chair	
RODEO SANITARY DISTRICT	Connie Batchelder	President	Janet Callaghan, Vice Pres
SAN RAMON VALLEY FIRE PROTECTION DIST	Michelle Lee	President	Jay Kerr, Vice Pres
STEGE SANITARY DISTRICT	Dwight Merrill	President	Juliet Christian-Smith, VP
WEST COUNTY WASTEWATER DIST	Cheryl Sudduth	President	David Alvarado, Vice Pres