

CEQA FINDINGS OF FACT

and

**STATEMENT OF OVERRIDING
CONSIDERATIONS**

By

**LOCAL REUSE AUTHORITY
CITY OF CONCORD**

for the

CONCORD COMMUNITY REUSE PROJECT

FEBRUARY 23, 2009

I. **INTRODUCTION**

The Local Reuse Authority (LRA) of the City of Concord (“City”), as lead agency, prepared a programmatic Environmental Impact Report (“EIR”) for the Concord Community Reuse Project (“CCRP” or “Reuse Project”). In its entirety, the documents consists of the May 2008 Draft EIR (“Draft EIR” or “DEIR”), a Response To Comments on the May 2008 DEIR (“RTC May 2008”), a August 2009 Draft Revised EIR (“DREIR”), Response to Comments on the August 2009 DREIR and the January 2010 Final EIR (“FEIR”), which incorporates changes to the August 2009 DREIR in redline text (State Clearinghouse No. 2007052094). As described in the EIR, the CCRP establishes broad land use designations including: improved and unimproved parkland, residential, commercial and retail uses for the reuse of the Inland area of the former U.S. Navy base know as the Naval Weapons Station, Seal Beach, Concord Detachment. The document generally refers to the base as the Concord Naval Weapons Station (“CNWS”).

The purpose of a military base reuse plan is to provide guidance to the military service, in this case the U.S. Navy, on how the LRA and the community would prefer to arrange land uses on the site and broadly what types of land use they would prefer. The military service is then required by the Base Realignment and Closure Act of 1990, as amended in 2007 (“BRAC Act”) to consider the reuse plan in various environmental studies and resources management consultations and in determining property disposition (transfer). The reuse plan is also used by the U.S. Department of Housing and Urban Development (“HUD”) to determine whether the community’s plan balances the need for economic development with the needs of the homeless. The reuse plan does not entitle the property to certain use under state laws that control land use.

The LRA, in concert with the community, has prepared a general reuse plan and reviewed many alternative concepts for that plan in the programmatic EIR. The EIR is designed to serve as a foundation for future environmental reviews that, by their nature will be more detailed, as policy is created/put in place and design specifics emerge in later stages of development.

These findings, as well as the accompanying statement of overriding considerations in section XI *infra*, have been prepared in accordance with the California Environmental Quality Act (“CEQA”) (Pub. Resources Code, § 21000 et seq.) and its implementing guidelines (“CEQA Guidelines”) (Cal. Code Regs., tit. 14, § 15000 et seq.)

II. **DEFINITIONS AND ACRONYMS**

Like the EIR itself, these findings use a number of acronyms. To make the findings easier to follow, key acronyms are defined at the very end of this document, starting on page 42. Although the findings define most such acronyms the first time they are introduced, readers are nevertheless encouraged to consult this listing of acronyms as a means of refreshing their memories as acronyms are used later in the findings.

III. **PROJECT DESCRIPTION**

A. LOCATION

The Inland Area of the CNWS lies within the northeast quadrant of the City of Concord and is completely within the jurisdiction of the City. The western and southern edges of the site are bounded primarily by single-family neighborhoods and related uses such as parks and schools (in particular, Willow Pass Park and Concord High School). The area known as North Concord, near SR 4 and west of the site, consists mainly of industrial uses. The unincorporated community of Clyde is adjacent directly to the north off Port Chicago Highway, and beyond Clyde is the Tidal Area that has been transferred to the Army for continued military logistics. Also to the north, and east of Willow Pass, is the unincorporated community of Bay Point. East and northeast of the site is the City of Pittsburg. Most of the development in Pittsburg near the site consists of single-family residences. A strip of unincorporated land separates portions of the site from the Pittsburg city limits. The Keller Canyon Landfill off Bailey Road is also in an unincorporated area. Another unincorporated area abuts the southern perimeter of the site and is known as the "County Island." It is primarily developed with a mix of suburban-style housing and small ranches, and is situated along Myrtle Drive between Bailey Road and Kirker Pass Road, separating part of the site from other residential neighborhoods in Concord. To the east of the site, beyond Kirker Pass Road, is the City of Clayton, primarily a residential community. To the south of the City of Concord is the incorporated City of Walnut Creek. To the west of the City of Concord, near Interstate Highway (I-) 680, is the incorporated City of Pleasant Hill.

Three major highways serve the site directly or indirectly: I-680, SR 242, and SR 4. The site has a direct connection to SR 4 at the Willow Pass Road interchange. Two public roads traverse through the site: Willow Pass Road between downtown Concord and SR 4 (continuing north and then east to the City of Pittsburg), and Bailey Road from Clayton Road north through the site (continuing to the City of Pittsburg).

B. OVERVIEW

After a two year community planning process, the LRA accepted and endorsed a recommendation from the CNWS Community Advisory Committee to designate the Clustered Village concept as the preferred alternative and to conduct further environmental review on the preferred alternative and the remaining Concentration and Conservation Alternative.

The Preferred Alternative: Clustered Villages

The Clustered Villages Alternative (Preferred Alternative) focuses on a series of villages connected by transit, allowing for a significant, new, diverse development balance while maintaining more than half of the site as parks, recreation, and open space. Living and working options would extend to Concord residents and others, offering a more sustainable lifestyle with mixed-use, walkable neighborhoods, and transit-oriented living along with single-family housing.

The land use diagram for the Preferred Alternative is shown in the Final EIR Summary

Chapter, on Figure S-1 and the development program is shown in Table S-1. Overall, the Preferred Alternative provides new land use to accommodate up to 12,272 residential units and 6.2 million square feet of commercial and retail uses.

The Concentration and Conservation Alternative

The Concentration and Conservation Alternative blends two planning concepts that figured prominently during the reuse planning process. The alternative focuses a significant amount of housing, retail, commercial, and community facility uses to the north of Willow Pass Road, while maximizing open space conservation by minimizing development south of Willow Pass Road and east of Mt. Diablo Creek. The land use diagram for the Concentration and Conservation Alternative is shown in the Final EIR Summary Chapter, on Figure S-2 and the development program is shown in Table S-2. Overall, the Concentration and Conservation Alternative provides new land use to accommodate up to 10,203 residential units and 4.8 million square feet of commercial and retail uses.

C. PROJECT OBJECTIVES

In 2006, the City initiated a three phase multiyear process to develop the Reuse Plan for the site. During the 6-month period of Phase 1, hundreds of residents and community leaders offered their ideas and thoughts about the issues, opportunities, and priorities to be addressed while planning for reuse of the site. Based on this input, the City developed a Vision Statement for a creative, innovative, world class Reuse Plan using a balanced approach to meet community interests, needs, and requirements. The Vision Statement also called for the Reuse Plan to be economically viable and sustainable, and to maintain and enhance the quality of life in Concord and the region.

The City's vision was developed into a set of overarching goals to direct the subsequent planning effort. These overarching goals, which constitute the overall project objectives, are:

World Class Project

- Adopt a long-term view in creating a plan that benefits all future generations and engenders a sense of community pride.
- Encourage creativity and innovation in the plan.
- Develop a high-quality project that shall be recognized internationally for its innovative planning and development concepts.

Balanced Approach

- Balance multiple interests including a broad range of community needs, regional as well as local requirements, and the need for parks and open space with the need for jobs, housing, and community facilities.

Economically Viable and Sustainable Development

- Maintain long-term economic viability of the project by ensuring that capital costs and future operations and maintenance costs are satisfied on a self-sustaining basis.

Quality of Life

- Ensure that the plan builds on community assets and opportunities, addresses critical needs and issues, creates net positive benefits, and provides new opportunities to live, work, and play in Concord.

The goals for the Reuse Plan were then developed into a set of Guiding Principles for the planning effort. Those Guiding Principles are available for viewing at the project website, which is located at www.concordreuseproject.org

Both the Preferred Alternative and the Concentration and Conservation Alternative represent the best distillation of the concepts of the former seven alternatives. While they approach the reuse of the site from different perspectives, they both embody key planning principles and guidance accumulated during the 3-year LRA community reuse planning process, and both achieve the four overarching goals established in the community's vision for the site, but to varying degrees.

Along the way, the community has articulated a refined list of key planning concepts that have also been incorporated into the reuse planning process, including:

- Locate higher-intensity uses around the North Concord/Martinez BART Station.
- Support transit-oriented development around the North Concord/Martinez BART Station, transit service in other developed areas of the site, and a broad range of travel choices (including transit, walking, and biking).
- Integrate the site with existing Concord to improve the quality of life for existing Concord residents and avoid creating “two ConCORDs.”
- Create balance in housing types and housing choices.
- Provide for community and cultural facilities including a library/performing arts center/community center, adequate schools for K–12 on-site population, and a tournament-level sports facility.
- Preserve a minimum 300-foot-wide riparian corridor along the centerline of Mt. Diablo Creek.
- Preserve the hills and ridgelines on the eastern side of the CNWS.
- Limit development in areas of 30 percent slope or greater.
- Avoid and/or minimize intrusion into wetlands and into breeding areas and habitat for threatened or endangered animal species.
- Avoid development south of Bailey Road.
- Avoid roads and development east of Mt. Diablo Creek and especially in resource areas containing habitat for threatened and endangered species.
- Maximize open space with facilities and trails that will serve the public.

- Set aside lands and designate them as open space in order to provide on-site mitigation for any unavoidable loss of habitat or wetlands on other portions of the site.

Based on its own review of the EIR and other information and testimony received in connection with the Reuse Project, the LRA finds these objectives to be acceptable and persuasive from a public policy standpoint, particularly in light of the strong correlation between the alternatives and community visions of reuse and the substantial fiscal sustainability to the City and financial feasibility associated with the CCRP.

The LRA further finds that the Clustered Villages Preferred Alternative best embodies these objectives, and in choosing to adopt the Preferred Alternative as the Reuse Plan, the City thus embraces these objectives, and accords them weight in considering the feasibility of alternatives set forth in the EIR, and in invoking overriding considerations in approving the Reuse Project. (See *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1507-1508.)

D. DISCRETIONARY APPROVALS

The adoption of the Preferred Alternative as the Reuse Plan for the CNWS requires the LRA, as lead agency, to take discrete planning actions. This however, is just the first of many steps that will require discretionary approvals. The programmatic Final EIR will be used as a foundation for future approvals, but will not replace the need for further compliance and analysis under the California Environmental Quality Act (CEQA).

Future discretionary approvals would include:

- approval of an amendment to the General Plan to include the Preferred Alternative
- designation/approval of some portion of the base into a Redevelopment Area
- provision of zoning to entitle the land uses amended into the General Plan

Subsequent discretionary actions and CEQA review (by the City Council) also will be necessary for site specific development. In addition, other approvals and associated entitlements that must be grant by other responsible agencies may require CEQA review.

IV. ENVIRONMENTAL REVIEW PROCESS

In May 2007, an Environmental Checklist/Initial Study (EC/IS) and a Notice of Preparation (NOP) were submitted to the California Office of Planning and Research (OPR) to initiate the EIR process. At that time, OPR assigned the EIR State Clearinghouse Number 2007052094. OPR also distributed the EC/IS and NOP to federal and State agencies for review. At the same time, the City sent the EC/IS to local public agencies for review, and sent notices to interested stakeholders that the EC/IS was available on the City's website (www.concordreuseproject.org). The EC/IS described the planning that had occurred to that time, and identified the range of potential impacts to be addressed in the EIR. The EC/IS was circulated for agency and public review and comment, and two public scoping meetings were held on June 14, 2007. A Scoping Summary Report was prepared following the meetings to summarize the initial scoping effort and

record the comments received. The report contained the EC/IS, the NOP, and other information developed to support the scoping process. The initial scoping effort resulted in the conclusion that there was insufficient information to establish a basis of analysis of the reuse alternatives that would be addressed in the EIR. Thus, the City committed to conduct a second round of scoping after the LRA had established the range of alternatives to be considered.

On November 16, 2007, with concurrence on the seven alternative concepts, the City completed a revised EC/IS that provided information about the seven alternative reuse concepts and their potential environmental consequences. OPR circulated the revised EC/IS and NOP for a second round of agency and public review and comment. On November 29, 2007, additional scoping meetings were held in Concord to receive input on the environmental issues to be addressed in the Draft EIR. A second Scoping Summary Report was prepared and posted on the project website after completion of the scoping comment period. The comments received covered a wide range of environmental topics, but with particular focus on issues associated with local transportation and biological diversity.

Each Scoping Summary Report listed the reviewing agencies that received the EC/IS and recorded the comments received from those agencies and the public. The information presented in each Scoping Summary Report was used to help develop the Draft EIR that was subsequently released for public review on May 9, 2008.

The May 2008 Draft EIR was distributed directly to local agencies and to federal and State reviewing agencies through the OPR. In addition, the May 2008 Draft EIR was posted on the City's Reuse Project website. Notices of the availability of the EIR were sent to all stakeholders, including attendees of the scoping meetings; individuals who had expressed interest in the EIR; individuals who had attended any of the planning meetings; and all subscribers to the City's Reuse Project email list, which numbered approximately 1,700 people.

At the time the May 2008 Draft EIR was released, the City began a 60-day public review period that was later extended to a 90-day period. During that period, while the community reuse planning process was underway, the City held a public meeting on July 10, 2008 to receive oral and written comments specific to the Draft EIR. The comment period closed August 8, 2008. The comments that were received during the public review period were collected and reported in a document dated September 2, 2008 and titled, "Annotated Comments on the Draft Environmental Impact Report" that was distributed to the Community Advisory Committee (CAC); the CAC was formed to provide input on the Reuse Plan process.

The analysis in the May 2008 Draft EIR and the comments received about it were used to help further the discussion of the alternatives as the community reuse planning process progressed through the summer and fall of 2008. That process is described in further detail in Chapter 2 of the Final EIR. On January 12, 2009, the City Council, acting as the LRA, selected the Clustered Villages Alternative as the Preferred Reuse Plan with some modifications. The subsequent land use diagram, development program spreadsheets, and supporting narrative, released by the City of Concord on January 30, 2009, formed the basis of the analysis presented in the August 2009 Draft Revised EIR. This information was also forwarded to the Navy and HUD to assist review of the Homeless Assistance Plan and Legally Binding Agreements necessary to satisfy BRAC status. The August 2009 Draft Revised EIR was published on August 28, 2009 and went through the same distribution to the State Clearinghouse. An initial 45 day public review period was extended to 60 days and closed on October 26, 2009.

The comments received on the May 2008 Draft EIR were used to further the public discussion of the alternatives. The City's intent in developing the August 2009 Draft Revised EIR was to incorporate changes to address many of the comments received on the May 2008 Draft EIR. Further, in accordance with CEQA Guidelines, section 15088, each of the comments received on the May 2008 Draft EIR and the August 2009 Draft Revised EIR were addressed individually in the two previously referenced Response to Comments documents that are to be incorporated into the EIR record.

The January 2010 Final EIR incorporates changes to the August 2009 Draft Revised EIR in redline text.

V. RECORD OF PROCEEDINGS

In accordance with Public Resources Code section 21167.6, subdivision (e), the record of proceedings for the City's decision on the Reuse Project includes the following documents:

- The EC/IS and NOP and the revised EC/IS and NOP and all other public notices issued by the City in conjunction with the Reuse Project;
- All comments submitted by agencies or members of the public during both comment periods on the EC/IS and NOP and revised EC/IS and NOP;
- The Draft EIR for the CCRP (May 2008) and all appendices;
- All comments submitted by agencies or members of the public during the comment period on the Draft EIR;
- The Draft Revised EIR for the CCRP (August 2009) and all appendices;
- All comments submitted by agencies or members of the public during the comment period on the Draft Revised EIR
- The Final EIR for the CCRP (as amended), including comments received on the Draft EIR and the Draft Revised EIR and the responses to those comments and appendices;
- Documents cited or referenced in the Draft EIR, Draft Revised EIR and Final EIR;
- The mitigation monitoring and reporting program for the CCRP;
- All findings and resolutions adopted by the LRA in connection with the CCRP and all documents cited or referred to therein;
- All findings and resolutions adopted by the CNWS Community Advisory Committee in connection with the CCRP and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Reuse Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Reuse Project;

- All documents submitted to the City by other public agencies or members of the public in connection with the Reuse Project, up through the close of the City Council public hearing on February 23, 2010;
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the CCRP;
- Any documentary or other evidence submitted to the City at such information sessions, public meetings, and public hearings;
- The City of Concord General Plan and all environmental documents prepared in connection with the update of the General Plan (2007);
- Any and all resolutions adopted by the City regarding the CCRP, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
- Matters of common knowledge to the City, including, but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these findings, in addition to those cited above; and
- Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The documents constituting the record of proceedings are available for review by responsible agencies and interested members of the public during normal business hours at the City of Concord Reuse Project Office 1950 Parkside Drive, Concord, California 94519. The custodian of these documents is the Director of Community Reuse Planning.

VI.

CONSISTENCY WITH APPLICABLE PLANS

Although the site is currently under military jurisdiction, the City of Concord 2030 Urban Area General Plan (General Plan) (City of Concord, 2007) policies assume that a reuse plan will be amended into the General Plan and the land transferred for civilian uses. This will be accomplished to comply with the requirements of the BRAC Act. Following the conveyance and disposition of the property by the Navy, the regulatory framework for any future use and development will be required to comply with the General Plan as amended to address the site. In addition, the Zoning Ordinance and other applicable land use regulations will need to be updated to reflect the Reuse Plan, and those requirements will also be applied to the site.

CITY OF CONCORD GENERAL PLAN

The General Plan, updated in 2007, sets a long-range vision for Concord, as well as priorities for planned and future development in the City. The General Plan themes and key initiatives are to:

- Integrate economic development into the General Plan
- Protect community assets
- Support mixed-use development and transit-supportive land uses around the BART stations and in commercial corridors with bus service
- Protect ridgelines, visible hillsides, and significant environmental resources

- Create a safe and efficient multimodal transportation system
- Preserve and enhance environmental resources
- Provide effective disaster response and planning
- Plan for environmental justice

As shown on Figure 3-3, page # 3-11 of the Final EIR, the General Plan designates the site as Public/Quasi-Public – Concord Naval Weapons Station – Inland Area. It does not provide a specific policy framework for future uses and development at the site, but recognizes this will be established by the Reuse Plan. As stated in the adopted General Plan:

The Plan does not address potential development of the CNWS because the City, acting as the Local Reuse Authority, has initiated a separate base reuse planning program for the Inland Portion of the CNWS following approval of the base closure in November 2005. This means that when this separate planning effort is completed and a land use plan is approved by the City, the General Plan will be amended to incorporate the Naval Weapon Station reuse plan. (General Plan, pages 1–3)

CITY OF CONCORD REDEVELOPMENT PLAN

The Central Concord Redevelopment Strategy and Implementation Action Plan (Redevelopment Plan) (City of Concord, 2000) addresses a substantial area of Concord’s downtown and commercial areas west of downtown and SR 242. While the site is not currently within a redevelopment area, it may be considered for inclusion during amendment of the General Plan.

The Redevelopment Plan for the downtown area has focused on the development of new office and high-density residential uses within a 20-minute walk of the Concord BART Station. More recently, the development of mixed-use projects near Todos Santos Plaza has combined higher-density residential uses with street-level retail.

The Redevelopment Plan was amended in 2006 to include three additional subareas, two of which are relevant to the site: the Willow Pass Subarea and the North Concord Subarea. The 89-acre Willow Pass Subarea extends from the current downtown redevelopment area eastward along Willow Pass Road. At the eastern terminus, the Subarea shares a boundary with the site. The 188-acre North Concord Subarea lies approximately 1/2 mile from the northern area of the site, primarily north of SR 4.

The Willow Pass Subarea currently supports various uses: retail, class-C office, single-family residential, and multi-family residential. Willow Pass Road in the subarea currently represents the major transportation link between downtown Concord and the northwestern corner of the site. The transportation linkages and related land uses established along this corridor represent both a great development opportunity and a potential constraint to urban connections between downtown Concord and the site.

Current land uses in the North Concord Subarea range from office commercial to primarily industrial (both light and heavy). Some of this subarea and adjacent areas are transitioning from warehouse, distribution, and industrial uses to office and research-type uses.

Furthermore, the Redevelopment Plan sets out several key guiding strategies for redevelopment in the area, including:

- Utilize the City’s redevelopment powers to redevelop underutilized and undesirable uses at high-visibility and strategic locations.
- Take advantage of continuing development opportunities as they arise in the redevelopment area to achieve the Redevelopment Agency’s vision.
- Play a lead role in providing better pedestrian/bicycle and shuttle connections to mass transit connections with reduced automobile dependence. (Concord, 2000)

The Preferred Alternative is consistent with the guiding strategies for redevelopment.

CITY OF CONCORD ZONING

Based on Chapter 122 of the Concord Municipal Code (Municipal Code) (City of Concord, 2002), the purpose of zoning in the City of Concord is “to promote the growth of the city in an orderly manner, and to promote and protect the public health, safety, peace, comfort, and general welfare.” In general, zoning is the instrument that implements the land use designations in a General Plan. In addition to establishing permitted uses, zoning may also establish development standards relating to issues such as development intensity, building setbacks and height, and parking. Specific development projects designed to implement the Reuse Plan will be submitted for review and approval to the City for consistency with the zoning code.

The site is currently zoned as an “(S) Study District.” Along the western and southern boundary of the site, the zoning is predominantly Single Family Residential with very limited areas of Low Density Multi-family Residential, Medium Density Multi-family Residential, and Planned District. There is also limited zoning for Neighborhood Commercial on the western side of the site. North of SR 4, along Port Chicago Highway and adjacent to the site, the area is zoned Planned Industrial, Special Light Industrial, and Planned District.

The City’s Zoning Ordinance is currently being updated to reflect the 2007 Urban Area General Plan. This will involve a substantial update to the planning and design standards to conform to the land use designations as specified in the General Plan. Some of these new zoning designations include consideration for transit villages, varying commercial formats, and mixed-use developments. However, the Zoning Ordinance update will not reflect recent planning for the CNWS. The Zoning Ordinance will further be updated for consistency with the General Plan after the General Plan has been amended to reflect the Reuse Plan.

VII. **FINDINGS REQUIRED UNDER CEQA**

Public Resources Code section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute provides that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of Projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” Section 21002 goes on to provide that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before

approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR. The second permissible finding is that such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding, and that such changes have been adopted by, or can and should be adopted by, such other agency. The third potential conclusion is that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (CEQA Guidelines, § 15091.) As explained elsewhere in these findings, “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors. The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1509 (court upholds CEQA findings rejecting alternatives in reliance on applicant’s project objectives); see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 (CNPS) (“an alternative ‘may be found infeasible on the ground it is inconsistent with the project objectives as long as the finding is supported by substantial evidence in the record’”) (quoting *Kostka & Zischke, Practice Under the Cal. Environmental Quality Act* [Cont. Ed. Bar 2d ed. 2009] (Kostka), § 17.309, p. 825); *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165, 1166 (Bay-Delta) (“[i]n the CALFED program, feasibility is strongly linked to achievement of each of the primary program objectives”; “a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal”).) Moreover, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (City of Del Mar); see also CNPS, *supra*, 177 Cal.App.4th at p.1001 (after weighing “‘economic, environmental, social, and technological factors,’ ... ‘an agency may conclude that a mitigation measure or alternative is impractical or undesirable from a policy standpoint and reject it as infeasible on that ground’”) (quoting *Kostka, supra* § 17.29, p. 824).)

For purposes of these findings (including the table described in section IX below), the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level.

As explained above, CEQA requires that the lead agency adopt feasible mitigation measures or, in some instances, feasible alternatives to substantially lessen or avoid significant environmental impacts that would otherwise occur. With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons that the agency found the project’s benefits outweigh its unavoidable adverse environmental effects. The City of Concord’s Statement of Overriding Considerations for the Reuse Project is included herein in Section XI below.

VIII.
MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program has been prepared for the CCRP, and is being approved by the LRA by the same Resolution that has adopted these findings. The City will use the Mitigation Monitoring and Reporting Program to track compliance with CCRP mitigation measures. The Mitigation Monitoring and Reporting Program will remain available for public review during the compliance period. The Final Mitigation Monitoring and Reporting Program is attached to and incorporated into the Final EIR document and is approved in conjunction with certification of the EIR and adoption of these Findings of Fact.

IX.
SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The May 2008 Draft EIR, August 2009 Draft Revised EIR and the Final EIR identified a number of significant and potentially significant environmental effects (or impacts) that the CCRP will cause or contribute to. Most of these significant effects can be fully avoided through the adoption of feasible mitigation measures. Other effects, however, cannot be avoided by the adoption of feasible mitigation measures or alternatives, and thus will be significant and unavoidable. Some of these unavoidable significant effects can be substantially lessened by the adoption of feasible mitigation measures. Other significant, unavoidable effects cannot be substantially lessened or avoided. For reasons set forth in Section XI *infra*, however, the LRA has determined that overriding economic, social, and other considerations outweigh the significant, unavoidable effects of the Reuse Project.

The LRA's findings with respect to the CCRP's significant effects and mitigation measures are set forth in Table 1, attached to these findings. The findings set forth in the table are hereby incorporated by reference.

This table does not attempt to describe the full analysis of each environmental impact contained in the Final EIR. Instead, Table 1 provides a summary description of each impact, describes the applicable mitigation measures identified in the Final EIR and adopted by the LRA, and states the LRA's findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Final EIR, and these findings hereby incorporate by reference the discussion and analysis in those documents supporting the Final EIR's determinations regarding mitigation measures and the Reuse Projects' impacts and mitigation measures designed to address those impacts. In making these findings, the LRA ratifies, adopts, and incorporates into these findings the analysis and explanation in the May 2008 Draft EIR, August 2009 Draft Revised EIR and Final EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

The LRA has adopted all of the mitigation measures identified in Table 1. Some of the measures identified in the table are also within the jurisdiction and control of other agencies. To the extent any of the mitigation measures are within the jurisdiction of other agencies, the LRA finds those agencies can and should implement those measures within their jurisdiction and control.

In several comments on the May 2008 Draft EIR and August 2009 Draft Revised EIR, commenter's suggested additional mitigation measures and/or modifications to the measures recommended in the May 2008 Draft EIR and August 2009 Draft Revised EIR. As is evident from the Final EIR and the above-described table, the LRA modified several of the original proposed measures in response to such comments, as set forth in the Final EIR in response to such comments. The LRA commends staff for its careful consideration of those comments, agrees with staff in those instances when staff did not accept proposed language, and hereby ratifies, adopts, and incorporates staff's reasoning on these issues.

In considering specific recommendations from commenter's, the LRA has been cognizant of its legal obligation under CEQA to substantially lessen or avoid significant environmental effects to the extent feasible. The LRA recognizes, moreover, that comments frequently offer thoughtful suggestions regarding how a commenter believes that a particular mitigation measure can be modified, or perhaps changed significantly, in order to more effectively, in the commenter's eyes, reduce the severity of environmental effects. The LRA is also cognizant, however, that the mitigation measures recommended in the May 2008 Draft EIR and August 2009 Revised Draft EIR represent the professional judgment and long experience of the LRA's expert staff and environmental consultants. The LRA therefore believes that these recommendations should not be lightly altered. Thus, in considering commenter's' suggested changes or additions to the mitigation measures as set forth in the May 2008 Draft EIR and August 2009 Draft Revised EIR, the LRA, in determining whether to accept such suggestions, either in whole or in part, has considered the following factors, among others: (i) whether the suggestion relates to a significant and unavoidable environmental effect of the CCRP, or instead relates to an effect that can already be mitigated to less than significant levels by proposed mitigation measures in the May 2008 Draft EIR and August 2009 Draft Revised EIR; (ii) whether the proposed language represents a clear improvement, from an environmental standpoint, over the draft language that a commenter seeks to replace; (iii) whether the proposed language is sufficiently clear as to be easily understood by those who will implement the mitigation as finally adopted; (iv) whether the language might be too inflexible to allow for pragmatic implementation; (v) whether the suggestions are feasible from an economic, technical, legal, or other standpoint; and (vi) whether the proposed language is consistent with the project objectives.

As is often evident from the specific responses given to specific suggestions, LRA staff and consultants spent large amounts of time carefully considering and weighing proposed mitigation language, and in many instances adopted much of what a commenter suggested. In some instances, the LRA developed alternative language addressing the same issue that was of concern to a commenter. In no instance, however, did the LRA fail to take seriously a suggestion made by a commenter or fail to appreciate the sincere effort that went into the formulation of suggestions.

X. PROJECT ALTERNATIVES

A. BASIS FOR ALTERNATIVES-FEASIBILITY ANALYSIS

Public Resources Code section 21002, a key provision of CEQA, provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute states that the procedures required by CEQA

“are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. Although an EIR must evaluate this range of potentially feasible alternatives, an alternative may ultimately be deemed by the lead agency to be “infeasible” if it fails to fully promote the lead agency’s underlying goals and objectives with respect to the project. (*City of Del Mar, supra*, 133 Cal.App.3d at p. 417.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Ibid.*; see also *CNPS, supra*, 177 Cal.App.4th at p. 1001.) Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of the project, the decision-makers may reject the alternative if they determine that specific considerations make the alternative infeasible.

Developing the Initial Alternative Concepts

In 2006, the City of Concord (City) initiated a three-phase multiyear project to develop the Reuse Plan for the Concord Naval Weapons Station (CNWS). During the 6-month period of Phase 1, hundreds of residents and community leaders offered their ideas and thoughts about the issues, opportunities, and priorities to be addressed while planning for reuse of the site. Based on this input, the City developed a Vision Statement for a creative, innovative, world class Reuse Plan using a balanced approach to meet community interests, needs, and requirements. The Vision Statement also called for the Reuse Plan to be economically viable and sustainable, and to maintain and enhance the quality of life in Concord and the region.

The City’s vision was developed into a set of overarching goals to direct the subsequent planning effort. These overarching goals noted earlier in the Project Objectives discussion, are:

World Class Project

Balanced Approach

Economically Viable and Sustainable Development

Quality of Life

As noted in the Project Objectives on page 45, the community added thirteen refinements of the overarching goals to help guide alternative development.

Through out the rest of 2006 and 2007 the community participated in a series of workshops that and meetings with the Community Advisory Committee (CAC) which was made up of twenty-one (21) members representing a diverse cross section of the community.

While the planning workshops and meetings provided a broad foundation for understanding the community's desires and expectations, the wide variety of schemes identified and the feedback from the CAC indicated that additional comment and discussion from policymakers was needed to help guide the development of alternatives. During June and July 2007, the City held a series of meetings with the LRA, CAC and other City boards and commissions to address the following four key reuse issues:

- Level of intensity of use
- Arrangement of land uses and transit
- Distribution of open space
- Role of buffers between and transitions to surrounding land uses

This input was used by staff to develop five alternative concepts for reuse of the site. The five alternatives reflected three planning themes. The themes were "Extending the Neighborhoods," "Clustered Villages," and "Concentration and Conservation."

On September 18, 2007, the CAC met to review and discuss the three themes and five initial alternative concepts and to receive public comment. This resulted in a request for more information on the alternative concepts and a desire to expand the range under consideration. On October 2, 2007, the CAC adopted a resolution recommending that seven alternative concepts be approved by the City Council acting as the LRA for analysis in the Draft EIR. One alternative was added to the Clustered Village theme and one to the Concentration and Conservation theme. On October 9, 2007, the LRA reviewed the seven alternative concepts and approved them for analysis in the Draft EIR.

Narrowing the Range of Alternatives

In spring 2008, at the same time that the seven alternatives were being evaluated for environmental impacts in compliance with CEQA in the May 2008 Draft EIR, the seven alternatives were also evaluated against a broader set of criteria established by the CAC. The sixteen (16) criteria were grouped into five (5) categories and included the following:

- Green Planning: Resource Efficiency, Climate Change
- Transportation: Traffic, Travel Choices, Connectivity
Community: Community Integration, Community-Serving Uses and Facilities, Housing Variety, Parkland
- Land Stewardship: Viewshed and Hillside Protection, Cultural Resources, Land Remediation, Biological Resources, Watershed Resources
- Economics: Fiscal Sustainability, Financial Feasibility

The results of the evaluations were shared with the public at CAC meetings in April and May 2008 and subsequently at public workshops held on May 28 and June 14, 2008.

At its July 15, 2008 meeting, the CAC decided to narrow the range of alternatives by removing the "Extending the Neighborhoods" theme (represented by Alternative 1) from further consideration because it was the worst performing theme and alternative under consideration, in terms of environmental impacts and community benefits. They further determined to adopt a process to select one alternative representing each of the two remaining

themes based on information from the May 2008 EIR and the evaluation using the 16 criteria noted above.

Modifications to the final two alternatives included changing density or intensity of development, moving major land uses to different areas of the site, improving financial performance. The CAC also discussed specific issues common to the alternatives, which included the number of housing units and their mix, the balance of jobs and housing density in a transit-oriented development area around the North Concord/Martinez BART Station, an education complex, a first responders training facility, a city-wide park, a tournament sports facility, and a golf course. The CAC adopted a series of findings in a Resolution 08-1 on October 14, 2008 (hereby incorporated into this document by reference) recommending both the Clustered Village and Concentration and Conservation alternative go forward for further environmental review and also set findings supporting the designation of the Clustered Village concept as the Preferred Alternative. The resolution and supporting findings were unanimously affirmed by the LRA on January 12, 2009.

Based on the requirements of CEQA Guidelines section 15126.6 and the Reuse Project's Objectives, the following alternatives to the Reuse Project were identified and included for analysis in the August 2009 Revised Draft EIR:

- No Project Alternative
- Clustered Village Preferred Alternative
- Concentration and Conservation Alternative

The LRA finds that a good faith effort was made to evaluate all potentially feasible alternatives in the May 2008 Draft EIR and August 2009 Draft Revised EIR, and that they are reasonable alternatives to the CCRP that could feasibly obtain the basic objectives. As a result, the scope of alternatives analyzed in the EIR is not unduly limited or narrow. The City Council also finds that all reasonable alternatives were reviewed, analyzed and discussed in the review process of the May 2008 draft EIR, the August 2009 Draft Revised EIR, the Final EIR, the Response to Comments on the May 2008 and August 2009 documents and the ultimate decision on the Reuse Project.

1. Significant, Unavoidable Impacts of the Preferred Alternative

Implementation of either the Preferred Alternative will result in the following significant and unavoidable impacts, all of which can be substantially lessened, though not avoided, through implementation of feasible mitigation measures adopted in connection with the CCRP or potentially at future design and development stages of implementation:

- **Land Use-** The Preferred Alternative could introduce short- or long-term land use compatibility conflicts by placing higher-intensity uses and non-residential uses in close proximity to the existing lower-density residential uses in the Sun Terrace and Holbrook neighborhoods and Coast Guard Housing complex along East Olivera Road. This impact is considered to be potentially significant and even after mitigation, unavoidable.
- **Transportation-**

Impact Transportation 1: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold on six freeway segments:

1. SR 4 east of SR 242 westbound (PM peak hour)
2. SR 4 east of Willow Pass Road eastbound (PM peak hour)
3. SR 4 east of Willow Pass Road westbound (AM and PM peak hours)
4. SR 4 east of San Marco Boulevard eastbound (PM peak hour)
5. I-680 north of SR 242 southbound (PM peak hour)
6. I-680 north of SR 4 southbound (AM peak hour)

This impact is considered to be potentially significant and even after mitigation unavoidable

Impact Transportation 2: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold on 11 freeway ramps:

1. I-680/Willow Pass Road eastbound-to-southbound on-ramp (AM peak hour)
2. SR 4/Port Chicago Highway eastbound off-ramp (AM peak hour)
3. SR 4/Willow Pass Road westbound off-ramp (AM peak hour)
4. SR 4/San Marco Boulevard eastbound off-ramp (PM peak hour)
5. SR 4/Southbound San Marco Boulevard westbound on-ramp (AM peak hour)
6. SR 4/Northbound San Marco Boulevard westbound on-ramp (AM peak hour)
7. SR 4/Northbound San Marco Boulevard eastbound on-ramp (PM peak hour)
8. SR 4/San Marco Boulevard westbound off-ramp (AM peak hour)
9. SR 4/Southbound Bailey Road eastbound
10. off-ramp (PM peak hour)
11. SR 4/Bailey Road westbound on-ramp (AM peak hour)
12. SR 4/Railroad Avenue westbound on-ramp (AM peak hour)

This impact is considered to be potentially significant and unavoidable.

Impact Transportation 3: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold on two roadway segments:

1. Concord Boulevard west of Denkinger Road (AM and PM peak hours)
2. Port Chicago Highway north of Olivera Road (AM and PM peak hours)

This impact is considered to be potentially significant and unavoidable.

Impact Transportation 4: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold at 11 intersections:

1. Port Chicago Highway and Panoramic Drive (AM peak hour)
2. Port Chicago Highway and Olivera Road (AM and PM peak hours)
3. Oak Road and Treat Boulevard (PM peak hour)
4. North Main Street and Geary Road (AM and PM peak hours)
5. North Bancroft Road and Treat Boulevard (PM peak hour)
6. Main Street and Sunnyvale Avenue and SB I-680 ramps (AM peak hour)
7. Willow Pass Road and Evora Road (west) (PM peak hour)
8. San Marco Boulevard and West Leland Road (AM peak hour)
9. Railroad Avenue and West Leland Road (AM peak hour)
10. Kirker Pass Road and James Donlon Boulevard Extension (PM peak hour)
11. San Marco Boulevard - Willow Pass Road and SR 4 eastbound ramp (PM peak hour)

This impact is considered to be potentially significant and unavoidable

Impact Transportation 5: The development of the Preferred Alternative would reduce average vehicle occupancies, increase the delay index, and/or reduce average speeds and exceed the established performance threshold on 16 segments of regional routes:

1. I-680 south of Monument Boulevard - southbound PM peak hour (average speed and delay index)
2. I-680 north of Monument Boulevard - southbound PM peak hour (average speed and delay index)
3. I-680 north of SR 242 - southbound PM peak hour (average speed and delay index)
4. SR 242 north of I-680 - southbound PM peak hour (average speed and delay index)
5. SR 4 east of Willow Pass Road - eastbound PM peak hour (average speed and delay index)

6. SR 4 east of Willow Pass Road - westbound AM peak hour (average speed and delay index)
7. SR 4 east of San Marco Boulevard - eastbound PM peak hour (delay index)
8. SR 4 east of San Marco Boulevard - westbound AM peak hour (delay index)
9. SR 4 east of Bailey Road - eastbound PM peak hour (delay index)
10. SR 4 east of Bailey Road - westbound AM peak hour (delay index)
11. Leland Road (proposed) east of San Marco Boulevard - eastbound PM peak hour (delay index)
12. Leland Road (proposed) east of San Marco Boulevard - westbound AM peak hour (delay index)
13. Avila Road (proposed) west of San Marco Boulevard - eastbound PM peak hour (delay index)
14. Avila Road (proposed) west of San Marco Boulevard - westbound AM and PM peak hours (delay index)
15. Willow Pass Road east of Evora Road - eastbound PM peak hour (delay index)
16. Willow Pass Road east of Evora Road - westbound AM peak hour (delay index)

This impact is considered to be potentially significant and unavoidable.

Impact Transportation 10: The development of the Preferred Alternative would increase traffic volumes and contribute to already deficient conditions on one freeway ramp: SR 4/Port Chicago Highway westbound on-ramp (PM peak hour).

This impact is considered to be potentially significant and unavoidable

Impact Transportation 11: The development of the Preferred Alternative would increase traffic volumes and contribute to already deficient conditions at five intersections:

1. Oak Grove Road and Treat Boulevard (AM peak hour)
2. Walnut Boulevard and Ygnacio Valley Road (PM peak hour)
3. Buskirk Avenue - northbound I-680 off-ramp and Treat Boulevard (PM peak hour)
4. Northbound I-680 off-ramp and Ygnacio Valley
5. Bailey Road and SR 4 eastbound ramps - BART access (PM
6. peak hour)

This impact is considered to be potentially significant and unavoidable.

Impact Transportation 12: The development of the Preferred Alternative would reduce average vehicle occupancies, increase the delay index, and/or reduce average speeds and contribute to already deficient conditions on 29 segments of regional routes:

1. Kirker Pass Road east of Concord Boulevard - eastbound PM peak hours (average vehicle occupancy)
2. Kirker Pass Road east of Concord Boulevard - westbound PM peak hour (average vehicle occupancy)
3. Treat Boulevard east of Oak Grove Road - eastbound AM peak hour (average vehicle occupancy)
4. Ygnacio Valley Road east of Cowell Road - eastbound AM peak hour (average vehicle occupancy)
5. Ygnacio Valley Road east of Cowell Road - westbound PM peak hour (average vehicle occupancy)
6. I-680 south of Monument Boulevard - southbound AM peak hour (average vehicle occupancy)
7. I-680 north of Monument Boulevard - northbound AM peak hour (average vehicle occupancy)
8. I-680 north of Monument Boulevard - southbound PM peak hour (average vehicle occupancy)
9. I-680 north of Concord Avenue - northbound AM peak hour (average vehicle occupancy)
10. SR 242 north of I-680 - northbound AM peak hour (average vehicle occupancy)
11. SR 242 north of I-680 - southbound AM and PM peak hours (average vehicle occupancy)
12. SR 242 north of Willow Pass Road - northbound AM and PM peak hours (average vehicle occupancy)
13. SR 242 north of Willow Pass Road - southbound AM and PM peak hours (average vehicle occupancy)
14. SR 242 north of Concord Avenue - northbound PM peak hours (average vehicle occupancy)
15. SR 242 north of Concord Avenue - southbound PM peak hour (average vehicle occupancy)
16. SR 242 north of Solano Way - northbound PM peak hours (average vehicle occupancy)
17. SR 242 north of Solano Way - southbound PM peak hour (average vehicle occupancy)
18. SR 242 north of Olivera Road - northbound PM peak hour (average vehicle occupancy)
19. SR 242 north of Olivera Road - southbound PM peak hour (average vehicle occupancy)
20. SR 4 east of I-680 - eastbound AM peak hour (average vehicle occupancy)

21. SR 4 east of Solano Way - eastbound AM peak hour (average vehicle occupancy)
22. SR 4 east of Port Chicago Highway - eastbound AM peak hour (average vehicle occupancy)
23. SR 4 east of Port Chicago Highway - westbound PM peak hour (average vehicle occupancy)
24. SR 4 east of Willow Pass Road - eastbound AM peak hour (average vehicle occupancy)
25. SR 4 east of Willow Pass Road - westbound PM peak hour (average vehicle occupancy)
26. SR 4 east of San Marco Boulevard - eastbound AM peak hour (average vehicle occupancy)
27. SR 4 east of San Marco Boulevard – westbound PM peak hour (average vehicle occupancy)
28. SR 4 east of Bailey Road - westbound PM peak hour (average vehicle occupancy)
29. SR 4 east of Railroad Avenue - eastbound AM and PM peak hours (average vehicle occupancy)

This impact is considered to be potentially significant and unavoidable

Impact Visual Resources 1: The Preferred Alternative has the potential to degrade the visual character of the near horizon views of the site from the Sun Terrace Neighborhood and the Coast Guard Housing complex. This impact is considered to be potentially significant and unavoidable.

Impact Air Quality 1: The Preferred Alternative would result in the total vehicular emissions of ozone precursors exceeding the Bay Area Air Quality Management District (BAAQMD) quantitative thresholds. This impact is considered to be potentially significant and unavoidable.

Impact Air Quality 2: As a result of implementing the Preferred Alternative the total population of the City of Concord, including the project, would exceed the maximum population forecast in the General Plan that would be consistent with the current clean air plan. This impact is considered to be potentially significant and unavoidable.

Impact Air Quality 3: The Preferred Alternative could result in increased population and vehicle miles traveled at rates that would be inconsistent with the most current clean air plan. This impact is considered to be potentially significant and unavoidable.

Impact Noise and Vibration 1: Development of the Preferred Alternative would contribute to increases in traffic noise levels on West Street and Denkinger Road. This impact is considered to be potentially significant and unavoidable.

Cumulative Impact Transportation 1: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold on six freeway segments:

1. SR 4 east of Willow Pass Road eastbound (PM peak hour)
2. SR 4 east of Willow Pass Road westbound (AM and PM peak hour)
3. SR 4 east of San Marco Boulevard eastbound (PM peak hour)
4. I-680 north of SR 242 southbound (PM peak hour)
5. I-680 north of SR 4 southbound (AM peak hour)
6. SR 4 east of SR 242 westbound (PM peak hour)

This impact is considered to be potentially significant.

As shown in Tables 17-3 and 17-4, these six freeway segments would exceed the established performance threshold with the traffic from the Preferred Alternative. Therefore, this impact is considered to be potentially significant.

Cumulative Impact Transportation 2: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold on 11 freeway ramps:

1. SR 4/Port Chicago Highway eastbound off-ramp (AM peak hour)
2. SR 4/Willow Pass Road westbound off-ramp (AM peak hour)
3. SR 4/northbound San Marco Boulevard eastbound on-ramp (PM peak hour)
4. SR 4/southbound Bailey Road eastbound off-ramp (PM peak hour)
5. SR 4/Railroad Avenue westbound on-ramp (AM peak hour)
6. I-680/Willow Pass Road eastbound to southbound on-ramp (AM peak hour)
7. SR 4/Port Chicago Highway westbound on-ramp (PM peak hour)
8. SR 4/San Marco Boulevard eastbound off-ramp (PM peak hour)
9. SR 4/southbound San Marco Boulevard westbound on-ramp (AM peak hour)
10. SR 4/northbound San Marco Boulevard westbound on-ramp (AM peak hour)
11. SR 4/San Marco Boulevard westbound off-ramp (AM peak hour)

This impact is considered to be potentially significant.

As shown in Table 17-5, these 11 freeway ramps exceed the established performance threshold either on the ramp itself or on the downstream freeway mainline with the traffic from the Preferred Alternative. In addition, the Preferred Alternative worsens the 2030 No Project condition. This impact is considered to be potentially significant.

The low level of service (LOS) at the ramp junctions with the freeway mainline at merge and diverge locations that result with the Preferred Alternative would largely be caused by congestion on the freeway mainline.

Cumulative Impact Transportation 3: The development of the Preferred Alternative would increase traffic volumes and contribute to already deficient conditions on three roadway segments:

1. Ygnacio Valley Road east of Cowell Road (PM peak hour)
2. Concord Boulevard west of Denkinger Road (AM and PM peak hours)
3. Port Chicago Highway north of Olivera Road (AM and PM peak hours)

This impact is considered to be potentially significant.

As shown in Table 17-6, these three roadway segments would exceed the established performance threshold with the traffic from the Preferred Alternative. In addition, the Preferred Alternative worsens the 2030 No Project condition. Even with the implementation of transportation demand management (TDM) measures, this impact is considered to be potentially significant.

Cumulative Impact Transportation 4: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold at 19 intersections:

1. Port Chicago Highway and Panoramic Drive (AM peak hour)
2. Port Chicago Highway and Olivera Road (AM and PM peak hours)
3. North Main Street and Geary Road (AM and PM peak hour)
4. Willow Pass Road and Evora Road (west) (PM peak hour)
5. Willow Pass Road and Avila Road (AM and PM peak hours)
6. San Marco Boulevard and West Leland Road (AM peak hour)
7. San Marco Boulevard - Willow Pass Road and SR 4 eastbound ramp (PM peak hour)
8. Willow Pass Road and SR 4 westbound ramps (AM peak hour)
9. Willow Pass Road and SR 4 eastbound ramps (AM peak hour)
10. Oak Grove Road and Treat Boulevard (AM peak hour)
11. Oak Road and Treat Boulevard (PM peak hour)
12. Walnut Boulevard and Ygnacio Valley Road (PM peak hour)
13. Bancroft Road and Treat Boulevard (PM peak hour)
14. Buskirk Avenue northbound I-680 off-ramp and Treat Boulevard (PM peak hour)
15. North Main Street and Sunnyvale Avenue and southbound I-680 ramps (AM peak hour)
16. Northbound I-680 off-ramp and Ygnacio Valley Road (AM peak hour)
17. Railroad Avenue and West Leland Road (AM peak hour)
18. Kirker Pass Road and James Donlon Boulevard Extension (PM peak hour)
19. Bailey Road and SR 4 eastbound ramps - BART access (PM peak hour)

This impact is considered to be potentially significant.

As shown in Table 17-7, these 19 intersections would exceed the established performance threshold with the traffic from the Preferred Alternative. In addition,

the Preferred Alternative worsens the 2030 No Project condition. This impact is considered to be potentially significant.

Cumulative Impact Transportation 5: The development of the Preferred Alternative would reduce average vehicle occupancies, increase the delay index, and/or reduce average speeds and exceed the established performance threshold on 38 segments of Routes of Regional Significance:

1. I-680 south of Monument Boulevard - southbound PM peak hour (average speed and delay index), AM peak hour (average vehicle occupancy)
2. I-680 north of Monument Boulevard - southbound PM peak hour (average vehicle occupancy, average speed and delay index)
3. I-680 north of Monument Boulevard - northbound AM peak hour (average vehicle occupancy)
4. I-680 north of SR 242 - southbound PM peak hour (average speed and delay index)
5. I-680 north of Concord Avenue - northbound AM peak hour (average vehicle occupancy)
6. SR 242 north of I-680 - southbound PM peak hour (average speed and delay index), AM and PM peak hours (average vehicle occupancy)
7. SR 242 north of I-680 - northbound AM peak hour (average vehicle occupancy)
8. SR 242 north of Willow Pass Road - northbound AM and PM peak hours (average vehicle occupancy)
9. SR 242 north of Willow Pass Road - southbound AM and PM peak hours (average vehicle occupancy)
10. SR 242 north of Concord Avenue - northbound AM and PM peak hours (average vehicle occupancy)
11. SR 242 north of Concord Avenue - southbound PM peak hour (average vehicle occupancy)
12. SR 242 north of Solano Way - northbound AM and PM peak hours (average vehicle occupancy)
13. SR 242 north of Solano Way - southbound PM peak hour (average vehicle occupancy)
14. SR 242 north of Olivera Road - northbound PM peak hour (average vehicle occupancy)
15. SR 242 north of Olivera Road - southbound PM peak hour (average vehicle occupancy)
16. SR 4 east of Willow Pass Road - eastbound PM peak hour (average speed and delay index), AM and PM peak hours (average vehicle occupancy)
17. SR 4 east of Bailey Road - eastbound PM peak hour (delay index)
18. SR 4 east of I-680 - eastbound AM peak hour (average vehicle occupancy)
19. SR 4 east of I-680 - westbound AM and PM peak hours (average vehicle occupancy)
20. SR 4 east of Solano Way - eastbound AM peak hour (average vehicle occupancy)

21. SR 4 east of Port Chicago Highway - eastbound AM peak hour (average vehicle occupancy)
22. SR 4 east of Port Chicago Highway - westbound PM peak hour (average vehicle occupancy)
23. SR 4 east of Willow Pass Road - westbound AM and PM peak hours (average vehicle occupancy)
24. SR 4 east of San Marco Boulevard - eastbound AM peak hour (average vehicle occupancy) and PM peak hour (delay index)
25. SR 4 east of San Marco Boulevard - westbound AM peak hour (delay index) and PM peak hour (average vehicle occupancy)
26. SR 4 east of Bailey Road - westbound AM peak hour (delay index)
27. SR 4 east of Railroad Avenue - eastbound AM and PM peak hours (average vehicle occupancy)
28. Leland Road (proposed) east of San Marco Boulevard - eastbound PM peak hour (delay index)
29. Avila Road (proposed) west of San Marco Boulevard - eastbound PM peak hour (delay index)
30. Avila Road (proposed) west of San Marco Boulevard - westbound AM and PM peak hours (delay index)
31. Willow Pass Road east of Evora Road - eastbound PM peak hour (delay index)
32. Kirker Pass Road east of Concord Boulevard - eastbound AM and PM peak hours (average vehicle occupancy)
33. Kirker Pass Road east of Concord Boulevard - westbound PM peak hour (average vehicle occupancy)
34. Treat Boulevard east of Oak Grove Road - eastbound AM peak hour (average vehicle occupancy)
35. Ygnacio Valley Road east of Cowell Road - eastbound AM peak hour (average vehicle occupancy)
36. Ygnacio Valley Road east of Cowell Road - westbound PM peak hour (average vehicle occupancy)
37. Leland Road (proposed) east of San Marco Boulevard - westbound AM peak hour (delay index)
38. Willow Pass Road east of Evora Road - westbound AM peak hour (delay index)

This impact is considered to be potentially significant.

As shown in Table 17-8, these 38 segments of Routes of Regional Significance would exceed the established performance threshold with the traffic from the Preferred Alternative. In addition, the Preferred Alternative worsens the 2030 No Project condition. This impact is considered to be potentially significant.

Cumulative Impact Air Quality 1: Emissions from the Preferred Alternative would result in an increase to global greenhouse gas emissions. This impact is considered to be significant.

The Preferred Alternative will contribute to an increase in GHGs from mobile sources, stationary sources, and other indirect sources. Based on a CEQA threshold of zero, any increase in GHGs would render the impact significant. Due to the increase in GHGs on site, the impact of the Preferred Alternative will be significant.

2. **Scope of Necessary Findings and Considerations for Alternatives**

As noted above, these findings address whether the various alternatives substantially lessen or avoid any of the significant unavoidable impacts associated with the Preferred Alternative selected as the CCRP and also consider the feasibility of each alternative. Under CEQA, “Feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” (CEQA Guidelines § 15364.) As explained earlier, the concept of feasibility permits agency decision makers to consider the extent to which an alternative is able to meet some or all of a project’s objectives. In addition, the definition of feasibility encompasses “desirability” to the extent that an agency’s determination of infeasibility represents a reasonable balancing of competing economic, environmental, social, and technological factors supported by substantial evidence.

Both the Preferred Alternative and the Concentration and Conservation Alternative represent the best distillation of the concepts of the former seven alternatives. While they approach the reuse of the site from different perspectives, they both embody key planning principles and guidance accumulated during the 3-year LRA community reuse planning process, and both achieve, to various degrees, the four overarching goals established in the community’s vision for the site.

Key planning concepts that have also been incorporated into the reuse planning process, including:

- Locate higher-intensity uses around the North Concord/Martinez BART Station.
- Support transit-oriented development around the North Concord/Martinez BART Station, transit service in other developed areas of the site, and a broad range of travel choices (including transit, walking, and biking).
- Integrate the site with existing Concord to improve the quality of life for existing Concord residents and avoid creating “two ConCORDs.”
- Create balance in housing types and housing choices.
- Provide for community and cultural facilities including a library/performing arts center/community center, adequate schools for K–12 on-site population, and a tournament-level sports facility.
- Preserve a minimum 300-foot-wide riparian corridor along the centerline of Mt. Diablo Creek.
- Preserve the hills and ridgelines on the eastern side of the CNWS.
- Limit development in areas of 30 percent slope or greater.

- Avoid and/or minimize intrusion into wetlands and into breeding areas and habitat for threatened or endangered animal species.
- Avoid development south of Bailey Road.
- Avoid roads and development east of Mt. Diablo Creek and especially in resource areas containing habitat for threatened and endangered species.
- Maximize open space with facilities and trails that will serve the public.
- Set aside lands and designate them as open space in order to provide on-site mitigation for any unavoidable loss of habitat or wetlands on other portions of the site.

Because the two alternatives are based on similar planning principles there are not substantial differences between the two in terms of minimizing significant and unavoidable impacts.

B. DESCRIPTION OF REUSE PROJECT ALTERNATIVES

The Final EIR identified and compared environmental effects of the two alternatives listed below with environmental impacts resulting from the Preferred Alternative. The following alternatives were evaluated:

ALTERNATIVE 1 (No Project)

1. Description

The CNWS site is currently developed for military uses including ordinance storage. However, the Base has been designated as surplus property by the Navy and is slated for transfer to private and public ownership. Under this alternative the base would maintain its secured status, building/bunkers would remain but continue to deteriorate without maintenance and grazing operation would continue.

2. Analysis of Alternative 1's Ability to Reduce Significant Unavoidable Project Impacts

Adoption of Alternative 1 would theoretically avoid -the significant and unavoidable impacts identified in the analysis of the Preferred Alternative. No reuse of the property would occur and the existing sequestered nature of the site would remain as is under Navy ownership.

3. Feasibility of Alternative 1 (No Project)

Alternative 1, the No Project Alternative is not considered to be the environmentally superior alternative. (See CEQA Guidelines section 15126(e)(2) "if the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.>"). While the No Project Alternative may result in fewer physical impacts, maintaining the site in its current caretaker status does not make it suitable for any of the development envisioned following the extensive community planning process that resulted in the Preferred Alternative and the Concentration and Conservation Alternative. Further, leaving the site in its current condition – it is fenced from public access, patrolled and not available for active or passive recreation, it is subject to

heavy grazing, the existing structures are aging and not maintained, and Mt. Diablo Creek is in a deteriorated state – and continued Navy ownership of the site does not provide a public benefit and a revenue source to the citizens of Concord. Also, the No Project Alternative may not result in the remediation of known sources of contamination in a timely manner or to a level that would allow residential and recreation uses. While the No Project Alternative would result in no land disturbance resulting from new development and the lowest predicted amount of traffic, when compared with the two alternatives and the lowest annual carbon dioxide emissions as presented in Table 17-17 of the Final EIR, it would not achieve the four goals that were established for the CCRP. The LRA therefore finds this alternative to be infeasible.

ALTERNATIVE 2 (Concentration and Conservation Alternative)

1. Description

Alternative 2, the Concentration and Conservation Alternative, as its name suggests, concentrates all of the development onto the northwest portion of the site. This concentration of development provides the greatest amount of open space dedicated to protection of wildlife and habitat, and it leaves undisturbed larger amounts of land fronting the existing residential properties along the western boundary of the site. Most of the development is located in close proximity to the North Concord/Martinez BART Station, providing for transit-oriented/walkable neighborhoods. A smaller development footprint leads to less commercial/retail space, fewer residential units, lower job creation on the site, less connectivity, and fewer acres for neighborhood and community parks. The smaller footprint also leads to higher overall density.

Summary of Differences Between Action Alternatives

Attribute	Preferred Alternative	Concentration and Conservation Alternative
Proportion of the site designated for the following categories of land uses:		
Residential	20% (1,022 acres)	15% (733 acres)
Commercial	6% (285 acres)	4% (211 acres)
Institutional (Education Campus)	3% (150 acres)	3% (150 acres)
Community/Other	6% (285 acres)	5% (245 acres)
Parks (Active Recreation)	14% (721 acres)	9% (467 acres)
Riparian Corridor	4% (178 acres)	4% (178 acres)
Open Space	47% (2,387 acres)	61% (3,044 acres)
Total	5,028 acres	5,028 acres
Population	28,800 people	23,241 people
Housing Units	12,272 units	10,203 units
Housing Mix	25% high density 37% medium density 38% low density	30% high density 40% medium density 30% low density
Average Residential Density	12.0 gross units per acre	13.9 gross units per acre
Employment	26,530 jobs	21,257 jobs
Commercial Floor Area	6.2 million square feet	4.8 million square feet

2. Analysis of Alternative 2's Ability to Reduce Significant Unavoidable Project Impacts

As shown below, both the Preferred Alternative and Alternative 2 have relatively the same number of significant environmental impacts and the same number that cannot be mitigated to a level that is not significant. Given that the potential significant impacts of the two alternatives are relatively equal, the quantitative and qualitative differences between the two are marginal. The primary points of difference reflect the concentration of development at Willow Pass Rd and North-Northwest towards the North Concord Martinez BART station and Highway 4. Traffic impacts that are significant and unavoidable are more severe with Alternative 2 because there are fewer points of connectivity with existing transportation networks; because more traffic is funneled into fewer traffic corridors, congestion under the C&C alternative will be greater. Conversely, noise impacts along the western boundary of the site from traffic associated with the villages south of Willow Pass Road are eliminated. There is also some a lessening of the severity of some of the impacts associated with air quality, green house gas emissions and traffic because of the smaller foot print (compared to the Preferred Alternative) but not to a degree that would change the level of significance of the impact.

Summary of Significant Environmental Impacts

	Preferred Alternative		Concentration and Conservation Alternative	
	Significant Impacts	Impacts that cannot be Mitigated to a level that is less than Significant	Significant Impacts	Impacts that cannot be mitigated to a level that is less than Significant
Land Use	2	1	2	1
Transportation	17	8	18	10
Visual Resources	4	1	3	1
Earth Resources	0	0	0	0
Hydrology and Water Quality	0	0	0	0
Biological Resources	19	0	19	0
Cultural Resources	3	0	3	0
Hazards and Hazardous Materials	7	0	7	0
Air Quality	5	3	5	3
Noise and Vibration	6	1	5	0

	Preferred Alternative		Concentration and Conservation Alternative	
	Significant Impacts	Impacts that cannot be Mitigated to a level that is less than Significant	Significant Impacts	Impacts that cannot be mitigated to a level that is less than Significant
Population, Housing, and Employment	0	0	0	0
Public Services	0	0	0	0
Recreation	0	0	0	0
Utilities	10	0	10	0
Cumulative Impacts	6	6	6	6
Total	79	20	78	21

3. Feasibility of Alternative 2 (Environmentally Superior Alternative)

Alternative 2, the Concentration and Concentration Alternative results in a smaller footprint, less traffic, and lower GHG emissions than the Preferred Alternative, and is therefore judged to be the environmentally superior alternative.

As a regional infill site, Alternative 2 takes less advantage of the opportunity to place transit-oriented, sustainable development across the site. Development is so concentrated around the North Concord/Martinez BART Station that the opportunity to provide significant connectivity with the rest of the City is compromised. The lack of connectivity has a high probability of creating isolation of the development within Alternative 2, thereby creating a “second Concord” and thus failing to meet one of the key objectives of the community’s vision for the reuse of the base. The higher density housing under Alternative 2 also reduces the level of diversity of housing type in conflict with one of the main overarching goals of balancing multiple interests and a broad range of community needs. The reduced housing diversity would also create slower absorption for residential uses, and the smaller number of overall housing units would translate to lower affordable housing opportunities. Alternative 2 provides for less improved recreational parkland and creates an imbalance with higher provision of open space beyond what is needed for habitat protection/enhancement and passive recreation. The provision of added open space beyond what has been requested for a regional park also raises serious questions about who will take responsibility for remediation, maintenance and security over the open lands. The added open space in Alternative 2 is situated in an area with soil contamination and numerous storage bunkers. The presence of the contamination and bunkers would likely lead to the property being transferred with significant land use controls.

Alternative 2 does provide an opportunity for positive financial performance and fiscal sustainability two key objectives from the community vision for the reuse of the base. However, the financial value created is some thirteen percent (13%) lower and

the net fiscal return to the City's General fund six percent (6%) less than the Preferred Alternative

Finally, Alternative 2 and its smaller development footprint would result in less land dedicated to recreation and new residential, commercial, and institutional uses based on the principles of smart growth, which would result in fewer new residents and new jobs.

For the reasons stated above, the LRA finds Alternative 2 to be infeasible and rejects it as a viable alternative to the Preferred Alternative.

XI. **STATEMENT OF OVERRIDING CONSIDERATIONS**

As set forth in the preceding sections, the City of Concord's adoption of the Preferred Alternative for the Concord Community Reuse Project will result in significant adverse environmental effects that cannot be avoided even with the adoption of all feasible mitigation measures; and there are no feasible alternatives that would mitigate or substantially lessen all of these impacts. Despite the occurrence of these effects, the City Council, in accordance with CEQA Guidelines section 15093, chooses to adopt the Preferred Alternative, in the Council's view it more closely aligns with the goals and objectives set by the community for the reuse of the base and, the economic, social, and other benefits that the Preferred Alternative will produce will render the significant effects acceptable.

A. SIGNIFICANT AND UNAVOIDABLE IMPACTS

As discussed in Section X.A.1, *supra*, the Preferred Alternative of the CCRP will result in the following potentially significant and unavoidable impacts, even with the implementation of all feasible mitigation measures:

- **Land Use-** The Preferred Alternative could introduce short- or long-term land use compatibility conflicts by placing higher-intensity uses and non-residential uses in close proximity to the existing lower-density residential uses in the Sun Terrace and Holbrook neighborhoods and Coast Guard Housing complex along East Olivera Road. This impact is considered to be potentially significant and even after mitigation, unavoidable.
- **Transportation-**
Impact Transportation 1: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold on six freeway segments:
 1. SR 4 east of SR 242 westbound (PM peak hour)
 2. SR 4 east of Willow Pass Road eastbound (PM peak hour)
 3. SR 4 east of Willow Pass Road westbound (AM and PM peak hours)
 4. SR 4 east of San Marco Boulevard eastbound (PM peak hour)
 5. I-680 north of SR 242 southbound (PM peak hour)
 6. I-680 north of SR 4 southbound (AM peak hour)

This impact is considered to be potentially significant and even after mitigation unavoidable.

Impact Transportation 2: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold on 11 freeway ramps:

1. I-680/Willow Pass Road eastbound-to-southbound on-ramp (AM peak hour)
2. SR 4/Port Chicago Highway eastbound off-ramp (AM peak hour)
3. SR 4/Willow Pass Road westbound off-ramp (AM peak hour)
4. SR 4/San Marco Boulevard eastbound off-ramp (PM peak hour)
5. SR 4/Southbound San Marco Boulevard westbound on-ramp (AM peak hour)
6. SR 4/Northbound San Marco Boulevard westbound on-ramp (AM peak hour)
7. SR 4/Northbound San Marco Boulevard eastbound on-ramp (PM peak hour)
8. SR 4/San Marco Boulevard westbound off-ramp (AM peak hour)
9. SR 4/Southbound Bailey Road eastbound
10. off-ramp (PM peak hour)
11. SR 4/Bailey Road westbound on-ramp (AM peak hour)
12. SR 4/Railroad Avenue westbound on-ramp (AM peak hour)

This impact is considered to be potentially significant and even after mitigation unavoidable.

Impact Transportation 3: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold on two roadway segments:

- Concord Boulevard west of Denkinger Road (AM and PM peak hours)
- Port Chicago Highway north of Olivera Road (AM and PM peak hours)

This impact is considered to be potentially significant and unavoidable.

Impact Transportation 4: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold at 11 intersections:

1. Port Chicago Highway and Panoramic Drive (AM peak hour)
2. Port Chicago Highway and Olivera Road (AM and PM peak hours)
3. Oak Road and Treat Boulevard (PM peak hour)
4. North Main Street and Geary Road (AM and PM peak hours)
5. North Bancroft Road and Treat Boulevard (PM peak hour)
6. Main Street and Sunnyvale Avenue and SB I-680 ramps (AM peak hour)
7. Willow Pass Road and Evora Road (west) (PM peak hour)
8. San Marco Boulevard and West Leland Road (AM peak hour)

9. Railroad Avenue and West Leland Road (AM peak hour)
10. Kirker Pass Road and James Donlon Boulevard Extension (PM peak hour)
11. San Marco Boulevard - Willow Pass Road and SR 4 eastbound ramp (PM peak hour)

This impact is considered to be potentially significant and unavoidable

Impact Transportation 5: The development of the Preferred Alternative would reduce average vehicle occupancies, increase the delay index, and/or reduce average speeds and exceed the established performance threshold on 16 segments of regional routes:

1. I-680 south of Monument Boulevard - southbound PM peak hour (average speed and delay index)
2. I-680 north of Monument Boulevard - southbound PM peak hour (average speed and delay index)
3. I-680 north of SR 242 - southbound PM peak hour (average speed and delay index)
4. SR 242 north of I-680 - southbound PM peak hour (average speed and delay index)
5. SR 4 east of Willow Pass Road - eastbound PM peak hour (average speed and delay index)
6. SR 4 east of Willow Pass Road - westbound AM peak hour (average speed and delay index)
7. SR 4 east of San Marco Boulevard - eastbound PM peak hour (delay index)
8. SR 4 east of San Marco Boulevard - westbound AM peak hour (delay index)
9. SR 4 east of Bailey Road - eastbound PM peak hour (delay index)
10. SR 4 east of Bailey Road - westbound AM peak hour (delay index)
11. Leland Road (proposed) east of San Marco Boulevard - eastbound PM peak hour (delay index)
Leland Road (proposed) east of San Marco Boulevard - westbound AM peak hour (delay index)
12. Avila Road (proposed) west of San Marco Boulevard - eastbound PM peak hour (delay index)
13. Avila Road (proposed) west of San Marco Boulevard - westbound AM and PM peak hours (delay index)
14. Willow Pass Road east of Evora Road - eastbound PM peak hour (delay index)
15. Willow Pass Road east of Evora Road - westbound AM peak hour (delay index)

This impact is considered to be potentially significant and unavoidable.

Impact Transportation 10: The development of the Preferred Alternative would increase traffic volumes and contribute to already deficient conditions on one freeway ramp: SR 4/Port Chicago Highway westbound on-ramp (PM peak hour).

This impact is considered to be potentially significant and unavoidable

Impact Transportation 11: The development of the Preferred Alternative would increase traffic volumes and contribute to already deficient conditions at five intersections:

1. Oak Grove Road and Treat Boulevard (AM peak hour)
2. Walnut Boulevard and Ygnacio Valley Road (PM peak hour)
3. Buskirk Avenue - northbound I-680 off-ramp and Treat Boulevard (PM peak hour)
4. Northbound I-680 off-ramp and Ygnacio Valley
Bailey Road and SR 4 eastbound ramps - BART access (PM peak hour)

This impact is considered to be potentially significant and unavoidable.

Impact Transportation 12: The development of the Preferred Alternative would reduce average vehicle occupancies, increase the delay index, and/or reduce average speeds and contribute to already deficient conditions on 29 segments of regional routes:

1. Kirker Pass Road east of Concord Boulevard - eastbound PM peak hours (average vehicle occupancy)
2. Kirker Pass Road east of Concord Boulevard - westbound PM peak hour (average vehicle occupancy)
3. Treat Boulevard east of Oak Grove Road - eastbound AM peak hour (average vehicle occupancy)
4. Ygnacio Valley Road east of Cowell Road - eastbound AM peak hour (average vehicle occupancy)
5. Ygnacio Valley Road east of Cowell Road - westbound PM peak hour (average vehicle occupancy)
6. I-680 south of Monument Boulevard - southbound AM peak hour (average vehicle occupancy)
7. I-680 north of Monument Boulevard - northbound AM peak hour (average vehicle occupancy)
8. I-680 north of Monument Boulevard - southbound PM peak hour (average vehicle occupancy)
9. I-680 north of Concord Avenue - northbound AM peak hour (average vehicle occupancy)
10. SR 242 north of I-680 - northbound AM peak hour (average vehicle occupancy)

11. SR 242 north of I-680 - southbound AM and PM peak hours (average vehicle occupancy)
12. SR 242 north of Willow Pass Road - northbound AM and PM peak hours (average vehicle occupancy)
13. SR 242 north of Willow Pass Road - southbound AM and PM peak hours (average vehicle occupancy)
14. SR 242 north of Concord Avenue - northbound PM peak hours (average vehicle occupancy)
15. SR 242 north of Concord Avenue - southbound PM peak hour (average vehicle occupancy)
16. SR 242 north of Solano Way - northbound PM peak hours (average vehicle occupancy)
17. SR 242 north of Solano Way - southbound PM peak hour (average vehicle occupancy)
18. SR 242 north of Olivera Road - northbound PM peak hour (average vehicle occupancy)
19. SR 242 north of Olivera Road - southbound PM peak hour (average vehicle occupancy)
20. SR 4 east of I-680 - eastbound AM peak hour (average vehicle occupancy)
21. SR 4 east of Solano Way - eastbound AM peak hour (average vehicle occupancy)
22. SR 4 east of Port Chicago Highway - eastbound AM peak hour (average vehicle occupancy)
23. SR 4 east of Port Chicago Highway - westbound PM peak hour (average vehicle occupancy)
24. SR 4 east of Willow Pass Road - eastbound AM peak hour (average vehicle occupancy)
25. SR 4 east of Willow Pass Road - westbound PM peak hour (average vehicle occupancy)
26. SR 4 east of San Marco Boulevard - eastbound AM peak hour (average vehicle occupancy)
27. SR 4 east of San Marco Boulevard – westbound PM peak hour (average vehicle occupancy)
28. SR 4 east of Bailey Road - westbound PM peak hour (average vehicle occupancy)
29. SR 4 east of Railroad Avenue - eastbound AM and PM peak hours (average vehicle occupancy)

This impact is considered to be potentially significant and unavoidable

Impact Visual Resources 1: The Preferred Alternative has the potential to degrade the visual character of the near horizon views of the site from the Sun Terrace Neighborhood and the Coast Guard Housing complex.

This impact is considered to be potentially significant and unavoidable.

Impact Air Quality 1: The Preferred Alternative would result in the total vehicular emissions of ozone precursors exceeding the Bay Area Air Quality Management District (BAAQMD) quantitative thresholds.

This impact is considered to be potentially significant and unavoidable.

Impact Air Quality 2: As a result of implementing the Preferred Alternative the total population of the City of Concord, including the project, would exceed the maximum population forecast in the General Plan that would be consistent with the current clean air plan.

This impact is considered to be potentially significant and unavoidable

Impact Air Quality 3: The Preferred Alternative could result in increased population and vehicle miles traveled at rates that would be inconsistent with the most current clean air plan.

This impact is considered to be potentially significant and unavoidable.

Impact Noise and Vibration 1: Development of the Preferred Alternative would contribute to increases in traffic noise levels on West Street and Denkinger Road.

This impact is considered to be potentially significant and unavoidable.

Cumulative Impact Air Quality 1: The Preferred Alternative will contribute to an increase in GHGs from mobile sources, stationary sources, and other indirect sources. Based on a CEQA threshold of zero, any increase in GHGs would render the impact significant. Due to the increase in GHGs on site, the impact of the Preferred Alternative will be significant and unavoidable.

B. OVERRIDING CONSIDERATIONS

In the City Council's judgment, the Preferred Alternative and its benefits outweigh its unavoidable significant effects. The following statement identifies the specific reasons why, in the City Council's judgment, the benefits of the Preferred Alternative as approved outweigh its unavoidable significant effects. Any one of these reasons is sufficient to justify adoption of the Preferred Alternative. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council would stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section (XI), and in the documents found in the Record of Proceedings, as defined in section V.

The Preferred Alternative provides a unique opportunity for both the City of Concord and surrounding communities to achieve a variety of important goals that will benefit both the City and the region.

Specific Findings Regarding the Clustered Villages Preferred Alternative

The Preferred Alternative will have benefits in the following areas, and these benefits outweigh the unavoidable significant effects:

1. GREEN PLANNING

a. Resource Efficiency

The Clustered Villages Alternative performs well in terms of resource efficiency and its response to climate change. This is mostly because resource efficiency is influenced by the intensity of development and the type and mix of land uses proposed. The Alternative also includes intense development of the built areas and an integrated mix of uses, resulting in efficient use of energy, water, and building materials.

As the project progresses, sustainable design, integration of land uses, incorporation of alternative energy sources (solar, wind, etc.), and implementation of green building methods and technologies will maximize resource efficiency.

b. Greenhouse Gases

The Clustered Villages Alternative minimizes greenhouse gases, because transit-oriented development, mixed-use development, and intensity of development all work to reduce vehicle miles traveled and the energy used by buildings and infrastructure.

2. TRANSPORTATION

a. Traffic

The Clustered Villages Alternative emphasizes job creation at ratio of 2.2 to one for projected jobs per proposed dwelling unit in order to take advantage of off peak, reverse commute capacity in transit systems and roadway networks.

b. Travel choices

The Clustered Villages Alternative provides significant opportunities to reduce auto dependency through providing a broad range of travel choices (transit, walk and bike) and allowing for a high capacity transit system connecting the villages, the North Concord BART station, and potentially the downtown Concord BART and Pittsburg BART station.

The Clustered Villages Alternative has intensified the mix of uses within the Villages so that they meet thresholds established by Resolution 3434 of the Metropolitan Transportation Commission for both TOD at BART stations and for bus rapid transit corridors.

The Clustered Villages Alternative incorporates a transit boulevard, a dedicated bus-way for high-quality bus service (Enhanced Bus) with stops at an average 0.75 miles with bus shelters, passenger amenities, for each travel direction, with its own street light and traffic control system and a major bus terminal (Transit Center) at the North Concord BART.

The Clustered Villages Alternative has, through densification of the Villages, increased the amount of housing easily served by transit.

The Clustered Villages Alternative would provide increased transit options for existing, low-density residential areas of Concord located along the western boundary of the CNWS and that fall within a ½ mile walkable distance to transit nodes in the Villages.

The Clustered Villages Alternative would support improved transit for existing areas of Concord, because bus rapid transit traversing the new west-to-east boulevard could connect to existing areas of Concord via Denkinger with connections to downtown Concord including Concord BART.

The Clustered Villages Alternative would provide 39 miles of Class I separated (off street) bike paths and pedestrian trails throughout the CNWS site, and 19 miles of Class II (on-street) bike paths.

c. Connectivity

The Clustered Villages Alternative has well-connected roadway, pedestrian and bicycle networks and provides parallel routes to SR-4 on extensions of Evora Road and Avila Road. It also has pedestrian and bicycle connections from adjacent neighborhoods to parks and open space.

3. COMMUNITY

a. Community Integration

The Clustered Villages Alternative provides a good transition with existing areas of Concord and provides excellent opportunity for physical linkages and connectivity to all parts of the site.

The Clustered Villages Alternative represents an organic extension of the City's form, drawn from existing neighborhoods and the topography, creating a new community edge from which to view and enjoy investment in improved recreational facilities, open space and habitat.

The Clustered Villages Alternative includes 6.25 million square feet of new commercial uses including two hotels, 90 acres of regional retail, 26 acres of local serving retail, 92 acres of office park, 12 acres of office within the TOD area, and an additional 50 acres of clustered, campus-style commercial office.

The Clustered Villages Alternative would create a major new north-south boulevard in the form of Salvio Extension, parallel to and jogging over to meet Willow Pass Road near Olivera Road, providing a gateway to the site and connection to downtown Concord, and it would create a major new Boulevard running generally East West from BART and connecting Willow Pass to Bailey Roads.

The Clustered Villages Alternative would support the creation of 26,530 new jobs and represents a more robust jobs/housing balance ratio of 2.2 to one for the CNWS.

b. Community Serving Uses and Facilities

The Clustered Villages Alternative provides a varied number and distribution of community serving uses and facilities that are well linked with the existing community.

The Alternative contains 200 acres that would accommodate community servicing uses, including provision of a library, community or performing arts center, 99 acres of K-12 school facilities, and more than 82 acres of other community serving uses. The financial model has assumed a placeholder cost of \$60 million that would be a contribution to be matched by other funding sources toward the full costs for a library, community or performing arts center, and/or other uses. K-12 school facility land and construction costs are designed to be the responsibility of the developer(s) with MDUSD taking on the operation and maintenance of the facilities.

The inclusion of an educational complex to support a four year university creates opportunities for shared use of facilities to assist the community in meeting cultural needs for such facilities as a new library and a performing arts center.

c. Housing Variety

The Clustered Villages Alternative would provide a diversity of housing types. The Alternative includes 12,280 new dwelling units and a balanced mix of housing choice within the distribution of 25% High Density- 37% Medium Density- 29% Medium/Low-Density- 9% Low Density units.

The City's current adopted city-wide inclusionary affordable housing policy would apply to development at CNWS, thereby requiring that future developers provide ten percent (10%) affordable units as part of new on-site housing. Under this standard, the Clustered Villages Alternative would provide 1,228 affordable units. If the City Council designates all or portions of the site as part of a redevelopment area, the percentage of affordable housing grows to 15%.

The Clustered Villages Alternative makes the most of an opportunity for potential estate housing in an elevated area but below 300 feet in elevation immediately south of Willow Pass Road and east of the Creek where housing nestled against the foothill would take advantage of expansive westward views.

d. Parkland

Linear greenways follow the ridgeline, Contra Costa Canal, and move through the new villages in "Bunker City", and connect the entire development to a major city-wide park adjacent to Mt. Diablo Creek. In this scheme, the creekside city park becomes a major organizing feature combining habitat restoration, a major new trail system, and playgrounds and ball fields adjacent to the creek (outside the 300 foot creek and habitat restoration setback. The creekside park and the linear trails that cross the site capture some of the site's most interesting historic features including historic ranches and orchards. Trails through developed parkland and greenways could link the city to a potential regional park that encompasses all areas east of Mt. Diablo Creek, the Los Medanos Hills, and the Cistern area.

The Clustered Villages Alternative contains a total of 710 acres of improved recreational facilities (including a new 75-acre tournament sports complex south of Willow Pass Road located adjacent to the new city-wide park.

The alternative incorporates 2,388 acres of unimproved open space. These unimproved acres would support habitat mitigation and restoration and could accommodate establishment of a regional park by EBRPD.

The City's 2030 General Plan establishes a city-wide goal of providing 6.0 acres of improved parkland per 1,000 residents. At 710 acres of new, improved recreational facilities, the Clustered Villages Alternative would mean that the City in 2030 would provide 7.9 acres of parkland per thousand residents.

4. LAND STEWARDSHIP

The Alternative results in a positive contribution with respect to biological resources with the extent of undisturbed open space east of the Mt. Diablo Creek and south of Bailey Road. With respect to water resources the portion of the site located within the 100-year flood plain north of Highway 4 would be dedicated to parks and open space as would the area located with the 100-year plain near Bailey Road. Also, the Alternative provides a 300-foot wide riparian corridor along Mt. Diablo Creek.

a. Viewshed and Hillside Protection

All areas of 30% slope or greater are avoided. The Clustered Villages Alternative retains 51% of the site (2,388 acres) as generally unimproved open space (except improved and unimproved biking/hiking trails).

New roadway crossings over Mt. Diablo Creek are limited to six (6). There is no development south of Bailey Rd. and, development East of the Mt. Diablo Creek has been minimized and limited to the vicinity of Willow Pass Road.

The Clustered Villages Alternative would provide 65% of the site (3,280 acres) as improved recreation and unimproved open space.

b. Cultural Resources

The Clustered Villages Alternative avoids the majority of potentially moderate, and all potentially high, areas of sensitivity and known sites.

Further avoidance is possible at specific development stages through design or if avoidance is not possible through data recovery and mitigation.

c. Land Remediation

In the Clustered Villages Alternative a greater proportion of "Bunker City" would require cleanup to allow the unrestricted use necessary for residential and active recreation uses. Higher remediation costs were factored into the financial model for this alternative.

d. Biological Resources

By restricting development in the southern half of the site & east of Mt. Diablo Creek, the Clustered Villages Alternative avoids the majority of moderate to high sensitivity habitat areas and known breeding areas and habitat for threatened or endangered animal species.

Further avoidance can be accomplished at specific development stages through design.

No development in the southern half of site & east of creek avoids large wetlands, such as Cistern Pond, as well as other smaller wetlands.

Additional wetlands north of Willow Pass Road can also be avoided through sensitive site design at specific development stages.

- Opportunities for wildlife movement will be enhanced by:Removal of Navy on-site fencing/termination of existing grazing.
- Preservation of linkages through the site created by creek restoration and the riparian corridor.
- Preservation of 51% of the site in an undeveloped state, including the ridgeline and foothills that run unbroken across the site from Highway 4 on the northwest to the southeastern boundary of the site.

e. Watershed Resources

The Clustered Villages Alternative maintains provides the opportunity for restoration of Mt. Diablo Creek for its full length within the Site and establishment of a 300 foot wide riparian corridor.

5. ECONOMICS

a. Financial Feasibility and Fiscal Sustainability

The Clustered Villages Alternative provides positive results when modeled for financial feasibility and fiscal sustainability. (CBRE, 2008 Summary of Fiscal Financial Analysis)

The proposed Clustered Villages Alternative maintains a balance between financial viability and the need to make land use shifts to accommodate preferred uses. The decision to incorporate a reduced version of the Cal State University East Bay request for a university campus site (in proximity to BART), the decision to retain the Golf Course in its existing location, and the CAC's decision to support the request of the First Responders Emergency Training and Command Center to be located north of Highway 4, all led to displacement of revenue generating commercial office and retail, and residential development. The alternative as structured is close to the boundary of financial feasibility and further reduction of development program can not be accommodated without reductions in community amenities.

C. CONCLUSION

As explained above, the LRA has balanced these benefits and considerations against the significant unavoidable environmental effects of the Preferred Alternative and has concluded that the impacts are outweighed by these benefits, among others. After balancing environmental costs against benefits of the Preferred Alternative, the LRA has concluded that the benefits the City of Concord community and economy will derive from the Preferred Alternative outweigh the environmental impacts. The LRA finds that the benefits outlined above override the significant and unavoidable environmental impacts associated with the Preferred Alternative.

List of Acronyms and Abbreviations

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACHP	Advisory Council on Historic Preservation
ACM(s)	asbestos-containing material(s)
ACS	American Community Survey
ADWF	average dry weather flow
ALUC	Contra Costa County Airport Land Use Commission
AMR	American Medical Response
AOC(s)	area(s) of concern
ARAR(s)	Applicable or Relevant and Appropriate Requirement(s)
ARB	California Air Resources Board
Army	U.S. Army
ARPA	Archaeological Resources Protection Act
AST(s)	aboveground storage tank(s)
ATSDR	Agency for Toxic Substances and Disease Registry
AUM	animal unit months
AVO	average vehicle occupancy
BAAQMD	Bay Area Air Quality Management District
BACT	best available control technology
BART	Bay Area Rapid Transit District
BCDC	Bay Conservation and Development Commission
BMP(s)	best management practice(s)
BRAC	Base Realignment and Closure
C&D	construction and demolition
CAC	Community Advisory Committee
CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	California Occupational Safety and Health Administration
Cal-EPA	California Environmental Protection Agency
CALFED	CALFED Bay-Delta Program
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association

CCAR	California Climate Action Registry
CCC	Contra Costa County
CCCC	California Climate Change Center
CCCDCD	Contra Costa County Department of Conservation and Development (formerly CCCDD, Community Development Department)
CCCDHS	Contra Costa County Department of Health Services
CCCFC&WCD	Contra Costa County Flood Control and Water Conservation District
CCCFPD	Contra Costa County Fire Protection District
CCCSD	Central Contra Costa Sanitary District
CCCTA	Central Contra Costa Transit Authority
CCHS	Contra Costa Health Services
CCR	California Code of Regulations
CCRCD	Contra Costa Resource Conservation District
CCTA	Contra Costa Transportation Authority
CCWD	Contra Costa Water District
CDFG	California Department of Fish and Game
CDMG	California Division of Mines and Geology
CDS	Concord Disposal Service
Central San	Central Contra Costa Sanitary District
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CGS	California Geologic Survey
CH ₄	methane
CHP	California Highway Patrol
CIWMB	California Integrated Waste Management Board
CMP	Congestion Management Program
CNDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CNPS	California Native Plant Society

CNWS	Concord Naval Weapons Station
CO	carbon monoxide
CO ₂	carbon dioxide
CO ₂ -e	carbon dioxide equivalent
Corps of Engineers	U.S. Army Corps of Engineers
CPR	California Office of Planning and Research
CRHR	California Register of Historic Resources
CSU	California State University
CUPA	Certified Unified Program Agency
CVP	Central Valley Project
CWA	Clean Water Act
cy	cubic yards
D	Caltrans' directional factors
dB	decibels
dba	A-weighted decibels
DI	Delay Index
DO	dissolved oxygen
DoD	U.S. Department of Defense
DOF	California Department of Finance
DOT	Department of Transportation
DTSC	California Department of Toxic Substances Control
DU/Ac	dwelling unit per acre
DVC	Diablo Valley College
DWR	California Department of Water Resources
EB	East Bay
EB	eastbound
EBCNPS	East Bay Office of the California Native Plant Society
EBMUD	East Bay Municipal Utility District
EBRPD	East Bay Regional Park District
ECCC HCP/NCCP	East Contra Costa County Habitat Conservation Plan/ Natural Communities Conservation Plan
ECCFPD	East Contra Costa Fire Protection District

EC/IS	Environmental Checklist/Initial Study
ECOP	Environmental Condition of Property Report
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EMS	Emergency Medical Service
EO	Executive Order
EOD	explosive ordinance disposal
ESA	federal Endangered Species Act
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FS	Feasibility Study
FTA	Federal Transit Administration
FTES	full time education students
FWSS	Future Water Supply Study
g/mile	grams per mile
GGNRA	Golden Gate National Recreation Area
GHG(s)	greenhouse gas(es)
GIS	geographic information system
GPA	General Plan Amendment
gpd	gallons per day
gsf	gross square feet
GWP	global warming potential
HASP	health and safety plan
HCM	Highway Capacity Manual
HCP	habitat conservation plan
HCP/NCCP	Habitat Conservation Plan/Natural Community Conservation Plan
HFC	hydrofluorocarbon
HOV	high occupancy vehicle
HUD	U.S. Department of Housing and Urban Development
HVAC	heating, ventilation, and air conditioning

I-	Interstate Highway
ICRMP	Integrated Cultural Resources Management Plan (Navy)
IPCC	Intergovernmental Panel on Climate Change
IRM	Integrated Resource Management
IRP	Installation Restoration Program
IT/COMM	information technology/communications
JRP	JRP Historical Consulting Services
JSA	Jones Stokes and Associates
K	Caltrans' peak factors
KCL	Keller Canyon Landfill
kV	kilovolts
kW	kilowatt
LBP	lead-based paint
L _{dn}	day-night average sound level
L _{eq}	equivalent continuous sound level
LOS	level of service
LRA	Local Reuse Authority
LUC(s)	land use covenant(s)
M	Richter magnitude
MBTA	Migratory Bird Treaty Act
MC	munitions constituents
MDUSD	Mt. Diablo Unified School District
MEC	munitions and explosives of concern
mgd	million gallons per day
mg/L	milligram per liter
mm	millimeter(s)
MMRP	Military Munitions Response Program
MRP	Munitions Response Program
MMTCO ₂ -e	million metric tons carbon dioxide equivalent

MOU	Memorandum of Understanding
mph	miles per hour
MPP	multi-purpose pipeline
MTC	Metropolitan Transportation Commission
MUA	Fire Service Mutual Aid Agreement
Mw	moment magnitude
N ₂ O	nitrous oxide
na	not applicable
NAHC	Native American Heritage Commission
Navy	U.S. Navy
NB	northbound
NCCP	Natural Community Conservation Plan
ND	no date
NEPA	National Environmental Policy Act
NFA	No Further Action
NFIP	National Flood Insurance Program
NHI	National Heritage Institute
NOP	Notice of Preparation
NO _x	nitrogen oxides
NO ₂	nitrogen dioxide
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
NP	“No Project” Option
NPL	National Priorities List
NPS	National Park Service
NRCS	Natural Resources Conservation Service, Department of Agriculture (formerly the Soil Conservation Service)
NRHP	National Register of Historic Places
NWS	Naval Weapons Station
O&M	operations and maintenance
OHP	Office of Historic Preservation

OPR	California Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PCE	tetrachloroethylene
PFC	perfluorocarbon
PHL	Potrero Hills Landfill
PM ₁₀	particulate matter less than 10 microns in diameter
PM _{2.5}	particulate matter less than 2.5 microns in diameter
ppm	parts per million
ppmv	parts per million by volume
ppt	parts per thousand
PPV	peak particle velocity
PRC	California Public Resources Code
PWWF	peak wet weather flows
RCRA	Resource Conservation and Recovery Act
Bureau of Reclamation	U.S. Bureau of Reclamation
RFA	RCRA Facility Assessment
RHNA	Regional Housing Needs Allocation
RI/FS	Remedial Investigation/Feasibility Study
RMMP	Riparian Mitigation and Monitoring Plan
rms	root mean squared
ROD	Record of Decision
ROG(s)	reactive organic gas(es)
RRS	Routes of Regional Significance
RTIP	Regional Transportation Improvement Program
RTMP	Regional Transportation Mitigation Program
RTP	Regional Transportation Plan
RTPC(s)	Regional Transportation Planning Committees
RWQCB	No longer in use. See Water Board.
SB	southbound
SCS	Soil Conservation Service

sf	square feet
SF ₆	sulfur hexachloride
SFP	School Facility Program
SHPO	State Historic Preservation Officer
SI	Site Investigation
SIP	State Implementation Plan
SMMP	Stream Mitigation and Monitoring Plan
SR	State Route
SRA	State Response Area
State Water Board	State Water Resources Control Board
SWCA	SWCA Environmental Consultants
SWMP	Storm Water Management Plan
SWMU(s)	solid waste management unit(s)
SWPPP	Stormwater Pollution Prevention Plan
T&D	transmission and distribution
TAC(s)	toxic air contaminant(s)
TAG	Technical Advisory Group
TCE	trichloroethylene
TCP(s)	traditional cultural properties
TCO ₂ -e	metric tons carbon dioxide equivalent
TDM	transportation demand management
TDS	total dissolved solids
TOD	transit-oriented development
TRANSPAC	Transportation Partnership and Cooperation Committee
TSCA	Toxic Substances Control Act
TSO(s)	traffic service objective(s)
ULL	urban limit line
UPRR	Union Pacific Railroad
URBEMIS	Urban Emissions Model
USC	United States Code
USDA	U.S. Department of Agriculture
USEPA	U.S. Environmental Protection Agency

USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UST(s)	underground storage tank(s)
v/c	volume to capacity
VdB	vibration velocity level, in decibels
VMT	vehicle miles traveled
VOC(s)	volatile organic compound(s)
WAPA	Western Area Power Administration
Water Board	California Regional Water Quality Control Board, San Francisco Bay Region
WB	westbound
WGCEP	Working Group on California Earthquake Probabilities
WMMP	Wetland Mitigation and Monitoring Plan
WTP	water treatment plant
WWTP	wastewater treatment plant
$\mu\text{g}/\text{m}^3$	micrograms per cubic meter

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
LAND USE (CHAPTER 3)			
<p>Impact Land Use 1: The Preferred Alternative could introduce short- or long-term land use compatibility conflicts by placing higher-intensity uses and non-residential uses in close proximity to the existing lower-density residential uses in the Sun Terrace and Holbrook neighborhoods and Coast Guard Housing complex along East Olivera Road. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Land Use 1: Prior to approving any specific public or private development that would impact the Sun Terrace or Holbrook neighborhoods or the Coast Guard housing complex, the City of Concord shall require the implementation of the following measures:</p> <ul style="list-style-type: none"> • Prepare design standards that incorporate measures to transition and integrate new development with adjacent uses. • Incorporate such measures into development plans. • Notify adjacent property owners in the Sun Terrace and Holbrook neighborhoods and the Coast Guard housing complex to review specific plans or proposals for development adjacent to the North Concord/Martinez BART Station. <p>The public or private sponsor of the proposed development shall be responsible for implementation of the required measures prior to the granting of land use entitlements. However, the new development is anticipated to continue to be incompatible with these residential areas. Even with implementation of this mitigation measure, this impact will remain significant and unavoidable.</p>	<p>Finding: Implementation of Mitigation Measure Land Use 1, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: Design standards prepared pursuant to Mitigation Measure Land Use 1 could address orientation of internal streets and building envelopes, site coverage limits, height and bulk controls, and architectural design standards. Standards could also be considered for set backs, fencing, and landscape features that would provide a transition from the existing neighborhoods to the new development. Site or area plans could include additional green transition buffers similar to those included for other boundaries around the site. However, even with the implementation of these measures, the impact of such a drastic change in neighboring land use is considered to be too drastic to be mitigated to a level that is less than significant. The Preferred Alternative will significantly alter the character of the surrounding community by</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		introducing dense, mixed-use TOD into an area with existing low-density neighborhoods and inaccessible open space on Navy land with low levels of activity. The impact of this change will only be mitigated in small part by any potential mitigation measures, and is thus considered significant and unavoidable. (FEIR, pp. 3-4 to 3-93-30 to 3-31.)	
<p>Impact Land Use 2: The Preferred Alternative could result in a conflict with the Contra Costa County Airport Land Use Compatibility Plan because potential development heights may exceed the height limits established in the Plan. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Land Use 2: Prior to approving any specific public or private development that would exceed the established height limits within the Airport Influence Area, the City of Concord shall require that site-specific plans be approved by the Contra Costa County Airport Land Use Commission according to the criteria outlined in the Contra Costa County Airport Land Use Compatibility Plan. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Land Use 2, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: During its review of any site-specific development plans that are within the Airport Influence Area, the ALUC will require that building heights conform to the Airspace Protection Surfaces as delineated in the Land Use Compatibility Plan. Alternatively, the development could be granted a case-specific height exception, or the City could coordinate with the ALUC to establish a Height Exception Overlay for a broader area of the site. Implementing any of these options would result in compliance with the Airport Land Use Compatibility Plan, and therefore the impact would be mitigated to a less-than-significant level. (FEIR, pp.3-19, 3-21, 3-31 to 3-32.)</p>	Yes
TRANSPORTATION (CHAPTER 4)			
<p>Impact Transportation 1: The development of the Preferred Alternative would increase</p>	<p>Mitigation Measure Transportation 1: The City of Concord will coordinate in good faith with affected jurisdictions, including neighboring cities, Caltrans, and</p>	<p>Finding: Implementation of Mitigation Measure Transportation 1, which has been required or</p>	No

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>traffic volumes and exceed the established performance threshold on six freeway segments:</p> <ol style="list-style-type: none"> 1. SR 4 east of SR 242 westbound (PM peak hour) 2. SR 4 east of Willow Pass Road eastbound (PM peak hour) 3. SR 4 east of Willow Pass Road westbound (AM and PM peak hours) 4. SR 4 east of San Marco Boulevard eastbound (PM peak hour) 5. I-680 north of SR 242 southbound (PM peak hour) 6. I-680 north of SR 4 southbound (AM peak hour) <p>This impact is considered to be potentially significant.</p>	<p>Contra Costa County, prior to the approval of a specific development with the goal of reaching agreement on the appropriate mitigation measures to address impacts in the respective agencies' jurisdiction. The City of Concord will work collaboratively with affected jurisdictions to identify specific performance criteria to mitigate the impact. Mitigation measures may include capacity increases, Transportation Demand Management (TDM) measures, arterial traffic management tools, and adaptive timing technology upgrades. The Concord Naval Weapons Station Area Plan will include specific TDM measures with corresponding estimates of trip reductions. The City shall require future developers at the site to contribute a traffic impact fee in accordance with the TRANSPAC Subregional Transportation Mitigation Fee Program requirements of the Central County Action Plan for Routes of Regional Significance. All currently existing applicable agreements, including the Bailey Road Traffic Mitigation Measure Inter-Agency Funding Agreement and the East Central Traffic Management Study, may be reviewed and revised through this coordinated process. A Nexus Study, required pursuant to the Mitigation Fee Act ("AB 1600 Study") shall be conducted for the entire site to establish an equitable traffic impact fee rate for each land use category to ensure that future development projects will contribute a fair share of the unfunded cost of planned improvements and mitigation measures determined cooperatively by the City of Concord and the affected jurisdictions. No development will occur until a traffic impact fee is adopted based on an AB 1600 study. Until future coordination with the affected jurisdictions takes place and agreement is reached, this impact is conservatively considered significant and unavoidable.</p>	<p>incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Transportation 1. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: Peak hour operations on these freeway segments are projected to be deficient with build-out traffic from the Preferred Alternative. Improvements that have been included in the model are listed in Section 4.3.4 of the Final EIR. Additional improvements beyond those identified in Section 4.3.4 have not been planned or programmed by the agencies responsible for the freeway network at this time. Future private or public development will be required to pay a fair share of the cost of currently identified improvements and improvements agreed to in the future through the regional process described in Section 4.1.2.2 of the Final EIR. However, because a significant impact would occur even with the currently identified improvements, this impact will remain significant and unavoidable. (FEIR, pp. 4-2 to 4-3, 4-65 to 4-68, 4-109 to 4-110; Tables 4-25, 4-26; see also MR Transportation 3 in Section 3 of the Responses to Comments on the August 2009 Draft Revised EIR.)</p>	
<p>Impact Transportation 2: The development of the Preferred</p>	<p>Mitigation Measure Transportation 2: The City of Concord will coordinate in good faith with affected</p>	<p>Finding: Implementation of Mitigation Measure</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>Alternative would increase traffic volumes and exceed the established performance threshold on 11 freeway ramps:</p> <ol style="list-style-type: none"> 1. I-680/Willow Pass Road eastbound-to-southbound on-ramp (AM peak hour) 2. SR 4/Port Chicago Highway eastbound off-ramp (AM peak hour) 3. SR 4/Willow Pass Road westbound off-ramp (AM peak hour) 4. SR 4/San Marco Boulevard eastbound off-ramp (PM peak hour) 5. SR 4/Southbound San Marco Boulevard westbound on-ramp (AM peak hour) 6. SR 4/Northbound San Marco Boulevard westbound on-ramp (AM peak hour) 7. SR 4/Northbound San Marco Boulevard eastbound on-ramp (PM peak hour) 8. SR 4/San Marco Boulevard westbound off-ramp (AM peak hour) 9. SR 4/Southbound 	<p>jurisdictions, including neighboring cities, Caltrans, and Contra Costa County, prior to the approval of a specific development with the goal of reaching agreement on the appropriate mitigation measures to address impacts in the respective agencies' jurisdiction. The City of Concord will work collaboratively with affected jurisdictions to identify specific performance criteria to mitigate the impact. Mitigation measures may include capacity increases, Transportation Demand Management (TDM) measures, arterial traffic management tools, and adaptive timing technology upgrades. The Concord Naval Weapons Station Area Plan will include specific TDM measures with corresponding estimates of trip reductions. The City shall require future developers at the site to contribute a traffic impact fee in accordance with the TRANSPAC Subregional Transportation Mitigation Fee Program requirements of the Central County Action Plan for Routes of Regional Significance. All currently existing applicable agreements, including the Bailey Road Traffic Mitigation Measure Inter-Agency Funding Agreement and the East Central Traffic Management Study, may be reviewed and revised through this coordinated process. A Nexus Study, required pursuant to the Mitigation Fee Act ("AB 1600 Study") shall be conducted for the entire site to establish an equitable traffic impact fee rate for each land use category to ensure that future development projects will contribute a fair share of the unfunded cost of planned improvements and mitigation measures determined cooperatively by the City of Concord and the affected jurisdictions. No development will occur until a traffic impact fee is adopted based on an AB 1600 study. Until future coordination with the affected jurisdictions takes place and agreement is reached, this impact is conservatively considered significant and unavoidable.</p>	<p>Transportation 2, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Transportation 2. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: The low LOS at the ramp junctions with the freeway mainline at merge and diverge locations that result with the Preferred Alternative would largely be caused by congestion on the freeway mainline.</p> <p>Because no improvements beyond those identified in the assumptions listed in Section 4.3.4 have been planned or programmed by the agencies responsible for freeway network operations, there are no feasible mitigation measures to address the capacity of the freeway, and the impact on freeway ramps is therefore considered to be significant and unavoidable.</p> <p>As for impacts at Location 3, while improvements to the SR 4/Willow Pass Road interchange are programmed in the 2035 RTP, the CCTA 2030 model does not include this improvement because specific project-level details have not been determined. The interchange improvements will be defined in detail once a Project Study Report (PSR)</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>Bailey Road eastbound off-ramp (PM peak hour)</p> <p>10. SR 4/Bailey Road westbound on-ramp (AM peak hour)</p> <p>11. SR 4/Railroad Avenue westbound on-ramp (AM peak hour)</p> <p>This impact is considered to be potentially significant.</p>		<p>and Environmental Assessment (EA) are prepared by Caltrans. Because the specific improvement, and therefore the effects of the improvement, cannot be measured at this time, this impact is considered to be significant and unavoidable. (FEIR, pp. 4-65 to 4-68, 4-110 to 4-114; see also Table 4-27.)</p>	
<p>Impact Transportation 3: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold on two roadway segments:</p> <ul style="list-style-type: none"> Concord Boulevard west of Denkinger Road (AM and PM peak hours) Port Chicago Highway north of Olivera Road (AM and PM peak hours) <p>This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Transportation 3: Transportation Demand Management (TDM) programs will be adopted through an amendment to the Concord General Plan, including bicycle and pedestrian facilities, transit promotion, carpool promotion, and parking management, that support the use of alternative transportation modes and will reduce the use of automobiles, thus lessening traffic impacts. The City will monitor this roadway periodically and will develop updated traffic volume forecasts based on the performance of TDM programs as development occurs in the future. The City of Concord shall select and implement a mechanism to support the funding of transit operations and TDM programs as will be described in the future amendment of the General Plan to address the CCRP area. This mechanism shall apply to new development on the CNWS and shall fund on-going operations. However, this impact is considered significant and unavoidable.</p>	<p>Finding: Implementation of Mitigation Measure Transportation 3, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Transportation 3. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: Roadway widening would mitigate the impact, but widening would potentially require acquisition of property and possible displacement of existing businesses and residents. As discussed in the assumptions in Section 4.3.4, as a policy matter,</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>the City will implement TDM measures rather than roadway widening, as wider roads in residential neighborhoods and urban locations would encourage the use of automobile travel and discourage walking by increasing exposure of pedestrians during crossings. Widening roadways in Concord therefore would conflict with policies in the General Plan as described in Section 4.1.2.3. However, implementation of TDM measures will may not necessarily alleviate impacts that will occur on Concord Boulevard and Port Chicago Highway. In that case, the City may prepare a request for special circumstances. Therefore, this impact is considered to be significant and unavoidable. (FEIR, pp. 4-3 to 4-4, 4-65 to 4-68, 4-114 to 4-115; see also MR 7 in Section 3 of the Responses to Comments on the May 2008 Draft EIR.)</p>	
<p>Impact Transportation 4: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold at 11 intersections:</p> <ol style="list-style-type: none"> 1. Port Chicago Highway and Panoramic Drive (AM peak hour) 2. Port Chicago Highway and Olivera Road (AM and PM peak hours) 3. Oak Road and Treat Boulevard (PM peak hour) 4. North Main Street and Geary Road (AM and PM peak hours) 5. North Bancroft Road and Treat Boulevard (PM 	<p>Mitigation Measure Transportation 4, Intersection Impact Locations 1, 2: TDM programs will be adopted through an amendment to the Concord General Plan, including bicycle and pedestrian facilities, transit promotion, carpool promotion, and parking management, that support the use of alternative transportation modes and will reduce the use of automobiles, thus lessening traffic impacts. The City will monitor this intersection periodically and will develop updated traffic volume forecasts based on the performance of TDM programs as development occurs in the future. The City of Concord shall select and implement a mechanism to support the funding of transit operations and TDM programs as will be described in the future amendment of the General Plan to address the CCRP area. This mechanism shall apply to new development on the CNWS and shall fund on-going operations. However, this impact is considered significant and unavoidable.</p>	<p>Finding: Implementation of Mitigation Measure Transportation 4, Intersection Locations 1 and 2, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Transportation 4. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: At Location 1, the intersection of Port Chicago</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>peak hour)</p> <p>6. Main Street and Sunnyvale Avenue and SB I-680 ramps (AM peak hour)</p> <p>7. Willow Pass Road and Evora Road (west) (PM peak hour)</p> <p>8. San Marco Boulevard and West Leland Road (AM peak hour)</p> <p>9. Railroad Avenue and West Leland Road (AM peak hour)</p> <p>10. Kirker Pass Road and James Donlon Boulevard Extension (PM peak hour)</p> <p>11. San Marco Boulevard - Willow Pass Road and SR 4 eastbound ramp (PM peak hour)</p> <p>This impact is considered to be potentially significant.</p>		<p>Highway and Panoramic Drive, providing a third through lane northbound would reduce the impact to LOS E during AM and PM peak hours, but this would require widening Port Chicago Highway to accommodate an additional through lane. Port Chicago Highway is constrained by the BART tracks to the east.</p> <p>At Location 2, improvements to the intersection of Port Chicago Highway and Olivera Road would require widening of Port Chicago Highway, which is constrained by the BART tracks to the east, or widening of Olivera Road through an existing residential neighborhood.</p> <p>As discussed in the assumptions in Section 4.3.4, as a policy matter the City will implement TDM measures rather than roadway widening at intersections, as large intersections in residential neighborhoods and urban locations would encourage the use of automobile travel and discourage walking by increasing exposure of pedestrians during crossings. Widening roadways in Concord therefore would conflict with policies in the General Plan as described in Section 4.1.2.3. However, implementation of TDM measures may not necessarily alleviate impacts that will occur at this intersection. In that case, the City may prepare a request for special circumstances. Therefore, this impact is considered to be significant and unavoidable. (FEIR, pp. 4-3 to 4-4, 4-65 to 4-68, 4-115 to 4-117; see also MR 7 in Section 3 of the Responses to Comments on the May 2008 Draft EIR.</p>	
	<p>Mitigation Measure Transportation 4, Intersection Impact Location 3, 4, 5, 6: The City of Concord will coordinate in good faith with affected jurisdictions, including neighboring cities, Caltrans, and Contra Costa</p>	<p>Finding: Implementation of Mitigation Measure Transportation 4, Intersection Locations 3,4, 5, 6 which has been required or incorporated into the</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>County, prior to the approval of a specific development with the goal of reaching agreement on the appropriate mitigation measures to address impacts in the respective agencies' jurisdiction. The City of Concord will work collaboratively with affected jurisdictions to identify specific performance criteria to mitigate the impact. Mitigation measures may include capacity increases, Transportation Demand Management (TDM) measures, arterial traffic management tools, and adaptive timing technology upgrades. The Concord Naval Weapons Station Area Plan will include specific TDM measures with corresponding estimates of trip reductions. The City shall require future developers at the site to contribute a traffic impact fee in accordance with the TRANSPAC Subregional Transportation Mitigation Fee Program requirements of the Central County Action Plan for Routes of Regional Significance. All currently existing applicable agreements, including the Bailey Road Traffic Mitigation Measure Inter-Agency Funding Agreement and the East Central Traffic Management Study, may be reviewed and revised through this coordinated process. A Nexus Study, required pursuant to the Mitigation Fee Act (AB 1600 Study) shall be conducted for the entire site to establish an equitable traffic impact fee rate for each land use category to ensure that future development projects will contribute a fair share of the unfunded cost of planned improvements and mitigation measures determined cooperatively by the City of Concord and the affected jurisdictions. No development will occur until a traffic impact fee is adopted based on an AB 1600 study. Until future coordination with the affected jurisdictions takes place and agreement is reached, this impact is conservatively considered significant and unavoidable.</p>	<p>Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Transportation 4. No mitigation is available to render the effects less than significant.</p> <p>Further, although the mitigation requires the City to undertake coordination with affected jurisdictions, mitigation of physical impacts will require action by another public agency, the City of Walnut Creek. The City therefore finds that the mitigation is within the responsibility and jurisdiction of another agency and not the agency making this finding.</p> <p>The City Council hereby directs that this mitigation measure be adopted. Even with adoption of this mitigation measure, the effects (or some of the effects) will remain significant and unavoidable. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: Locations 3, 4, 5, and 6 are in the City of Walnut Creek. For each of these Locations, no changes are currently recommended for the intersection. Until future coordination with the affected jurisdiction takes place and an agreement is reached, this impact will remain significant and unavoidable.</p> <p>The City of Concord will coordinate with the City of Walnut Creek prior to the approval of a specific development on the appropriate mitigation measures in accordance with the TRANSPAC</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>Subregional Transportation Mitigation Program (STMP) requirements of the Central County Action Plan for Routes of Regional Significance.</p> <p>(FEIR, pp. 4-115, 4-117 to 4-121; see also Responses to Comment Letter 11 in Section 4 of the Responses to Comments on the August 2009 Draft Revised EIR.)</p>	
	<p>Mitigation Measure Transportation 4, Intersection Impact Locations 7, 8, 9, 10, 11: The City of Concord will coordinate in good faith with affected jurisdictions, including neighboring cities, Caltrans, and Contra Costa County, prior to the approval of a specific development with the goal of reaching agreement on the appropriate mitigation measures to address impacts in the respective agencies' jurisdiction. The City of Concord will work collaboratively with affected jurisdictions to identify specific performance criteria to mitigate the impact. Mitigation measures may include capacity increases, Transportation Demand Management (TDM) measures, arterial traffic management tools, and adaptive timing technology upgrades. The Concord Naval Weapons Station Area Plan will include specific TDM measures with corresponding estimates of trip reductions. The City shall require future developers at the site to contribute a traffic impact fee in accordance with the TRANSPAC Subregional Transportation Mitigation Fee Program requirements of the Central County Action Plan for Routes of Regional Significance. All currently existing applicable agreements, including the Bailey Road Traffic Mitigation Measure Inter-Agency Funding Agreement and the East Central Traffic Management Study, may be reviewed and revised through this coordinated process. A Nexus Study, required pursuant to the Mitigation Fee Act ("AB 1600 Study") shall be conducted for the entire site to establish an equitable traffic impact fee rate for each land use category to ensure that future development projects will contribute a fair share</p>	<p>Finding: Implementation of Mitigation Measure Transportation 4, Intersection Location 7, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Transportation 4. No mitigation is available to render the effects less than significant.</p> <p>Further, although the mitigation requires the City to undertake coordination with affected jurisdictions, mitigation of physical impacts will require action by another public agency, the City of Pittsburg. The City therefore finds that the mitigation is within the responsibility and jurisdiction of another agency and not the agency making this finding.</p> <p>The City Council hereby directs that this mitigation measure be adopted. Even with adoption of this mitigation measure, the effects (or some of the effects) will remain significant and unavoidable. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>of the unfunded cost of planned improvements and mitigation measures determined cooperatively by the City of Concord and the affected jurisdictions. No development will occur until a traffic impact fee is adopted based on an AB 1600 study. Until future coordination with the affected jurisdictions takes place and agreement is reached, this impact is conservatively considered significant and unavoidable.</p>	<p>Explanation: At Location 7, the intersection of Willow Pass Road and Evora Road (west), the increased traffic is due to the heavy northbound right turns from Willow Pass Road and the westbound left turns from Evora Road. Widening the northbound and westbound approaches to provide an additional westbound left turn lane and an additional northbound right turn lane would improve the operations at the intersection of Willow Pass Road and Evora Road (west). However, additional improvements would be required to fully mitigate the impacts to the mid-D LOS standard.</p> <p>At Location 8, the intersection of San Marco Boulevard and West Leland Road would operate at LOS D with a v/c ratio of 0.90 due to the use of the West Leland Road connection to Avila Road as a parallel roadway to SR 4. This intersection is located outside of the City of Concord's jurisdiction, in the City of Pittsburg. Widening the northbound approach for a right turn lane as programmed by the City of Pittsburg would not reduce the v/c ratio during the AM peak hour. However, an additional right turn lane in the westbound direction would mitigate the impact.</p> <p>At Location 9, the City of Pittsburg had identified improvements at the intersection of Railroad Avenue and West Leland Road, but funding has not been secured. The improvements include widening the southbound approach for two left turn lanes and widening the eastbound approach for a right turn lane. However, additional widening would be required to mitigate the impacts to the mid-D LOS standard.</p> <p>At Location 10, Kirker Pass Road and James</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>Donlon Boulevard Extension, additional improvements to widen the intersection would be needed to mitigate the impacts. No specific improvements have been identified.</p> <p>At Location 11, the intersection of San Marco Boulevard - Willow Pass Road/SR 4 eastbound ramp, no specific improvements have been identified.</p> <p>Any improvements at these intersections will be developed through discussions and coordination with the City of Pittsburg, and for Location 11, Caltrans and the City of Pittsburg, prior to the approval of a specific development in accordance with the TRANSPAC STMP requirements of the Central County Action Plan for Routes of Regional Significance. Because no improvements have been agreed upon at this time, the increase in traffic volumes at this location will remain a potential impact that is considered to be significant and unavoidable. (FEIR, pp. 4-115, 4-121 to 4-126; see also Responses to Comment Letter 21 in the Responses to Comments on the May 2008 Draft EIR; Responses to Comment Letter 12 in the Responses to Comments on the August 2009 Draft Revised EIR.)</p>	
<p>Impact Transportation 5: The development of the Preferred Alternative would reduce average vehicle occupancies, increase the delay index, and/or reduce average speeds and exceed the established performance threshold on 16 segments of regional routes: 1. I-680 south of Monument Boulevard - southbound PM</p>	<p>Mitigation Measure Transportation 5: The City of Concord will coordinate in good faith with affected jurisdictions, including neighboring cities, Caltrans, and Contra Costa County, prior to the approval of a specific development with the goal of reaching agreement on the appropriate mitigation measures to address impacts in the respective agencies' jurisdiction. The City of Concord will work collaboratively with affected jurisdictions to identify specific performance criteria to mitigate the impact. Mitigation measures may include capacity increases, Transportation Demand Management</p>	<p>Finding: Implementation of Mitigation Measure Transportation 5, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Transportation 4. No mitigation is available to render the effects less than significant.</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>peak hour (average speed and delay index)</p> <p>2. I-680 north of Monument Boulevard - southbound PM peak hour (average speed and delay index)</p> <p>3. I-680 north of SR 242 - southbound PM peak hour (average speed and delay index)</p> <p>4. SR 242 north of I-680 - southbound PM peak hour (average speed and delay index)</p> <p>5. SR 4 east of Willow Pass Road - eastbound PM peak hour (average speed and delay index)</p> <p>6. SR 4 east of Willow Pass Road - westbound AM peak hour (average speed and delay index)</p> <p>7. SR 4 east of San Marco Boulevard - eastbound PM peak hour (delay index)</p> <p>8. SR 4 east of San Marco Boulevard - westbound AM peak hour (delay index)</p> <p>9. SR 4 east of Bailey Road - eastbound PM peak hour (delay index)</p> <p>10. SR 4 east of Bailey Road - westbound AM peak hour (delay index)</p> <p>11. Leland Road (proposed)</p>	<p>(TDM) measures, arterial traffic management tools, and adaptive timing technology upgrades. The Concord Naval Weapons Station Area Plan will include specific TDM measures with corresponding estimates of trip reductions. The City shall require future developers at the site to contribute a traffic impact fee in accordance with the TRANSPAC Subregional Transportation Mitigation Fee Program requirements of the Central County Action Plan for Routes of Regional Significance. All currently existing applicable agreements, including the Bailey Road Traffic Mitigation Measure Inter-Agency Funding Agreement and the East Central Traffic Management Study, may be reviewed and revised through this coordinated process. A Nexus Study, required pursuant to the Mitigation Fee Act ("AB 1600 Study") shall be conducted for the entire site to establish an equitable traffic impact fee rate for each land use category to ensure that future development projects will contribute a fair share of the unfunded cost of planned improvements and mitigation measures determined cooperatively by the City of Concord and the affected jurisdictions. No development will occur until a traffic impact fee is adopted based on an AB 1600 study. Until future coordination with the affected jurisdictions takes place and agreement is reached, this impact is conservatively considered significant and unavoidable.</p>	<p>Further, although the mitigation requires the City to undertake coordination with affected jurisdictions, mitigation of physical impacts will require action by other public agencies, including other TRANSPAC members, other RTPCs and the CCTA. The City therefore finds that the mitigation is within the responsibility and jurisdiction of another agency and not the agency making this finding.</p> <p>The City Council hereby directs that this mitigation measure be adopted. Even with adoption of this mitigation measure, the effects (or some of the effects) will remain significant and unavoidable. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: The Action Plan for Routes of Regional Significance identifies planned improvements to the regional system. Additional mitigation measures beyond the planned improvements included in the assumptions listed in Section 4.3.4 will require consultation and coordination with other TRANSPAC members, other RTPCs, and the CCTA. Future traffic studies for specific development projects on the site should update the TSO impact analysis to analyze the adopted Central County and East County Action Plans for Routes of Regional Significance. Because no improvements beyond those identified in the assumptions have been planned or programmed by the agencies at this time, this impact is considered to be significant and unavoidable. (FEIR, pp. 4-65 to 4-68, 4-127 to 4-128.)</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>east of San Marco Boulevard - eastbound PM peak hour (delay index)</p> <p>12. Leland Road (proposed) east of San Marco Boulevard - westbound AM peak hour (delay index)</p> <p>13. Avila Road (proposed) west of San Marco Boulevard - eastbound PM peak hour (delay index)</p> <p>14. Avila Road (proposed) west of San Marco Boulevard - westbound AM and PM peak hours (delay index)</p> <p>15. Willow Pass Road east of Evora Road - eastbound PM peak hour (delay index)</p> <p>16. Willow Pass Road east of Evora Road - westbound AM peak hour (delay index)</p> <p>This impact is considered to be potentially significant.</p>			
<p>Impact Transportation 10: The development of the Preferred Alternative would increase traffic volumes and contribute to already deficient conditions on one freeway ramp: SR 4/Port Chicago Highway westbound on-ramp (PM peak hour). This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Transportation 10: The City of Concord will coordinate in good faith with affected jurisdictions, including neighboring cities, Caltrans, and Contra Costa County, prior to the approval of a specific development with the goal of reaching agreement on the appropriate mitigation measures to address impacts in the respective agencies' jurisdiction. The City of Concord will work collaboratively with affected jurisdictions to identify specific performance criteria to mitigate the impact. Mitigation measures may include capacity increases, Transportation Demand Management (TDM) measures, arterial traffic management tools, and adaptive timing technology upgrades. The Concord Naval Weapons</p>	<p>Finding: Implementation of Mitigation Measure10, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Transportation 10. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>Station Area Plan will include specific TDM measures with corresponding estimates of trip reductions. The City shall require future developers at the site to contribute a traffic impact fee in accordance with the TRANSPAC Subregional Transportation Mitigation Fee Program requirements of the Central County Action Plan for Routes of Regional Significance. All currently existing applicable agreements, including the Bailey Road Traffic Mitigation Measure Inter-Agency Funding Agreement and the East Central Traffic Management Study, may be reviewed and revised through this coordinated process. A Nexus Study, required pursuant to the Mitigation Fee Act (“AB 1600 Study”) shall be conducted for the entire site to establish an equitable traffic impact fee rate for each land use category to ensure that future development projects will contribute a fair share of the unfunded cost of planned improvements and mitigation measures determined cooperatively by the City of Concord and the affected jurisdictions. No development will occur until a traffic impact fee is adopted based on an AB 1600 study. Until future coordination with the affected jurisdictions takes place and agreement is reached, this impact is conservatively considered significant and unavoidable.</p>	<p>Council concludes, however, that the Project’s benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: The SR 4/Port Chicago Highway westbound on-ramp would operate at LOS F during the PM peak hour due to congestion on SR 4. The downstream volumes on the freeway at the merge point exceed the capacity of the freeway. This ramp has two lanes at Port Chicago Highway with one lane splitting off to SR 242 and one lane that merges onto SR 4 westbound. The operations of this ramp can be attributed to the operations on SR 4. Because no improvements beyond those identified in the assumption listed in Section 4.3.4 have been planned or programmed to address the capacity of SR 4, there are no feasible mitigation measures to address the capacity of SR 4, and this impact is considered to be significant and unavoidable. (FEIR, pp. 4-65 to 68, 4-131 to 4-132.)</p>	
<p>Impact Transportation 11: The development of the Preferred Alternative would increase traffic volumes and contribute to already deficient conditions at five intersections: 1. Oak Grove Road and Treat Boulevard (AM peak hour) 2. Walnut Boulevard and Ygnacio Valley Road (PM peak hour) 3. Buskirk Avenue - northbound I-680 off-ramp and Treat</p>	<p>Mitigation Measure Transportation 11, Intersection Impact Location 1: TDM programs will be adopted through an amendment to the Concord General Plan, including bicycle and pedestrian facilities, transit promotion, carpool promotion, and parking management, that support the use of alternative transportation modes and will reduce the use of automobiles, thus lessening traffic impacts. The City will monitor this intersection periodically and will develop updated traffic volume forecasts based on the performance of TDM programs as development occurs in the future. The City of Concord shall select and implement a mechanism to support the funding of transit operations and TDM programs as will be described in the future amendment of the General Plan to</p>	<p>Finding: Implementation of Mitigation Measure Transportation 11, Intersection Impact Location 1, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Transportation 11. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>Boulevard (PM peak hour)</p> <p>4. Northbound I-680 off-ramp and Ygnacio Valley Road (AM peak hour)</p> <p>5. Bailey Road and SR 4 eastbound ramps - BART access (PM peak hour)</p> <p>This impact is considered to be potentially significant.</p>	<p>address the CCRP area. This mechanism shall apply to new development on the CNWS and shall fund on-going operations. However, this impact is considered significant and unavoidable.</p>	<p>adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: At the intersection of Oak Grove Road and Treat Boulevard, widening is not feasible. As discussed in the assumptions in Section 4.3.4, as a policy matter the City will implement TDM measures rather than roadway widening at intersections, as large intersections in residential neighborhoods and urban locations would encourage the use of automobile travel and discourage walking by increasing exposure of pedestrians during crossings. Widening roadways in Concord therefore would conflict with policies in the General Plan as described in Section 4.1.2.3. However, implementation of TDM measures may not necessarily alleviate impacts that will occur at this intersection. In that case, the City may prepare a request for special circumstances. Therefore, this impact is considered significant and unavoidable. (FEIR, pp. 4-3 to 4-4, 4-65 to 4-68, 4-132 to 4-133; Table 4-29; see also MR 7 in Section 3, Responses to Comments on the May 2008 Draft EIR.)</p>	
	<p>Mitigation Measure Transportation 11, Intersection Impact Location 2, 3, 4: The City of Concord will coordinate in good faith with affected jurisdictions, including neighboring cities, Caltrans, and Contra Costa County, prior to the approval of a specific development with the goal of reaching agreement on the appropriate mitigation measures to address impacts in the respective agencies' jurisdiction. The City of Concord will work collaboratively with affected jurisdictions to identify specific performance criteria to mitigate the impact. Mitigation measures may include capacity increases, Transportation Demand Management (TDM) measures, arterial traffic</p>	<p>Finding: Implementation of Mitigation Measure Transportation 11, Intersection Location 2, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Transportation 11. No mitigation is available to render the effects less than significant.</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>management tools, and adaptive timing technology upgrades. The Concord Naval Weapons Station Area Plan will include specific TDM measures with corresponding estimates of trip reductions. The City shall require future developers at the site to contribute a traffic impact fee in accordance with the TRANSPAC Subregional Transportation Mitigation Fee Program requirements of the Central County Action Plan for Routes of Regional Significance. All currently existing applicable agreements, including the Bailey Road Traffic Mitigation Measure Inter-Agency Funding Agreement and the East Central Traffic Management Study, may be reviewed and revised through this coordinated process. A Nexus Study, required pursuant to the Mitigation Fee Act ("AB 1600 Study") shall be conducted for the entire site to establish an equitable traffic impact fee rate for each land use category to ensure that future development projects will contribute a fair share of the unfunded cost of planned improvements and mitigation measures determined cooperatively by the City of Concord and the affected jurisdictions.</p> <p>No development will occur until a traffic impact fee is adopted based on an AB 1600 study. Until future coordination with the affected jurisdictions takes place and agreement is reached, this impact is conservatively considered significant and unavoidable.</p>	<p>Further, although the mitigation requires the City to undertake coordination with affected jurisdictions, mitigation of physical impacts will require action by another public agency, the City of Walnut Creek. The City therefore finds that the mitigation is within the responsibility and jurisdiction of another agency and not the agency making this finding.</p> <p>The City Council hereby directs that this mitigation measure be adopted. Even with adoption of this mitigation measure, the effects (or some of the effects) will remain significant and unavoidable. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: Location 2, the intersection of Walnut Boulevard and Ygnacio Valley Road; Location 3, the intersection of Buskirk Avenue - northbound I-680 off-ramp and Treat Boulevard; and Location 4, the intersection of the northbound I-680 off-ramp and Ygnacio Valley Road, are in the City of Walnut Creek.</p> <p>The City of Concord will coordinate with the City of Walnut Creek, and for Locations 3 and 4, the City of Walnut Creek and Caltrans, prior to the approval of a specific development on the appropriate mitigation measures in accordance with the TRANSPAC STMP requirements of the Central County Action Plan for Routes of Regional Significance. No changes are currently recommended for this intersection. Until future coordination with the affected jurisdiction takes place and an agreement is reached, this impact will remain significant and unavoidable. (FEIR, pp. 4-</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		132, 4-133 to 4-136; Table 4-29; see also Responses to Comment Letter 11 in Section 4 of the Responses to Comments on the August 2009 Draft Revised EIR.)	
	<p>Mitigation Measure Transportation 11, Intersection Impact Location 5: The City of Concord will coordinate in good faith with affected jurisdictions, including neighboring cities, Caltrans, and Contra Costa County, prior to the approval of a specific development with the goal of reaching agreement on the appropriate mitigation measures to address impacts in the respective agencies' jurisdiction. The City of Concord will work collaboratively with affected jurisdictions to identify specific performance criteria to mitigate the impact. Mitigation measures may include capacity increases, Transportation Demand Management (TDM) measures, arterial traffic management tools, and adaptive timing technology upgrades. The Concord Naval Weapons Station Area Plan will include specific TDM measures with corresponding estimates of trip reductions. The City shall require future developers at the site to contribute a traffic impact fee in accordance with the TRANSPAC Subregional Transportation Mitigation Fee Program requirements of the Central County Action Plan for Routes of Regional Significance. All currently existing applicable agreements, including the Bailey Road Traffic Mitigation Measure Inter-Agency Funding Agreement and the East Central Traffic Management Study, may be reviewed and revised through this coordinated process. A Nexus Study, required pursuant to the Mitigation Fee Act ("AB 1600 Study") shall be conducted for the entire site to establish an equitable traffic impact fee rate for each land use category to ensure that future development projects will contribute a fair share of the unfunded cost of planned improvements and mitigation measures determined cooperatively by the City of Concord and the affected jurisdictions. No development will until a traffic impact fee is adopted based on an AB 1600 study. Until future coordination with the affected</p>	<p>Finding: Implementation of Mitigation Measure Transportation 11, Intersection Location 5, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Transportation 11. No mitigation is available to render the effects less than significant.</p> <p>Further, although the mitigation requires the City to undertake coordination with affected jurisdictions, mitigation of physical impacts will require action by another public agency, the City of Pittsburg. The City therefore finds that the mitigation is within the responsibility and jurisdiction of another agency and not the agency making this finding.</p> <p>The City Council hereby directs that this mitigation measure be adopted. Even with adoption of this mitigation measure, the effects (or some of the effects) will remain significant and unavoidable. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: The intersection of Bailey Road and SR 4 eastbound ramps - BART access is included as part of the current study for streetscape improvements for Bailey Road. The improvements, however, are</p>	No

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	jurisdictions takes place and agreement is reached, this impact is conservatively considered significant and unavoidable.	intended to improve the pedestrian, bicycle, and aesthetic environment along Bailey Road; no increase in vehicle capacity is planned. Any improvements at this intersection will be developed through discussions and coordination with the City of Pittsburg and Caltrans prior to the approval of a specific development in accordance with the TRANSPAC STMP requirements of the Central County Action Plan for Routes of Regional Significance. Because no improvements have been agreed upon at this time, the increase in traffic volumes at this location will remain a potential impact that is considered to be significant and unavoidable. (FEIR, pp. 4-132, 4-136 to 4-137; see also Responses to Comment Letter 21 in the Responses to Comments on the May 2008 Draft EIR; Responses to Comment Letter 12 in the Responses to Comments on the August 2009 Draft Revised EIR.)	
<p>Impact Transportation 12: The development of the Preferred Alternative would reduce average vehicle occupancies, increase the delay index, and/or reduce average speeds and contribute to already deficient conditions on 29 segments of regional routes:</p> <ol style="list-style-type: none"> 1. Kirker Pass Road east of Concord Boulevard - eastbound PM peak hours (average vehicle occupancy) 2. Kirker Pass Road east of Concord Boulevard - westbound PM peak hour (average vehicle occupancy) 3. Treat Boulevard east of Oak 	<p>Mitigation Measure Transportation 12: The City of Concord will coordinate in good faith with affected jurisdictions, including neighboring cities, Caltrans, and Contra Costa County, prior to the approval of a specific development with the goal of reaching agreement on the appropriate mitigation measures to address impacts in the respective agencies' jurisdiction. The City of Concord will work collaboratively with affected jurisdictions to identify specific performance criteria to mitigate the impact. Mitigation measures may include capacity increases, Transportation Demand Management (TDM) measures, arterial traffic management tools, and adaptive timing technology upgrades. The Concord Naval Weapons Station Area Plan will include specific TDM measures with corresponding estimates of trip reductions. The City shall require future developers at the site to contribute a traffic impact fee in accordance with the TRANSPAC Subregional Transportation Mitigation Fee Program requirements of the Central County Action Plan for Routes</p>	<p>Finding: Implementation of Mitigation Measure12, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Transportation 12. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation:</p>	No

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>Grove Road - eastbound AM peak hour (average vehicle occupancy)</p> <p>4. Ygnacio Valley Road east of Cowell Road - eastbound AM peak hour (average vehicle occupancy)</p> <p>5. Ygnacio Valley Road east of Cowell Road - westbound PM peak hour (average vehicle occupancy)</p> <p>6. I-680 south of Monument Boulevard - southbound AM peak hour (average vehicle occupancy)</p> <p>7. I-680 north of Monument Boulevard - northbound AM peak hour (average vehicle occupancy)</p> <p>8. I-680 north of Monument Boulevard - southbound PM peak hour (average vehicle occupancy)</p> <p>9. I-680 north of Concord Avenue - northbound AM peak hour (average vehicle occupancy)</p> <p>10. SR 242 north of I-680 - northbound AM peak hour (average vehicle occupancy)</p> <p>11. SR 242 north of I-680 - southbound AM and PM peak hours (average vehicle occupancy)</p> <p>12. SR 242 north of Willow</p>	<p>of Regional Significance. All currently existing applicable agreements, including the Bailey Road Traffic Mitigation Measure Inter-Agency Funding Agreement and the East Central Traffic Management Study, may be reviewed and revised through this coordinated process. A Nexus Study, required pursuant to the Mitigation Fee Act ("AB 1600 Study") shall be conducted for the entire site to establish an equitable traffic impact fee rate for each land use category to ensure that future development projects will contribute a fair share of the unfunded cost of planned improvements and mitigation measures determined cooperatively by the City of Concord and the affected jurisdictions. No development will occur until a traffic impact fee is adopted based on an AB 1600 study. Until future coordination with the affected jurisdictions takes place and agreement is reached, this impact is conservatively considered significant and unavoidable.</p>	<p>The Action Plan for Routes of Regional Significance identifies planned improvements to the regional system. Additional mitigation measures beyond the planned improvements included in the assumptions listed in Section 4.3.4 will require consultation and coordination with other TRANSPAC members, other RTPCs, and the CCTA. Future traffic studies for specific development projects on the site should update the TSO impact analysis to analyze the adopted Central County and East County Action Plans for Routes of Regional Significance. Because no improvements beyond those identified in the assumptions have been planned or programmed by the agencies at this time, this impact is considered to be significant and unavoidable. (FEIR, pp. 4-65 to 4-68, 4-137 to 4-140.)</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>Pass Road - northbound AM and PM peak hours (average vehicle occupancy)</p> <p>13. SR 242 north of Willow Pass Road - southbound AM and PM peak hours (average vehicle occupancy)</p> <p>14. SR 242 north of Concord Avenue - northbound PM peak hours (average vehicle occupancy)</p> <p>15. SR 242 north of Concord Avenue - southbound PM peak hour (average vehicle occupancy)</p> <p>16. SR 242 north of Solano Way - northbound PM peak hours (average vehicle occupancy)</p> <p>17. SR 242 north of Solano Way - southbound PM peak hour (average vehicle occupancy)</p> <p>18. SR 242 north of Olivera Road - northbound PM peak hour (average vehicle occupancy)</p> <p>19. SR 242 north of Olivera Road - southbound PM peak hour (average vehicle occupancy)</p> <p>20. SR 4 east of I-680 - eastbound AM peak hour (average vehicle occupancy)</p> <p>21. SR 4 east of Solano Way -</p>			

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>eastbound AM peak hour (average vehicle occupancy)</p> <p>22. SR 4 east of Port Chicago Highway - eastbound AM peak hour (average vehicle occupancy)</p> <p>23. SR 4 east of Port Chicago Highway - westbound PM peak hour (average vehicle occupancy)</p> <p>24. SR 4 east of Willow Pass Road - eastbound AM peak hour (average vehicle occupancy)</p> <p>25. SR 4 east of Willow Pass Road - westbound PM peak hour (average vehicle occupancy)</p> <p>26. SR 4 east of San Marco Boulevard - eastbound AM peak hour (average vehicle occupancy)</p> <p>27. SR 4 east of San Marco Boulevard - westbound PM peak hour (average vehicle occupancy)</p> <p>28. SR 4 east of Bailey Road - westbound PM peak hour (average vehicle occupancy)</p> <p>29. SR 4 east of Railroad Avenue - eastbound AM and PM peak hours (average vehicle occupancy)</p> <p>This impact is considered to be potentially significant.</p>			

Table 1
Summary of Findings

Table 0–1: Summary of Significant Impacts and Mitigation Measures

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
VISUAL RESOURCES (CHAPTER 5)			
<p>Impact Visual Resources 1: The Preferred Alternative has the potential to degrade the visual character of the near horizon views of the site from the Sun Terrace Neighborhood and the Coast Guard Housing complex. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Visual Resources 1: Prior to approving any specific public or private development on the site, the City of Concord shall require incorporation of best management practices in any site development plans, with the purpose of minimizing the impacts of urban development as seen from the Sun Terrace Neighborhood and the Coast Guard Housing complex. However, even with the implementation of this mitigation measure, this impact will remain significant and unavoidable.</p>	<p>Finding: Implementation of Mitigation Measure Visual Resources 1, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Visual Resources 1. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: The City will apply its existing land use and design policies prior to approving any future development on the site, as well as those generated through the Reuse Plan process and subsequent incorporation of those policies into an amended General Plan and Zoning Ordinance. Compliance with these adopted plans and policies would ensure that future development in most areas would be substantially consistent with existing development and the direction of future development within the City. However, because of the proximity of proposed development and resulting permanent visual change compared to the existing condition</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		as seen by some residents of the Sun Terrace Neighborhood and the Coast Guard Housing complex, this impact is considered significant and unavoidable. (FEIR, pp. 5-31 to 5-32.)	
<p>Impact Visual Resources 2: The Preferred Alternative has the potential to degrade the visual character of the near horizon views of the site from SR 4 and Willow Pass Road. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Visual Resources 2: Prior to approving any specific public or private development at the site, the City of Concord shall require incorporation of best management practices as specified in the City's land use planning and design policies in any site development plans to minimize the impacts on views of urban development from SR 4 and Willow Pass Road. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Visual Resources 2, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: The City will apply its existing land use and design policies prior to approving any future development on the site. Compliance with these adopted plans and policies would ensure that future development would be substantially consistent with existing development and the direction of future development within the City, reducing the significance of this impact to a Level that is less than significant. (FEIR, p. 5-32.)</p>	Yes
<p>Impact Visual Resources 3: The Preferred Alternative has the potential to change views of lowland portions of the site from adjacent neighborhoods along Willow Pass Road between it and Bailey Road. This impact is considered to be significant.</p>	<p>Mitigation Measure Visual Resources 3: Prior to approving any specific public or private development at the site, the City of Concord shall require incorporation of best management practices as specified in the City's land use planning and design policies in any site development plans to minimize the impacts on views of urban development from neighborhoods adjacent to Willow Pass Road between it and Bailey Road. With implementation of this mitigation measure, this potentially significant impact would be</p>	<p>Finding: Implementation of Mitigation Measure Visual Resources 3, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p>	Yes

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	reduced to a level that is less than significant.	<p>Explanation: The City will apply its existing land use and design policies prior to approving any future development on the site. Compliance with these adopted plans and policies would ensure that future development would be substantially consistent with existing development and the direction of future development within the City, reducing the significance of this impact to a level that is less than significant. (FEIR, pp. 5-33 to 5-34.)</p>	
<p>Impact Visual Resources 4: The Preferred Alternative has the potential for increased lighting from active recreation facilities. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Visual Resources 4: Prior to approving any specific public or private development of active recreation facilities that include nighttime lighting, the City of Concord shall require incorporation of best management practices as specified in the City's land use planning and design policies in any site development plans to control the amount of light emitted from recreational facilities, thereby reducing the impact of these facilities. The best management practices that shall be incorporated include targeted light placement and the use of directional lighting. Other specific light-reducing best management practices that shall be used include addition of green space, use of materials with a low solar reflectivity index, reduced lighting levels, and shielding to preserve both daytime and nighttime views. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Visual Resources 4, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: The implementation of mitigation measures would reduce potential light impacts from recreational facilities, making them negligible within the local context. Based on these considerations, it has been determined that while implementation of the Preferred Alternative may create a new source of light or glare, this impact can be reduced to a level that is less than significant with mitigation. (FEIR, p. 5-34.)</p>	Yes
EARTH RESOURCES (CHAPTER 6)			
<i>None identified.</i>			

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
HYDROLOGY AND WATER QUALITY (CHAPTER 7)			
<i>None identified.</i>			
BIOLOGICAL RESOURCES (CHAPTER 8)			
<p>Impact Biological Resources 1: The Preferred Alternative could result in a potential impact to wetland habitats from direct fill or alteration of hydrology. This impact is considered to be potentially significant.</p> <p>The majority of the wetlands that would be affected by the Preferred Alternative are located in historically and currently grazed rangeland. Such moderate levels of livestock grazing have limited the functions and values of wetlands on the project site below their full potential to some extent. However, the wetlands on the site serve as foraging habitat for some waterbirds, watering areas for mammals, and moist refugia and foraging areas for amphibians. Wetlands that pool water for a sufficient period also provide breeding habitat for amphibians. Loss of wetlands could occur through placement of fill, construction of crossings, alterations of drainage, and other construction activities. These impacts would be considered significant.</p>	<p>Mitigation Measure Biological Resources 1: Prior to approving any construction potentially impacting wetlands on the site, the City of Concord shall require project proponents to demonstrate avoidance of wetland fill to the extent practicable and agree to mitigate unavoidable temporary impacts to wetlands by restoration in place following construction; mitigate permanent fill of wetlands at a minimum 1:1 acreage ratio, concurrent with or prior to wetlands impacts; and provide the City with evidence of the purchase of credits in a mitigation bank, or with a Habitat Mitigation and Monitoring Plan for creation of wetlands coupled with proof that the mitigation site will be preserved in perpetuity and that an endowment has been established to fund the long-term management and monitoring of the mitigation site. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 1, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: As described in sections 8.1.1.2, 8.1.2.8, and 8.1.6, wetland habitats on the site have been mapped preliminarily. Wetland boundaries will be delineated, and a delineation report will be submitted to the Corps of Engineers for verification.</p> <p>The Preferred Alternative could potentially impact up to 11 acres of wetlands (including freshwater marsh and seasonal wetlands). However, the majority of wetlands in the vicinity of the old airfield may be preserved, rather than impacted, by the project. The EIR assumes that these wetlands could be impacted, but the City will consider plans that entail preservation of these wetlands, and thus impacts could be lower than the estimates given above. The Preferred Alternative would preserve wetlands located within open space areas.</p> <p>Either the City or individual project proponents will obtain any necessary</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>permits from State and federal resource agencies to allow the fill of wetlands prior to construction. In addition, the City shall require proponents of future development projects potentially impacting wetlands to implement measures so that there will be no net loss of wetland habitat functions and values. The measures are described more fully at pages 8-72 to 8-73 of the Final EIR and require avoiding the fill of wetlands to the maximum extent practicable, replacing any filled wetlands with an equal amount of created wetlands that are likely to have higher ecological functions and values than the filled wetlands, and preservation and management of the created wetlands in perpetuity will reduce impacts to wetlands to a less than significant level. (FEIR, pp. 8-2 to 8-7, 8-15 to 8-18, 8-56 to 8-60, 8-61 to 8-68, 8-71 to 8-73; see also MR-19 in Section 3 of the Responses to Comments on the May 2008 Draft EIR and MR Biological Resources 8 in Section 3 of the Response to Comments on the August 2009 Draft Revised EIR.)</p>	
<p>Impact Biological Resources 2: The Preferred Alternative could result in a potential impact to the channel of Mt. Diablo Creek and its aquatic habitat. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 2: Prior to approving any construction involving impacts to Mt. Diablo Creek, the City of Concord shall require project proponents to demonstrate avoidance of creek impacts to the extent practicable and agree to implement best management practices to avoid and minimize adverse effects on water quality during construction; mitigate unavoidable temporary impacts to the creek by restoration in place following construction; mitigate unavoidable permanent fill of the creek at a minimum 1:1 acreage ratio, concurrent with or prior to creek impacts; and provide the City with a</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 2, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: In its current condition, Mt. Diablo Creek provides relatively low-quality aquatic habitat</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>Habitat Mitigation and Monitoring Plan for creation of aquatic habitat coupled with proof that the mitigation site will be preserved in perpetuity and that an endowment has been established to fund the long-term management and monitoring of the mitigation site. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>due to the absence of flow for most of the year, absence of deep pools and scarcity of structural diversity of aquatic habitat, existing impediments to movement of aquatic species (both on the site and in upstream and downstream areas), and high water temperatures. As a result, particularly sensitive aquatic resources such as coldwater and anadromous fish are absent from this reach of the creek. Nevertheless, the temporary disturbance to and permanent loss of aquatic habitat associated with the channel of Mt. Diablo Creek would be a significant impact.</p> <p>Either the City or individual project proponents will obtain any necessary permits from State and federal resource agencies to allow for impacts to Mt. Diablo Creek prior to construction. As described more fully on pages 8-75 to 8-77 of the Final EIR, the City shall require proponents of future development projects involving impacts to Mt. Diablo Creek to avoid impacts to Mt. Diablo Creek to the maximum extent practicable, implement BMPs to avoid and minimize impacts to water quality, replace any permanently impacted areas of the creek with an equal amount of created aquatic habitats, and preserve and manage the created aquatic habitats in perpetuity. Implementation of these measures will reduce impacts to Mt. Diablo Creek to a less than significant level. (FEIR, pp. 8-18 to 8-20, 8-27 to 8-30, 8-52 to 8-53, 8-61 to 8-68, 8-73 o 8-77; see also MR Biological Resources 3 in Section 3 of the Response to Comments on the August 2009 Draft Revised EIR.)</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>Impact Biological Resources 3: The Preferred Alternative could result in a potential impact to riparian habitat. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 3: Prior to approving any construction involving impacts to riparian habitat on the site, the City of Concord shall require project proponents to demonstrate avoidance of riparian habitat impacts to the extent practicable and agree to mitigate unavoidable impacts at a minimum 3:1 acreage ratio, concurrent with or prior to riparian impacts; and provide the City with a Habitat Mitigation and Monitoring Plan for creation of riparian habitat coupled with proof that the mitigation site will be preserved in perpetuity and that an endowment has been established to fund the long-term management and monitoring of the mitigation site. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 3, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: Under the Preferred Alternative, development is proposed on both sides of Mt. Diablo Creek, thereby creating the potential need for stream crossings to allow pedestrian, vehicle, or utility crossings of the creek. The Preferred Alternative proposes seven bridge crossings of Mt. Diablo Creek, resulting in the loss of riparian habitat within the footprints of these bridges. Although a minimum 300-foot buffer that includes Mt. Diablo Creek will preserve the stream corridor, it will not preclude the placement of materials (pilings, culverts, or other support structures) within riparian habitats associated with the creek.</p> <p>It is possible that portions of Mt. Diablo Creek, and possibly up to the entire on-site segment of the creek, may need to be reconfigured for flood control or restoration purposes. Development under the Preferred Alternative proposes to fill the entire length of Willow Pass Creek, and the riparian woodland located near the old airfield could also be directly affected by proposed development under this alternative. Thus, the Preferred Alternative could result in the</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>removal of up to 32 acres of riparian habitat. Although riparian habitat on the site has been degraded by grazing, stream incision, bank erosion, and other factors, this habitat supports more wildlife species than any other habitat on the site, and thus any loss of riparian habitat as a result of the project is significant.</p> <p>Either the City or individual project proponents will obtain any necessary permits from State and federal resource agencies to allow for impacts to jurisdictional waters prior to construction. In addition, the City shall also require proponents of future development projects involving impacts to riparian habitats to implement measures that require avoiding impacts to riparian habitats to the maximum extent practicable, replacing any permanently impacted riparian habitats at a minimum 3:1 ratio, and preservation and management of the created riparian habitats in perpetuity. Implementation of these measures will reduce impacts to these habitats to a less than significant level. (FEIR, pp. 8-61 to 8-68, 8-77 to 8-79; see also MR 20 in Section 3 of the Response to Comments on the May 2008 Draft EIR and MR Biological Resources 1 and 7 in Section 3 of the Response to Comments on the August 2009 Draft Revised EIR.)</p>	
<p>Impact Biological Resources 4: The Preferred Alternative could result in a potential impact to the channel of Willow Pass Creek and its aquatic habitat, drainages within the California annual grasslands, and pond habitats. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 4: Prior to approving any construction involving impacts to Willow Pass Creek and its aquatic habitat, drainages within the California annual grasslands, and pond habitats, the City of Concord shall require project proponents to demonstrate avoidance of aquatic habitat impacts to the extent practicable and agree to implement</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 4, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>best management practices to avoid and minimize adverse effects on water quality during construction; mitigate unavoidable temporary impacts by restoration in place following construction; mitigate unavoidable permanent fill of aquatic habitats at a minimum 1:1 acreage ratio, concurrent with or prior to such impacts; and provide the City with a Habitat Mitigation and Monitoring Plan for creation of aquatic habitat coupled with proof that the mitigation site will be preserved in perpetuity and that an endowment has been established to fund the long-term management and monitoring of the mitigation site. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: Loss of the aquatic or channel habitat of Willow Pass Creek, drainages within the California annual grasslands, and ponds may occur as part of site development. Although most of the drainages and ponds on the site are located in open space areas outside the development footprint, Willow Pass Creek is located within the development footprint, and Diablo Creek Golf Course ponds could be impacted by road construction, under both alternatives. The Preferred Alternative could result in impacts to up to 13 acres of these habitats. Placement of fill, grading, and alteration of drainage patterns could result in the direct or indirect loss of these habitats. Although Willow Pass Creek and the ephemeral drainages on the site provide low-quality wildlife habitat due to their flashy flows, dry conditions most of the year, and lack of pools, they are used by amphibians as dispersal and foraging habitat, and as aquatic refugia when they contain water. Also, as noted under Impacts Biological Resources 5 and 7, the Diablo Creek Golf Course ponds could potentially provide aquatic habitat for special-status species such as the California red-legged frog and western pond turtle. Thus, impacts to these features would be considered significant.</p> <p>Either the City or individual project proponents will obtain any necessary permits from State and federal resource agencies to allow for impacts to jurisdictional waters prior to construction. In addition, the</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>City shall also require proponents of future development projects involving impacts to riparian habitats to implement measures that require avoiding impacts to Willow Pass Creek and its aquatic habitat, drainages within the California annual grasslands, and pond habitats to the maximum extent practicable, implementing BMPs to avoid and minimize impacts to water quality, replacing any permanently impacted aquatic habitats with an equal amount of created aquatic habitats, and preservation and management of the created aquatic habitats in perpetuity will reduce impacts to these habitats to a less than significant level. (FEIR, pp. 8-79 to 8-81.)</p>	
<p>Impact Biological Resources 5: The Preferred Alternative could result in a potential impact to California red-legged frogs and their habitats. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 5: Prior to approving any construction in or near potential California red-legged frog habitat on the site, the City of Concord shall require project proponents to demonstrate avoidance of red-legged frog breeding habitat impacts and impacts to Mt. Diablo Creek to the extent practicable and agree to construct permanent exclusion fencing around new residential or industrial development; distribute pamphlets to new residents and construct signage explaining the importance of controlling pets near sensitive areas; avoid installation of any lighting in red-legged frog breeding habitat and use only low-intensity or downcast lighting near red-legged frog dispersal habitat; minimize wet-season construction near aquatic habitats; enclose construction areas with temporary exclusion fencing; implement best management practices to avoid and minimize adverse effects on water quality during construction; have a qualified biologist identify a suitable</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 5, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: Based on the results of previous surveys, it is clear that the vast majority of locations where California red-legged frogs have been recorded breeding on the site will be avoided by development under the Preferred Alternative, and that conversely, red-legged frogs have not been detected in the vast majority of this alternative's impact areas. The only potential breeding habitat for red-legged frogs that will be impacted by the project is in the golf course ponds. Red-</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>site to which frogs may be relocated if detected during construction, conduct a construction personnel education program, and perform pre-construction surveys for red-legged frogs; mitigate unavoidable temporary impacts to red-legged frog habitat at a 1:1 acreage ratio (i.e., by restoration in place following construction plus additional habitat mitigation at a 0.1:1 ratio); mitigate unavoidable permanent impacts to red-legged frog breeding habitat at a minimum 3:1 acreage ratio and to red-legged frog nonbreeding habitat at a minimum 1:1 acreage ratio, concurrent with or prior to such impacts; and provide the City with evidence of the purchase of red-legged frog habitat credits in a mitigation bank, or with a Habitat Mitigation and Monitoring Plan for the enhancement and preservation of red-legged frog habitat coupled with proof that the mitigation site will be preserved in perpetuity and that an endowment has been established to fund the long-term management and monitoring of the mitigation site. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>legged frogs have not been recorded at these ponds, but breeding here is possible. Nevertheless, all impact areas on the site that are not mapped on Figure 8-1 as “developed,” with the exception of the recreational area along East Olivera Road, are considered to represent impacted red-legged frog habitat. The Preferred Alternative could impact up to approximately 2,379 acres of potential California red-legged frog habitat.</p> <p>Either the City or individual project proponents will obtain any necessary approval from the USFWS to allow incidental take of the California red-legged frog prior to construction. Implementation of the mitigation measures described for impacts to wetland, aquatic, and riparian habitats (see Impacts Biological Resources 1, 2, 3, and 4) will avoid, minimize, and compensate for impacts to habitats that are potentially most limiting to red-legged frog populations on the site.</p> <p>In addition, the City of Concord shall require proponents of future development projects in or near potential California red-legged frog habitat to implement construction-phase measures to minimize impacts to individual frogs and their habitats during construction, and design measures to provide long-term minimization of impacts to red-legged frogs on the site, as well as enhancement and permanent preservation and management of suitable red-legged frog habitat to compensate for any residual impacts to California redlegged frog habitat. Collectively, these measures will reduce impacts to California redlegged frogs to a</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		less than significant level. (FEIR, pp. 8-2 to 8-5, 8-38, 8-81 to 8-88.)	
<p>Impact Biological Resources 6: The Preferred Alternative could result in a potential impact to California tiger salamanders and their habitats. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 6: Prior to approving any construction or other ground-disturbing activities within areas identified as providing California tiger salamander habitat at the site, the City of Concord shall require project proponents to demonstrate avoidance of tiger salamander breeding habitat impacts to the extent practicable and agree to construct permanent exclusion fencing around new residential or industrial development; distribute pamphlets to new residents and construct signage explaining the importance of controlling pets near sensitive areas; avoid installation of any lighting in tiger salamander breeding habitat and use only low-intensity or downcast lighting near tiger salamander dispersal habitat; minimize wet-season construction near aquatic habitats; enclose construction areas with temporary exclusion fencing; implement best management practices to avoid and minimize adverse effects on water quality during construction; have a qualified biologist identify a suitable site to which tiger salamander may be relocated if detected during construction, conduct a construction personnel education program, and perform pre-construction surveys for tiger salamander; mitigate unavoidable temporary impacts to tiger salamander habitat at a 1.1:1 acreage ratio (i.e., by restoration in place following construction plus additional habitat mitigation n at a 0.1:1 ratio); mitigate unavoidable permanent impacts to tiger salamander breeding habitat at a minimum 3:1 acreage ratio and to tiger salamander nonbreeding habitat at a minimum 1:1</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 6, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: Based on the results of previous surveys, it is clear that the vast majority of locations where California tiger salamanders have been recorded will be avoided by development under the Preferred Alternative, and that conversely, tiger salamanders have not been detected in the vast majority of this alternative's impact areas.</p> <p>Nonetheless, based on the upland habitat suitability analysis prepared for the EIR, the EIR assumes that the Preferred Alternative could impact up to 1,116 acres of potential California tiger salamander habitat, including the seasonal pool in Bunker City where breeding was previously detected, as depicted in Figure 8-3 of the Final EIR.</p> <p>Either the City or individual project proponents will obtain any necessary approval from the USFWS and CDFG to allow incidental take of the California tiger salamander prior to construction. In addition, the City of Concord shall require</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>acreage ratio, concurrent with or prior to such impacts; and provide the City with evidence of the purchase of tiger salamander habitat credits in a mitigation bank, or with a Habitat Mitigation and Monitoring Plan for the enhancement and preservation of tiger salamander habitat coupled with proof that the mitigation site will be preserved in perpetuity and that an endowment has been established to fund the long-term management and monitoring of the mitigation site. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>proponents of future development projects in or near potential California red-legged frog habitat to implement construction-phase measures to minimize impacts to individual frogs and their habitats during construction, and design measures to provide long-term minimization of impacts to red-legged frogs on the site, as well as enhancement and permanent preservation and management of suitable red-legged frog habitat to compensate for any residual impacts to California tiger salamander habitat. Collectively, these measures will reduce impacts to California tiger salamander to a less than significant level. (FEIR, pp. 8-2 to 8-5, 8-39, 8-88 to 8-98.)</p>	
<p>Impact Biological Resources 7: The Preferred Alternative could result in a potential impact to individual western pond turtles. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 7: Prior to approving any construction in or near potential western pond turtle habitat on the site, the City of Concord shall require project proponents to minimize grading impacts within 1/4 mile of the Cistern Pond and minimize permanent impacts to Mt. Diablo Creek, and agree to have a qualified biologist conduct surveys for communal/traditional nesting areas, implement measures to minimize impacts to turtle nests if a communal/traditional nesting area is detected, install temporary exclusion fencing around any construction areas, and have a qualified biologist conduct pre-construction surveys for all construction within 1/4 mile of aquatic pond turtle habitat; have a qualified biologist relocate any turtles detected during pre-construction surveys or during construction to suitable habitat well away from active construction areas; and have a qualified biologist conduct a construction personnel education program. With implementation of this mitigation</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 7, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: The western pond turtle is known to occur on the site at the Cistern Pond. It has not been recorded at other locations in the Inland Area of the CNWS, but larger numbers are present in the Tidal Area (Downard et al., 1999). As a result, pond turtles are expected to disperse to some extent between the two areas, most likely along Mt. Diablo Creek, but possibly also along the Contra Costa and Clayton canals. This species may also occur in other ponds in the project area, including</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>temporary ponds as well as perennial ponds such as those at the Diablo Creek Golf Course.</p> <p>The number of individual turtles that have been observed at the Cistern Pond is very low, and the species has not been documented elsewhere on the project site. As a result, the number of individuals or their nests that could be impacted by the project is likely low. Nevertheless, this species has suffered declines throughout much of its range, and loss of individual turtles would constitute a significant impact. Western pond turtles occasionally nest communally, and thus the loss of a single nesting area could adversely affect a large proportion of a breeding population and possibly result in the loss of an entire cohort of incubating eggs or hatchlings, which would also be a significant impact.</p> <p>Implementation of the mitigation measures described for impacts to wetland, aquatic, and riparian habitats (see Impacts Biological Resources 1, 2, 3, and 4) will avoid, minimize, and compensate for impacts to habitats that are potentially most limiting to western pond turtle populations on the site. In addition, the City shall require proponents of future development projects in or near potential western pond turtle habitat to implement measures that will minimize impacts to aquatic habitat and to upland habitat close to aquatic pond turtle habitat, and implement construction-phase measures to avoid impacts to individual pond turtles and their nests. These measures will reduce impacts to western pond turtles to a less than significant level.</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>Impact Biological Resources 8: The Preferred Alternative could result in a potential impact to individual Alameda whipsnakes and coast horned lizards. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 8: Prior to approving construction in areas southeast of Willow Pass Road on the site, the City of Concord shall require project proponents to avoid planning trails or other recreation features within 200 feet of coastal sage scrub in Rattlesnake Canyon; to agree to deposit construction materials only in areas lacking snakes or suitable cover for snakes; and to agree to have a qualified biologist conduct a construction personnel education program, conduct pre-construction surveys prior to the construction of recreational or interpretive features in open space areas with rock outcrops, and relocate any whipsnakes or horned lizards detected near construction areas to suitable habitat areas well away from construction areas. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>(FEIR, pp. 8-98 to 8-102.)</p> <p>Finding: Implementation of Mitigation Measure Biological Resources 8, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: Project impacts to these species would affect only a very few individuals, if any. However, if these species are present, the site would be at the extreme edge of these species' ranges. In light of the potential for shifts in vegetation and habitat in the face of global climate change, conservation at the margins of the ranges of species with relatively low mobility such as these reptiles is important. As a result, project impacts to individuals of these species would be significant.</p> <p>The City of Concord shall require proponents of any development projects southeast of Willow Pass Road to implement measures that require avoidance of impacts in close proximity to areas providing the highest potential for Alameda whipsnake and coast horned lizard occurrence, and implementation of construction-phase measures to avoid and minimize impacts to these species. These measures will reduce impacts to Alameda whipsnakes and coast horned lizards to a less than significant level. (FEIR, pp. 8-102 to 8-104.)</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>Impact Biological Resources 9: The Preferred Alternative could result in a potential impact to nesting golden eagles. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 9: Prior to approving any construction in or near potential golden eagle nesting habitat on the site, the City of Concord shall require project proponents to avoid planning trails or other recreational features within 1/4 mile of the existing eagle nest (unless seasonal closure of such trails or recreational features occurs) and to agree to have a qualified biologist conduct a pre-construction survey for nesting eagles and to maintain a 1/4 mile buffer between any active nest and new construction disturbance during the breeding season. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 9, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: The Preferred Alternative will result in the loss of 2,002 acres of California annual grassland habitat that is currently used by foraging golden eagles. Because of the abundance of such habitat in the region, and because most foraging activity by these birds occurs in areas that will be preserved as open space by this project, impacts to foraging habitat are not considered substantial.</p> <p>The Preferred Alternative does not propose to impact the known eagle nest tree, which is more than 1/2 mile from the eastern edge of where construction may occur along Mt. Diablo Creek during flood control or creek restoration activities. Buffers of 1/4 mile have been recommended to avoid disturbance of golden eagle nests. As a result, the Preferred Alternative is not expected to result in disturbance of nesting eagles unless the eagles move to a nest site closer to the project footprint (e.g., a eucalyptus along Mt. Diablo Creek), or unless recreational activities in the open space area occur in close proximity to the existing nest.</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>If either situation were to occur, there is some potential for removal of the nest tree (if the eagles move to a new nest location within the development footprint); disturbance of the nesting eagles to the point of abandonment of the nest, and possibly eggs and chicks; or reduced reproductive success due to construction or recreation-related disturbance of the nest. Due to the relatively low size of regional golden eagle populations, the loss or disturbance of an active nest would be considered significant. If the eagles were to move to a tree closer to the development footprint, construction (even during the nonbreeding season) could cause the eagles to abandon that site in subsequent years due to proximity to development. In such a case, it is presumed that adequate alternative nesting sites (such as the existing nest tree) would be available farther from developed areas.</p> <p>The City of Concord shall require proponents of future development projects in or near potential golden eagle nesting habitat to implement measures that require avoidance of the construction of trails or other facilities (or breeding-season use of such facilities) in close proximity to active eagle nests, pre-construction surveys to detect eagle nests, and maintenance of buffers around eagle nests free from new construction-related disturbance. These measures will minimize disturbance of nesting golden eagles by construction and recreational activities, reducing potential impacts to golden eagles to a less than significant level. (FEIR, pp. 8-104 to 8-107.)</p>	
Impact Biological Resources 10: The Preferred	Mitigation Measure Biological Resources	Finding:	Yes

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>Alternative could result in a potential impact to burrowing owls and their habitat. This impact is considered to be potentially significant.</p>	<p>10: Prior to approving any construction in or near potential burrowing owl habitat at the site, the City of Concord shall require project proponents to agree to maintain buffers free from new disturbance around active owl burrows during the breeding season; have a qualified biologist conduct pre-construction surveys, relocate burrowing owls from burrows that are to be disturbed by construction during the nonbreeding season, and conduct comprehensive breeding-season and nonbreeding-season surveys to determine owl use of the individual project site prior to construction; mitigate permanent impacts to burrowing owl habitat at a minimum ratio of 6.5 acres of mitigation habitat per pair (or per single owl, if unpaired) that will be displaced by development if mitigation occurs on-site and of 9.75-19.5 acres of mitigation habitat per pair (or per single owl, if unpaired) that will be displaced by development if mitigation occurs off-site; and provide the City with evidence of the purchase of burrowing owl habitat credits in a mitigation bank, or with a Habitat Mitigation and Monitoring Plan for the enhancement and preservation of burrowing owl habitat coupled with proof that the mitigation site will be preserved in perpetuity and that an endowment has been established to fund the long-term management and monitoring of the mitigation site. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Implementation of Mitigation Measure Biological Resources 10, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: The Preferred Alternative would impact 2,002 acres of grassland that provides potential burrowing owl habitat. However, the results of surveys of the site have consistently demonstrated this species to be present only in small numbers, and primarily during the nonbreeding season. If it breeds on the site, it does so only in very low numbers. The low number of burrowing owls using the site, relative to the abundance of high-quality habitat, suggests that habitat availability is not limiting on-site numbers of this species.</p> <p>Development and construction activities in occupied burrowing owl habitat can result in injury or mortality of individual owls that are trapped in burrows underground, regardless of the season. During the breeding season, nests with eggs or young can be lost by such direct disturbance, or by abandonment of burrows by adults that are disturbed by construction-related activities. Other potential impacts to burrowing owls include increased predation by domestic animals and increased road mortality due to the construction of new roads and an increase in traffic in the project area. Burrowing owls in</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>the area to be preserved as open space may be subject to increased disturbance by recreational users as well. Due to the precipitous declines of San Francisco Bay Area burrowing owl populations in recent decades, any loss of burrowing owls resulting from the project would be significant.</p> <p>The City of Concord shall require proponents of specific development projects in or near potential burrowing owl nesting habitat to implement measures that require implementation of pre-construction surveys, buffers around burrows during the breeding season, and relocation of owls from burrows that are located within construction areas. These measures will avoid the loss of individual owls, including eggs and young, as a result of construction activities. Comprehensive surveys to determine site occupancy and preservation, enhancement, and management of suitable mitigation habitat will also be required and will compensate for impacts to occupied burrowing owl habitat. Collectively, these measures will reduce impacts to burrowing owls to a less than significant level. (FEIR, pp. 8-107 to 8-111.)</p>	
<p>Impact Biological Resources 11: The Preferred Alternative could result in a potential impact to special-status songbirds such as loggerhead shrikes, San Francisco common yellowthroats, and tricolored blackbirds. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 11: Prior to approving construction on the site, the City of Concord shall require project proponents to agree to initiate new grading and construction activities during the nonbreeding season for loggerhead shrikes, San Francisco common yellowthroats, and tricolored blackbirds to the extent practicable; to have a qualified biologist conduct pre-construction surveys for active nests prior to disturbance of potential</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 11, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>nesting habitat during the breeding season; and to maintain buffers free from new construction-related disturbance around active nests of these species. With implementation of this measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Explanation: All three of these species have suffered population declines, and the loggerhead shrike and San Francisco common yellowthroat occur on the site in sufficient abundance that project-related construction could potentially impact multiple nests of these species. Though tricolored blackbirds are not known to breed on the site, this species could breed there in the future, and because it typically breeds in large colonies, there is some potential for the loss of large numbers of nests due to project development. As a result, construction impacts to active nests of these species are potentially significant.</p> <p>To avoid impacts to nests of these species, the City shall require project proponents to implement measures that require minimization of impacts to potential nesting habitat during the breeding season, implementation of pre-construction surveys for active nests, and maintenance of buffers around active nests free from new construction-related disturbance. These measures will reduce impacts to loggerhead shrikes, San Francisco common yellowthroats, and tricolored blackbirds to a less than significant level. (FEIR, pp. 8-111 to 8-113.)</p>	
<p>Impact Biological Resources 12: The Preferred Alternative could result in a potential impact to nesting white-tailed kites and northern harriers. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 12: Prior to approving construction in or near potential white-tailed kite and northern harrier habitat on the site, the City of Concord shall require project proponents to agree to initiate new grading and construction activities during the nonbreeding season for these species to the</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 12, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>extent practicable; to have a qualified biologist conduct pre-construction surveys for active nests prior to disturbance of potential nesting habitat during the breeding season; and to maintain buffers free from new construction-related disturbance around active nests of these species. With implementation of this measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: Due to the number of nesting pairs of white-tailed kites on the site (estimated to be between 4 and 6 pairs), and because this species is listed as a fully protected species by the State, this impact would be considered significant. Harriers do not often nest in relatively dry, California annual grassland, and thus disturbance of an active nest of this species of special concern in such an unusual setting would also constitute a significant impact.</p> <p>To avoid impacts to nests of these species, the seasonal avoidance, pre-construction survey, nest buffering, and monitoring measures described by Mitigation Measure Biological Resources 11 will be implemented for white-tailed kites and northern harriers as well.</p> <p>In the case of these two raptors, the survey area shall include construction areas and adjacent habitat within 250 feet of project activities, and buffers around nests of these species shall be 250 feet in radius, unless otherwise agreed to by the CDFG as described in Mitigation Measure Biological Resources 11.</p> <p>Minimization of impacts to potential nesting habitat during the breeding season, implementation of pre-construction surveys for active nests, and maintenance of buffers around active nests free from new construction-related disturbance will reduce</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		impacts to white-tailed kites and northern harriers to a less than significant level. (FEIR, pp. 8-113 to 8-115.)	
<p>Impact Biological Resources 13: The Preferred Alternative could result in a potential impact to substantial numbers of nesting birds from development-related construction disturbance and direct removal of nests during the breeding season. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 13: Prior to approving construction on the site, the City of Concord shall require project proponents to agree to initiate new grading and construction activities during the nonbreeding season for nesting birds to the extent practicable; to have a qualified biologist conduct pre-construction surveys for active nests of native birds prior to disturbance of potential nesting habitat during the breeding season; and to maintain buffers free from new construction-related disturbance around active nests of native birds. With implementation of this measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 13, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: A number of species of birds nest in the varied habitats of the project site. Project development will alter these habitats, and for most bird species will reduce the availability of nesting and foraging habitat.</p> <p>The City shall require project proponents to implement measures that require minimization of impacts to potential nesting habitat during the breeding season, implementation of pre-construction surveys for active nests, and maintenance of buffers around active nests free from new construction-related disturbance. These measures will reduce impacts to nesting native birds to a less than significant level. (FEIR, pp. 8-115 to 8-118.)</p>	Yes
<p>Impact Biological Resources 14: The Preferred Alternative could result in a potential impact to bat roosts, including those of special-status bat species. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 14: Prior to approving any construction in or near potential bat roosting habitat on the site, the City of Concord shall require project proponents to agree to have a qualified</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 14, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant</p>	Yes

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>biologist conduct a pre-construction/pre-demolition survey for roosting bats; to maintain buffers free from new construction-related disturbance around active bat roosts during the maternity season and around roosts that do not have to be removed; to have a qualified biologist evict bats from roosts that must be disturbed or removed (during the non-maternity season); and to provide alternative roost sites (designed by a qualified biologist) if roosts of pallid bats or Townsend' s big-eared bats are removed. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: The abundance, distribution, and species composition of bats using the project site have not been well documented. However, it is expected that a number of bat species occur on the site, including common species as well as species of special concern. If bats are day-roosting in trees or structures within the project area, the removal of these structures will result in the permanent loss of day-roost habitat, and the removal of roost sites containing bats may result in the injury or mortality of individual bats. Construction activities in close proximity to active roosts may also cause roost abandonment. Although some displaced bats would be able to find alternative roost sites safely, bats abandoning a roost during daylight hours are subject to high predation risk, and disturbance of a maternity roost to the point of abandonment could result in the mortality of young in that roost. While the loss of small numbers of common bats, and the roosts supporting such colonies, would not have measurable effects on regional populations, impacts to special-status species or to large colonies of common species would result in a potentially significant impact. Project impacts on bat foraging habitat are not considered substantial, as ample foraging habitat for bats is present outside the development footprint.</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>The City shall require proponents of future development projects in or near potential bat roosting habitat to implement measures that require implementation of pre-construction surveys for bat roosts, maintenance of buffers around active roosts during the maternity season, and relocation of bats from roosts that are located within proposed construction areas. These measures will avoid the loss of individual bats as a result of construction activities. In addition, creation of alternative roost sites will compensate for the loss of any active roosts of rare species such as pallid bats and Townsend's big-eared bats. Collectively, these measures will reduce impacts to roosting bats to less than significant. (FEIR, pp. 8-118 to 8-120.)</p>	
<p>Impact Biological Resources 15: The Preferred Alternative could result in a potential impact to individual American badgers. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 15: Prior to approving any construction in or near California annual grassland on the site, the City of Concord shall require project proponents to agree to have a qualified biologist conduct pre-construction surveys for badger dens prior to initiation of grading; to maintain buffers free from new construction-related disturbance around active maternity dens; to have a qualified biologist relocate badgers from dens located within proposed construction areas during the non-maternity season; and to have a qualified biologist resurvey the impact areas immediately prior to construction if badgers are relocated. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 15, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: American badgers have been recorded on the project site on only a few occasions, but the species has the potential to occur in grassland habitat virtually anywhere on the site. The Preferred Alternative would impact 2,044 acres of grassland that provides potential badger habitat. American badgers typically occur in low densities. Due to the low number of records of the species on the</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>site relative to the vast extent of suitable habitat, it is possible that habitat availability is not limiting the abundance of the species on the site, and thus the loss of habitat resulting from project construction will not substantially impact badger populations. However, construction activities could result in injury or mortality of badgers (including adults and young) in their dens, and increased human activity on the site may increase vehicular mortality or disturbance of badger dens. Due to the scarcity of the American badger in the region, the loss of individuals due to project activities is considered potentially significant.</p> <p>The City shall require proponents of future development projects in or near California annual grassland to implement measures that require implementation of pre-construction surveys for active badger dens, maintenance of buffers around active dens during the maternity season, and relocation of badgers from dens that are located within proposed construction areas. These measures will avoid the loss of individual badgers as a result of construction activities, reducing impacts to badgers to a less than significant level. (FEIR, pp. 8-121 to 8-122.)</p>	
<p>Impact Biological Resources 16: Although no special-status plant species have been identified on the site, the Preferred Alternative could result in potential disturbance or loss of the big tarplant and round-leaved filaree and their habitat if they are identified within the development footprint in the future. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 16: Prior to approving any construction within California annual grassland on the site, the City of Concord shall require project proponents to have a qualified biologist conduct surveys for the big tarplant and round-leaved filaree; to avoid impacts to these species to the extent practicable if they are detected on the site; and to mitigate permanent impacts to populations of these</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 16, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>species by managing appropriate portions of the on-site open space to provide suitable conditions for these species. With implementation of these mitigation measures, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>significant environmental effect.</p> <p>Explanation: The Preferred Alternative would impact 2,002 acres of grassland that provides potential habitat for these two plants. If present on the site, big tarplant and round-leaved filaree could potentially be directly impacted by grading or trampling by heavy equipment or people, either in the development footprint or in the open space areas where some recreational and interpretive development will occur. Due to the regional rarity of these special-status species, such impacts would be significant.</p> <p>The City shall require the proponents of any future development project within California annual grassland to implement measures that require implementation of additional surveys for the big tarplant and round-leaved filaree and avoidance of impacts to on-site populations to the extent practicable. These measures would avoid impacts to these species. Management of habitat in the on-site open space areas for conditions suitable for these species would compensate for any unavoidable impacts. Collectively, these measures will reduce impacts to the big tarplant and round-leaved filaree to a less than significant level. (FEIR, pp. 8-122 to 8-124.)</p>	
<p>Impact Biological Resources 17: The Preferred Alternative could result in a potential impact to heritage trees. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 17: Prior to approving any construction on the site, the City of Concord shall require project proponents to ensure compliance with all of the requirements of the City of Concord's Heritage Tree Ordinance. With implementation of this mitigation measure, this potentially significant impact would be</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 17, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>reduced to a level that is less than significant.</p>	<p>alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: The number of heritage trees that could be impacted by the Preferred Alternative is unknown, as no comprehensive tree survey has been performed for the entire site. The vast majority of trees on the site that may fit the criteria established for the Heritage Tree Ordinance occur within areas mapped as either oak woodland/savannah or riparian woodland, as shown on Figure 8-1 in the Final EIR. The Preferred Alternative could potentially impact up to the entirety of the on-site reach of Mt. Diablo Creek by implementing flood control or creek restoration, and it could thus impact heritage trees in riparian areas. The Preferred Alternative would preserve the Los Medanos Hills above the 30 percent grade, which includes much of the oak woodland/savannah habitat, especially south of Bailey Road.</p> <p>To protect heritage trees, the City shall require the project proponent to apply and implement, where relevant, all applicable provisions of the City Heritage Tree Ordinance, including those specifically related to proposed subdivisions. Such measures include obtaining a tree removal permit from the City and implementation of tree protection measures during construction subject to the approval of the City. These measures include installation of a temporary chain-link fence around the drip line of the heritage tree(s); prohibition of excavation and storage or construction materials within</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>the drip line; prohibition against locating utility services or irrigation lines within the drip line; and additional measures as deemed appropriate by the City.</p> <p>Implementation of measures in compliance with the City of Concord's Heritage Tree Ordinance will reduce potential impacts to heritage trees to a less than significant level. (FEIR, pp. 8-124 to 8-125.)</p>	
<p>Impact Biological Resources 18: The Preferred Alternative could result in a potential impact to oak woodland/savannah. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 18: Prior to approving any construction on a parcel that contains oak woodland/savannah habitat, the City of Concord shall require project proponents to demonstrate avoidance of impacts to oak woodland/savannah to the extent practicable; agree to have a qualified arborist prepare an Oak Protection Plan describing measures to protect trees to be saved; and mitigate unavoidable impacts to oak-dominated habitats through the replacement of impacted oaks, as described in a Tree Replacement and Planting Plan. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 18, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: Most of the oak woodland and savannah habitat on the site is located in areas that are to remain open space in the southeastern part of the site. However, a few small patches of this habitat type are present within the development footprint, as shown on Figure 8-1 in the Final EIR.</p> <p>As described in section 8.1.3.2 of the Final EIR, oak woodland and savannah habitats support a distinctive suite of wildlife species and frequently support high wildlife diversity. Due to the value of mature oak trees and oak-dominated habitats to wildlife communities, the loss of oak woodland/savannah would be considered</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>significant.</p> <p>The City shall require proponents of development projects on parcels containing oak woodland/savannah habitat to implement measures that require avoidance of impacts to oak woodland/savannah to the extent practicable and implementation of a plan to protect oak trees to be saved. These measures will avoid and minimize impacts to oaks. Mitigation of unavoidable impacts to oak-dominated habitats through the replacement of impacted oaks will compensate for the loss of any oaks as a result of development on the site. Collectively, these measures will reduce impacts to oak-dominated habitats to a less than significant level. (FEIR, pp. 8-22 to 8-8-30, 8-125 to 8-126.)</p>	
<p>Impact Biological Resources 19: The Preferred Alternative could result in a potential impact from the spread or introduction of invasive plant and animal species. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Biological Resources 19: Prior to approving any construction on the site, the City of Concord shall prepare an Invasive Species Control Plan and require project proponents to agree to implement the Plan. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Biological Resources 19, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: urban development on the site could introduce invasive plant species to natural habitats, including grassland, wetland, riparian, and other habitats. With increased development and access to the project area, the potential exists for introduction of invasive plants that could colonize, forage, use, or otherwise impair the functions and</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>values of natural habitats in the project area. These plants may displace native plants, thus reducing habitat quality for native wildlife and disrupting existing natural communities.</p> <p>As required by Mitigation Measure Biological Resources 19, the city shall prepare a comprehensive Invasive Species Control Plan to prevent the introduction or spread of non-native invasive plant and animal species to natural open space areas and sensitive habitats.</p> <p>The Invasive Species Control Plan shall describe measures to avoid the unintentional introduction of invasive species to the site, list plant species that should not be used in landscaping, list animal species that should not be introduced into natural areas, describe monitoring measures to ensure that any invasions are detected before they become substantial, describe control measures that will be implemented if invasions occur, and describe the process by which the Plan will be implemented. The Plan shall include literature that shall be distributed to homeowners and businesses within the development area and surrounding areas, informing them of known non-native invasive species commonly used in landscaping and encouraging the use of native species.</p> <p>Preparation and implementation of an Invasive Species Control Plan will prevent invasive species from colonizing and/or spreading on the site, thus reducing potential impacts from the introduction or spread of invasive species to less than significant.</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		(FEIR, pp. 8-126 to 8-127.)	
CULTURAL RESOURCES (CHAPTER 9)			
<p>Impact Cultural Resources 1: The Preferred Alternative could result in a potential change to 6 of 11 archaeological resources at the site that are potentially eligible for listing on the National Register of Historic Places (NRHP) and California Register of Historic Places (CRHR) as historic properties/historical resources. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Cultural Resources 1: Prior to approving any specific public or private development that would impact any of the six sites, the City of Concord shall require the implementation of measures for preservation in place or for adequate data recovery, curation, and documentation of historic properties/historical resources prior to earth-disturbing activities. The public or private sponsor of the proposed development shall be responsible for implementation of the required measures prior to initiating any earth-disturbing activities. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Cultural Resources 1, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: In compliance with Section 106 of the NHPA and PRC Section 21083.2, as a condition to future land transfers, the future property owner(s) shall retain a qualified professional archaeologist or historian to prepare a mitigation plan for each of the six archaeological resources to be adversely affected by the project (CA-CCO-680, CA-CCO-780H, CA-CCO-781H, CA-CCO-785H, CA-CCO-786, and CA-CCO-788H).</p> <p>If the sites are ultimately determined by the SHPO to be eligible for NRHP or CRHR inclusion as historic properties/historical resources; such measures set forth in the plan shall be reviewed and approved by the City and the SHPO prior to project implementation. Such measures shall include the specific requirements relevant to each resource, as stipulated in PAs or MOAs, if any, entered into by the Navy, SHPO, ACHP, and City prior to conveyance of the Inland Area of the CNWS. Such measures may include preparation of a treatment plan and research design, data</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>recovery program, technical report requirements, and protocols for curation of recovered material. The plan shall include resource avoidance as the preferred performance standard, or if avoidance is infeasible, that the resource is recovered and preserved.</p> <p>Because of the reinterment in 1996 of human skeletal remains within the boundaries of prehistoric site CA-CCO-680, this resource shall be preserved in place according to a treatment plan to be developed by a qualified professional archaeologist retained by the City. Specific designs for any recreation facilities within the Parks and Recreation area atop the capped prehistoric site must be submitted to the City and the SHPO (and any other relevant regulatory agency) to ensure minimization of impacts.</p> <p>All final documentation describing methods and results of the agreed mitigation measures shall be reviewed and approved by the City, the SHPO, and any other relevant regulatory agency prior to the initiation of any earth-disturbing activities. Following approval, the final documentation shall be filed with the Northwest Information Center and any relevant regulatory agency.</p> <p>With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant. (FEIR, pp. 9-25 to 9-26.)</p>	
<p>Impact Cultural Resources 2: The Preferred Alternative could cause indirect impacts to five archaeological resources that are potentially eligible</p>	<p>Mitigation Measure Cultural Resources 2: Prior to approving any restoration or development in the Open Space and Parks</p>	<p>Finding: Implementation of Mitigation Measure Cultural Resources 2, which has been</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>for listing on the NRHP and CRHR. This impact is considered to be potentially significant.</p>	<p>and Recreation areas where the five resources are located, the City of Concord shall require the implementation of cultural resources protection measures to control public access. The sponsor of the proposed actions within these areas shall be responsible of the implementation of the required measures prior to initiating any earth-disturbing activities. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: The Preferred Alternative would include bicycle and/or pedestrian trails and promote recreational activities in the areas designated for Open Space and for Parks and Recreation. These activities could result in indirect impacts to five archaeological resources (CA-CCO-777H, CA-CCO-787H, CA-CCO-791H, P-07-000860, and P-07-000861) that are potentially eligible for listing on the NRHP and CRHR.</p> <p>Future property owner(s) for the designated Open Space and Parks and Recreation areas (e.g., public conveyance owner, EBRPD, City of Concord, or other local agency) shall be required to implement cultural resources protection measures including, but not limited to, designing bicycle and/or pedestrian trails, signs, and other recreation facilities to avoid direct impacts to cultural resources; and preserving or avoiding certain resources within the Open Space and Parks and Recreation areas (see Impact Cultural Resources 1). Such measures shall be reviewed and approved by the City.</p> <p>Trails and signs shall be designed and vegetation employed within the Open Space and Parks and Recreation areas to minimize</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>indirect effects, including avoiding archaeological sites that could be vandalized, such as remaining artifact scatters, bedrock milling features, the rock art panel, foundations and concrete pads, the windmill, and the stone cistern.</p> <p>Specific designs for any recreation facilities within 200 feet of the boundaries of the five archaeological resources that are potentially eligible for listing on the NRHP and CRHR and located within the area designated for Open Space in the Preferred Alternative shall be submitted by the future property owner(s) to the City and the SHPO (and any other relevant regulatory agency) to ensure minimization of impacts.</p> <p>With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant. (FEIR, pp. 9-26 to 9-28.)</p>	
<p>Impact Cultural Resources 3: Ground disturbance as a result of implementing the Preferred Alternative could affect undocumented cultural resources, including human remains. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Cultural Resources 3: Prior to approving any specific development at the site, the City of Concord shall require the implementation of inadvertent discovery measures for the protection of cultural resources, including human remains. The public or private sponsor of the proposed development shall be responsible for establishing and implementing the inadvertent discovery measures prior to initiating any ground-disturbing activities. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Cultural Resources 3, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: Portions of the site with Holocene age alluvial fan and floodplain deposits, such as along Mt. Diablo Creek north and south of SR 4 and north of Bailey Road, and around</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>the former airfield, are considered highly sensitive for the discovery of subsurface prehistoric material or features, as shown on Figure 9-1 in the Final EIR. It is thus possible that undocumented cultural resources, including human remains, may be affected during construction, habitat restoration, or other ground-disturbing activities.</p> <p>Inadvertent discovery measures during all construction and habitat restoration activities within the site shall include (1) a worker education course for all construction personnel; (2) on-site monitoring by a qualified professional archeologist of all earth-disturbing activities during each project phase within the boundaries of the six archaeological resources referenced in Impact Cultural Resources 1 and a radius of 200 feet around each of the six sites; (3) on-site monitoring by a qualified professional archeologist of all earth-disturbing activities within native soils/sediments during each project phase within areas highly sensitive for buried archaeological resources; and (4) procedures for discovery of cultural resources, including human remains, during construction or earth-disturbing activities if an archaeological monitor is not present. Further, inadvertent discovery measures shall comply with specific requirements stipulated for preservation or treatment of cultural resources within the Inland Area of the CNWS in PAs or MOAs entered into by the Navy, SHPO, ACHP, and Concord prior to transfer of the land from the Navy.</p> <p>With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		significant. (FEIR, pp. 9-28 to 9-32.)	
HAZARDOUS MATERIALS (CHAPTER 10)			
<p>Impact Hazardous Materials 1: The Preferred Alternative could result in a conflict of the proposed land use and remediation performed by the Navy. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Hazardous Materials 1: Prior to approving any specific development plan, the City shall require, at a minimum, the new property owners to have a remediation plan that has been approved by applicable environmental regulatory agencies and developed in consultation with the City. The remediation planning and implementation could occur prior to City approval of the development plan or, alternatively, as part of development activities. Such response actions could include remediation to a risk-based standard consistent with the proposed land use, or engineering or administrative controls that provide physical barriers or legal mechanisms that restrict activities at the site to prevent exposure. The City will not issue a certificate of occupancy until the implementation of the remediation has been approved by the applicable regulatory agencies. With the implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Hazardous Materials 1, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: The Preferred Alternative includes proposed land uses that would conflict with the assumed commercial/industrial cleanup standard to be used by the Navy. Mitigation Measure Hazardous Materials 1 will enable the landowner, City, and regulatory agencies to engage in a planning process as part of specific development project planning, when more information is available about the specific development and about the nature and extent of residual hazardous material impacts. The cost and timing analysis for response actions as part of development projects should consider not only the direct cost and time constraints of any additional characterization or remediation, but also administrative costs and timing, such as engineering and design, regulatory agency reimbursement, compliance with soil management or other protocols and mitigation measures, communication and reporting to regulatory agencies and the community, and long-term monitoring and reporting. Response actions could include</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>remediation to a risk-based standard consistent with the proposed land use, or engineering or administrative controls that provide physical barriers or legal mechanisms that restrict activities at the site to prevent exposure.</p> <p>This potential impact will be reduced to a level that is less than significant by requiring the developer to couple its response action planning with the specific development project planning and helping to ensure that the proposed land uses are consistent with final response actions. (FEIR, pp. 10-19 to 10-20.)</p>	
<p>Impact Hazardous Materials 2: Site development activities associated with the Preferred Alternative could substantially increase the risk of exposure of construction workers or site visitors to known and unknown hazardous substances in soil or groundwater. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Hazardous Materials 2: Prior to approving any specific development projects at the site, the City shall require that new property owners prepare Site Management Plans to cover all site development activities. The Site Management Plans will include requirements for worker health and safety plans and soil management plans, approved by applicable environmental regulatory agencies. With the implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Hazardous Materials 2, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: Site development activities could include preparation, grading, installation of underground utilities, foundation excavations, soil and groundwater remediation, and other soil and groundwater disturbance activities. These activities may occur in areas with known residual contaminated soil and groundwater, and possibly in areas of currently unknown contamination. Such activities could expose construction workers and site visitors to hazardous materials in excess of appropriate</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>risk-based standards, resulting in adverse short-term and long-term health or environmental effects.</p> <p>The Site Management Plans required by Mitigation Measure Hazardous Materials 2 will include OSHA requirements for worker health and safety plans and soil management plans, approved by applicable environmental regulatory agencies. The health and safety plans may require the use of personal protective equipment, air quality monitoring, and other precautions to minimize exposure to hazardous substances. The soil management plans will provide protocols for detecting, investigating, remediating, and managing previously unknown contaminated soil or groundwater under regulatory agency oversight. Implementation of the worker health and safety plans and soil management plans will reduce this impact to a level that is less than significant. (FEIR, pp. 10-20</p>	
<p>Impact Hazardous Materials 3: Site development activities associated with the Preferred Alternative could substantially increase the risk of exposure of off-site residents or schools within 1/4 of the site to hazardous substances in wind-blown fugitive dust. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Hazardous Materials 3: Prior to approving any specific development projects at the site, the City shall require that new property owners prepare a Site Management Plan to cover all site development activities. The Site Management Plan will include requirements for dust control plans and perimeter air monitoring plans, approved and monitored by applicable environmental regulatory agencies such as the DTSC and the EPA. With the implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Hazardous Materials 3, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: Several schools are within 1/4 mile of the site, as shown on Figure 10-7 of the FEIR. Development activities such as site grading and remediation activities could generate</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>wind-blown fugitive dust containing arsenic or other hazardous substances in proximity of existing schools and residential neighborhoods.</p> <p>Mitigation Measure Hazardous Materials 3 requires a Site Management Plan, which will include requirements for dust control plans and perimeter air monitoring plans, approved and monitored by applicable environmental regulatory agencies such as the DTSC and the EPA. Implementation of these plans will require that wind-blown fugitive dust generation is controlled, monitored, and corrected, if necessary. The regulatory agencies would have the authority to shut down the project if the dust control measures were not effective, thus reducing this impact to a level that is less than significant. With the implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant. (FEIR, pp. 10-27, 10-31.)</p>	
<p>Impact Hazardous Materials 4: Land uses associated with the Preferred Alternative could substantially increase the risk of exposure of future occupants to residual hazardous substances in soil or groundwater. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Hazardous Materials 4: Prior to approving any specific development plan, the City shall require, at a minimum, the new property owners to have a remediation plan that has been approved by applicable environmental regulatory agencies and developed in consultation with the City. The remediation planning and implementation could occur prior to City approval of the development plan or, alternatively, as part of development activities. Such response actions could include remediation to a risk-based standard consistent with the proposed land use, or engineering or administrative controls that provide physical barriers or legal</p>	<p>Finding: Implementation of Mitigation Measure Hazardous Materials 4, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: The Preferred Alternative could potentially expose future project occupants, including sensitive populations, to residual hazardous</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>mechanisms that restrict activities at the site to prevent exposure. The City will not issue a certificate of occupancy until the implementation of the remediation has been approved by the applicable regulatory agencies. With the implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>substances in areas with known soil or groundwater contamination that are remediated by the Navy to an commercial/industrial standard, or possibly in areas with currently unknown contamination.</p> <p>Mitigation Measure Hazardous Materials 4 will require that appropriate response actions be taken prior to or as part of development to address potential exposure of future project occupants and sensitive populations to residual and unknown contamination. Such response actions could include remediation to a risk-based standard consistent with the proposed land use, or engineering or administrative controls that provide physical barriers or legal mechanisms that restrict activities at the site to prevent exposure. These response actions would minimize exposure and protect human health and the environment. The impact would therefore be reduced to a level that is less than significant. (FEIR, pp. 10-27 to 10-28; see also MR Hazardous Materials 1 through 5 in Section 3 of the Response to Comments on the August 2009 Draft Revised EIR.)</p>	
<p>Impact Hazardous Materials 5: Building demolition or renovation activities associated with the Preferred Alternative could expose construction workers, future occupants, or site visitors to hazardous building materials. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Hazardous Materials 5: The City shall require that new property owners demolish or renovate buildings in accordance with appropriate federal, State, and local regulations addressing abatement of lead-based paint, asbestos, or other hazardous building materials. With the implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Hazardous Materials 5, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p><u>Explanation</u> Demolition or renovation of buildings or structures could create a substantial exposure of construction workers, future occupants, or site visitors to lead-based paint, asbestos, or other hazardous building materials.</p> <p>Mitigation Measure Hazardous Materials 5 requires that property owners survey all buildings for hazardous building materials prior to demolition or renovation. To minimize exposure to workers and site visitors, the City shall require that property owners abate all buildings with hazardous materials in accordance with appropriate federal, State, and local regulations. Conducting surveys and abating hazardous building materials in accordance with appropriate regulations would reduce this impact to a level that is less than significant. (FEIR, p. 10-28.)</p>	
<p>Impact Hazardous Materials 6: The Preferred Alternative could substantially increase the risk of exposure of the public to inadvertent or accidental releases of hazardous substances to the environment from non-residential uses or transportation activities during project occupancy. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Hazardous Materials 6: Prior to approving any occupancy permits, the City shall require the new property owners to prepare and update a Hazardous Materials Management Plan in accordance with local agency requirements. The plan shall detail the types and quantities of chemicals stored at a given location, the storage location and types of storage containers, and the emergency response equipment available at the property (i.e., location of fire hydrants and extinguishers), and provide a map showing the location of all of these items as well as major utilities. With the implementation of this mitigation measure, this potentially significant impact</p>	<p><u>Finding:</u> Implementation of Mitigation Measure Hazardous Materials 6, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p><u>Explanation:</u> The Hazardous Materials Management Plans required by Mitigation Measure Hazardous Materials 6 will be prepared in</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	would be reduced to a level that is less than significant.	accordance with the Contra Costa County Department of Health Services Certified Unified Program Agency. The business plan shall apply to businesses that use hazardous materials within ¼ mile of an existing or proposed school. The plan shall detail the types and quantities of chemicals stored at a given location, the storage location and types of storage containers, and the emergency response equipment available at the property (i.e., location of fire hydrants and extinguishers). The plan will also provide a map showing the location of all of these items as well as major utilities. This documentation would fulfill federal and State requirements, if applicable, and would also assist the County in its emergency response and planning efforts, reducing this impact to a level that is less than significant. (FEIR, pp. 10-28 to 10-29.)	
<p>Impact Hazardous Materials 7: Site development activities associated with the Preferred Alternative could interfere with ongoing soil and groundwater remediation efforts by the Navy. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Hazardous Materials 7: Site owners shall coordinate with the City, Navy, and appropriate regulatory agencies, as appropriate, to ensure that development activities do not interfere with any adjacent or on-site remediation system or activity, or unduly delay remediation activities. Specific responsibilities and requirements regarding protection of remediation systems and coordination of activities can be included in the property transfer documents. With the implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p><u>Finding:</u> Implementation of Mitigation Measure Hazardous Materials 7, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p><u>Explanation:</u> Implementation of Mitigation Measure Hazardous Materials 7 will reduce this impact to a level that is less than significant by requiring that site owners and their contractors are aware of timing, locations, and types of remediation activities so that</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		development activities do not inadvertently or adversely affect site cleanup efforts by the Navy. (FEIR, pp. 10-29 to 10-30.)	
AIR QUALITY (CHAPTER 11)			
<p>Impact Air Quality 1: The Preferred Alternative would result in the total emissions of ozone precursors exceeding the Bay Area Air Quality Management District (BAAQMD) quantitative thresholds. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Air Quality 1: Prior to approving development at the site, the City of Concord shall ensure that the proposed project includes feasible measures for reducing automobile dependence and potential vehicle emissions as part of the basic project design. These measures include providing for a mix of uses, local and regional transit as well as peak-hour shuttle services, bicycle and pedestrian measures such as sidewalks and bike lanes, local serving retail, and 10 percent affordable housing. To further reduce particulate matter emissions, wood-burning fireplaces will be banned within the CNWS or required to employ best available control technologies and households with such fireplaces must comply with all applicable Spare the Air Day restrictions. According to the BAAQMD Guidelines, this will remain a potential impact that is considered to be significant and unavoidable.</p>	<p>Finding: Implementation of Mitigation Measure Air Quality 1, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Air Quality 1. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: As shown in Table 11-2 of the Final EIR, Contra Costa County is not in attainment with the ozone standard. BAAQMD has established numerical emissions thresholds for the ozone precursor's reactive organic gases and oxides of nitrogen. URBEMIS was used to estimate the total emissions of these contaminants that would result from this alternative; the results are shown in Table 11-4 and detailed printouts of the URBEMIS model runs are contained in Appendix 11A of the Final EIR. The Preferred Alternative would exceed the threshold value of 15 tons per year for</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>reactive organic gases, oxides of nitrogen, and PM10 and no additional reductions are applicable without reducing the size of the development.</p> <p>The threshold is the same for all projects (regardless of size), and it is not normalized by area, population, employment, or any other factor. Because the project is large, the total emissions for the project would exceed the threshold for the Preferred Alternative. Therefore, according to the BAAQMD Guidelines, this will remain a potential impact that is considered to be significant and unavoidable. (FEIR, pp. 11-24 to aa-26.)</p>	
<p>Impact Air Quality 2: As a result of implementing the Preferred Alternative the total population of the City of Concord, including the project, would exceed the maximum population forecast in the General Plan that would be consistent with the current clean air plan. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Air Quality 2: Prior to approving development at the site the City of Concord shall request updated population projections from the Association of Bay Area Governments (ABAG) and BAAQMD and the City shall coordinate with these agencies to update the applicable clean air plans so that the projections of Concord's 2030 population are updated (increased) by ABAG to reflect the size and scope of the Preferred Alternative. The updated projections shall be such that the additional population due to the implementation of the Preferred Alternative will not exceed the revised 2030 Concord total population. This updated population ceiling shall be incorporated into the applicable clean air plan. Unless ABAG and the BAAQMD revise Concord's 2030 population ceiling, and include it in the applicable clean air plan, this will remain a potential impact that is significant and unavoidable.</p>	<p>Finding: Implementation of Mitigation Measure Air Quality 2, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Air Quality 2. No mitigation is available to render the effects less than significant.</p> <p>Further, although the mitigation requires the City to undertake coordination with other agencies, mitigation of physical impacts will require action by other public agencies, ABAG and BAAQMD. The City therefore finds that the mitigation is within the responsibility and jurisdiction of another agency and not the agency making this finding.</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>The City Council hereby directs that this mitigation measure be adopted. Even with adoption of this mitigation measure, the effects (or some of the effects) will remain significant and unavoidable. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: To be consistent with the Clean Air Plan, the 2030 population of Concord should not exceed 154,500. Table 11-5 in the Final EIR shows that the Preferred Alternative would exceed this maximum population level.</p> <p>While Mitigation Measure Air Quality 2 would reduce the impact of Concord's population growth on the clean air plan, it would require actions by ABAG and the BAAQMD that are not under the control of the City of Concord. The impact is therefore considered significant and unavoidable. (FEIR, pp. 11-26 to 11-27.)</p>	
<p>Impact Air Quality 3: The Preferred Alternative could result in increased population and vehicle miles traveled at rates that would be inconsistent with the most current clean air plan. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Air Quality 3: Prior to approving development at the site the City of Concord shall ensure that the proposed project includes feasible measures for reducing automobile dependence and potential vehicle emissions as part of the basic project design. These measures include providing for a mix of uses, local and regional transit as well as peak-hour shuttle services, bicycle and pedestrian measures such as sidewalks and bike lanes, local serving retail, and 10 percent affordable housing. According to the BAAQMD</p>	<p>Finding: Implementation of Mitigation Measure Air Quality 3, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Air Quality 3. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>Guidelines, this will remain a potential impact that is considered to be significant and unavoidable.</p>	<p>unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: The Preferred Alternative would result in an increase in population at the site. This population increase would result in additional VMTs at the site and in the vicinity. The threshold as discussed in Section 11.2., for this air quality impact significance criterion is shown to cause the rate of increase in VMTs to be greater than the rate of increase in population (BAAQMD, 1999). As shown in Table 11-6, VMT is projected to increase at a rate greater than the growth in population, whether population and VMT are compared to current conditions or 2030 No Project conditions.</p> <p>Mitigation Measure 3 includes project design features to reduce VMT. In spite of these measures, total VMT growth for the project is projected to exceed population growth. Therefore, according to the BAAQMD guidelines, this will remain an impact that is considered to be significant and unavoidable. (FEIR, pp. 11-27 to 11-28.)</p>	
<p>Impact Air Quality 4: The Preferred Alternative could result in an increased risk of cancer and other negative health effects due to toxic air contaminants (TACs) in the vicinity of SR 4. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Air Quality 4: Prior to approving development, the City of Concord shall establish through zoning, that residential uses, daycare centers, medical facilities, and other sensitive receptors are set back at least 500 feet from SR 4. With implementation of this mitigation measure,</p>	<p>Finding: Implementation of Mitigation Measure 4, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: California State law prohibits the siting of schools within 500 feet of urban freeways or urban roads carrying over 100,000 vehicles per day. No restrictions apply to residential areas or other sensitive receptors such as daycare centers and medical facilities. The Preferred Alternative would abide by this regulatory restriction on school sitings; thus, no TAC impacts to school locations are expected. However, transit-oriented development (TOD), which would include residential areas, is programmed to be located near SR 4. If residential uses, daycare centers, medical facilities, and other sensitive receptors were located within 500 feet of SR 4, this would constitute a significant impact.</p> <p>Mitigation Measure Air Quality 4 requires that, prior to approving any development, the City establish zoning standards requiring that residential uses, daycare centers, medical facilities, and other sensitive receptors are set back at least 500 feet from SR 4. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant. (FEIR, pp. 11-15, 11-29.)</p>	
<p>Impact Air Quality 5: The Preferred Alternative could result in increased emissions of PM₁₀, diesel particulate matter, and other pollutants during construction. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Air Quality 5: Prior to approving development, the City of Concord shall require that all feasible construction activity control measures, as specified in Table 11-7, will be applied at the site. With implementation of this mitigation measure, this potentially significant impact would be</p>	<p>Finding: Implementation of Mitigation Measure Air Quality 5, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	reduced to a level that is less than significant.	<p>Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: Annual total emissions from construction activities, as computed using URBEMIS, are found in Appendix 11A of the Final EIR.</p> <p>Construction activities would vary in intensity and timing as individual projects are built as a result of the Preferred Alternative. The construction emission control measures outlined in Table 11-7 would be applied as appropriate by contractors working on projects at the site. These measures would reduce the impact to a less than significant level. (FEIR, pp. 11-29 to 11-31.)</p>	
NOISE AND VIBRATION (CHAPTER 12)			
<p>Impact Noise and Vibration 1: Development of the Preferred Alternative would contribute to increases in traffic noise levels on West Street and Denkinger Road. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Noise and Vibration 1: The City shall require that new extensions of West Street and Denkinger Road shall be constructed using low-noise road surfaces, and to incorporate grading measures such as berms or other barriers to screen noise. The City will also require developers to fund grants that will allow noise-sensitive receptors to install acoustical insulation. Even with the implementation of this mitigation measure, this impact will remain significant and unavoidable.</p>	<p>Finding: Implementation of Mitigation Measure Noise and Vibration 1, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Noise and Vibration 1. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the</p>	No

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>Statement of Overriding Considerations.</p> <p>Explanation: Traffic noise predictions have been made for the Preferred Alternative based on traffic flow volumes. Figure 12-3 in the Final EIR shows the locations of the traffic noise predictions. Table 12-9 in the Final EIR shows cumulative traffic noise levels with and without the preferred alternative at the identified sensitive receptors, and Table 12-10 in the Final EIR shows the change in noise levels due to the alternative concepts.</p> <p>Implementation of the Preferred Alternative would result in West Street being extended adjacent to Concord High School to connect to the site, as well as increased traffic volumes on Denkinger Road. Extending West Street to connect to the site would expose Concord High School and other local noise-sensitive receptors to an increase in traffic noise. Using noise monitoring Location 8 (shown on Figure 12-1; measured value provided in Table 12-4) as a basis for assessment, it is possible that the 24-hour noise level could increase by 19 dBLdn. The traffic noise predictions indicate that traffic noise levels along Denkinger Road at the site boundary would increase by 7 dBLdn. According to the General Plan, an increase of existing noise levels of more than 4 dB is considered a significant impact.</p> <p>Mitigation Measure Noise and Vibration 1 will minimize the impact of traffic noise by using low-noise road surfaces and grading practices and barriers to screen noise, and by providing grants to noise-sensitive receptors to install acoustic insulation.</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		However, even with these mitigation measures, the increase in traffic noise would remain significant. Therefore, this impact is considered to be significant and unavoidable. (FEIR, pp. 12-9, 12-15 to 12-19.)	
<p>Impact Noise and Vibration 2: Traffic and rail noise associated with the Preferred Alternative would result in significant increases in exterior noise levels. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Noise and Vibration 2a: Before the City of Concord grants approval for any residential uses on parcels of land along the BART and SR 4 corridors, and along Willow Pass Road and Bailey Road, the City shall require developers to conduct an acoustical analysis and that it be submitted to and accepted by the City. New residential development must demonstrate that the City’s “normally acceptable” noise standard can be achieved in exterior living spaces.</p> <p>Mitigation Measure Noise and Vibration 2b: Before the City of Concord grants approval for any commercial uses on parcels of land along the BART and SR 4 corridors, and along Willow Pass Road and Bailey Road, the City shall require developers to conduct an acoustical analysis and that it be submitted to and accepted by the City. Construction of buildings for commercial use on land that is exposed to noise levels above the City’s noise standard shall include only be undertaken after a detailed analysis of the noise reduction and noise insulation features needed to comply with City standards.</p> <p>Mitigation Measure Noise and Vibration 2c: Before the City of Concord grants approval for any public parks on parcels of land along the BART and SR 4 corridors, and along Willow Pass Road and Bailey</p>	<p>Finding: Implementation of Mitigation Measures Noise and Vibration 2a, 2b, 2c and 2d, which have been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: The development of the Preferred Alternative would result in exposure of noise-sensitive receptors to existing and future noise levels from traffic and the BART trains. The development at the Preferred Alternative would also result in new land uses that would expose sensitive receptors to new sources of noise.</p> <p>Mitigation Measures Noise and Vibration 2a through 2d required that an acoustical analysis be performed demonstrating that City standards for conditionally acceptable noise levels would be achieved.</p> <p>Further, residential land uses within 600 feet of SR 4 that would result from the Preferred Alternative shall be limited to multi-family</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>Road, the City shall require an acoustical analysis demonstrating city standards for conditionally acceptable noise levels would be achieved and that the analysis be submitted to and accepted by the City. Public parks shall use grading measures and setbacks to mitigate traffic noise from adjacent roads.</p> <p>Mitigation Measure Noise and Vibration 2d: Before the City of Concord grants approval for any schools on parcels of land along Willow Pass Road, the City shall require an acoustical analysis demonstrating city standards for conditionally acceptable noise levels would be achieved and that the analysis be submitted to and accepted by the City. Schools shall use grading measures and setbacks to mitigate traffic noise from adjacent roads.</p> <p>With implementation of these mitigation measures, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>and mixed-use high-density housing. To minimize the exposure of residences to high noise levels, intervening structures and barriers shall be used to screen exterior living spaces, such as gardens or balconies, from traffic noise. Residential land uses within 360 feet of the BART corridor, and within 150 feet of Willow Pass Road shall also use intervening structures to screen exterior living spaces from BART and traffic noise. The acoustical analysis required by Mitigation Measures Noise and Vibration 2a through 2d shall include consideration of these methods. Based on these considerations, it has been determined that the impact would be mitigated to a level that is less than significant. (FEIR, pp. 12-19 to 12-21.)</p>	
<p>Impact Noise and Vibration 3: Traffic noise associated with the Preferred Alternative would result in significant interior noise levels for buildings along the BART and SR 4 corridors and along Willow Pass Road. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Noise and Vibration 3: Before the City of Concord grants approval for any buildings that include habitable rooms on parcels of land along the BART and SR 4 corridors and along Willow Pass Road, the City shall require developers to conduct an acoustical analysis and that it be submitted to and accepted by the City demonstrating that the 24-hour day-night average sound level standard of 45 decibels (dBLdn) is achieved. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Noise and Vibration 3, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: Noise measurements indicate that exterior noise levels would regularly be above 60 dBLdn as a result of the implementation of</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>the Preferred Alternative.</p> <p>Achieving the 45 dBLdn interior noise standard for habitable rooms would require consideration of the acoustical design of buildings. Parcels of land identified for residential or hotel land use adjacent to the BART and SR 4 corridors and along Willow Pass Road would require acoustically insulating construction to mitigate external noise. Examples of acoustically insulating construction are masonry façade constructions, double-glazed windows, and doors fitted with acoustical seals. The 45 dBLdn interior noise requirement must be achieved when rooms are ventilated. It would not be possible to naturally ventilate all residential units or hotel guest rooms using operable windows where exterior noise levels exceed 55 dBLdn. Suggested ventilation options to meet the internal noise requirement are provided in Table 12-11 in the Final EIR.</p> <p>The acoustical analysis required by Noise and Vibration Mitigation Measure 3 shall include consideration of these methods. Based on these considerations, it has been determined that the implementation of the required mitigation would reduce this potential impact to a level that is less than significant. (FEIR, pp. 12-21 to 12-22.)</p>	
<p>Impact Noise and Vibration 4: On-site stationary noise sources associated with the Preferred Alternative could expose sensitive noise receptors to exterior noise levels that are unacceptable. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Noise and Vibration 4: The City of Concord shall require any new development of the site to include noise control measures at stationary sources to reduce impacts to noise-sensitive receptors. Prior to the issuance of building permits, the City shall require developers to submit</p>	<p>Finding: Implementation of Mitigation Measure Noise and Vibration 4, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>engineering and acoustical specifications for project mechanical HVAC and utility transformers (including generators) to the Planning Department or other appropriate department, demonstrating that the equipment design (types, location, enclosure, specifications) could control noise from the equipment to at least 10 dB(A) below existing ambient noise levels at nearby residential and other noise-sensitive land uses. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: Implementation of the Preferred Alternative would introduce new stationary sources such as heating, ventilation, and air conditioning (HVAC) equipment and utility transformers to the site. HVAC systems would be installed to service the various proposed building types. Noise generated by HVAC systems can vary significantly depending on the type and size of equipment. The potential for noise impacts from such equipment would depend on its proximity to noise-sensitive uses, noise spectrum, the equipment type and size, and whether the equipment would be contained in noise-abating enclosures. Utility transformers would also be installed to provide electricity within the site. Utility transformers can generate noise levels in excess of 70 dBLAeq, with tonal characteristics, so there is a potential for noise impacts from such equipment.</p> <p>Concord General Plan Policy S-2.2.4 requires that noise from stationary sources be acoustically controlled to prevent disturbance to noise-sensitive land uses. Examples of noise mitigation that may be required for stationary sources are noise-attenuating enclosures, noise-attenuating barriers, and attenuators fitted to air conditioning equipment. The City may also control hours of operation to reduce noise impacts during more noise-sensitive times of the day and night. With implementation of this mitigation, this potentially significant</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		impact would be reduced to a level that is less than significant. (FEIR, pp. 12-22 to 12-23.)	
<p>Impact Noise and Vibration 5: The construction associated with implementation of the Preferred Alternative would result in short-term construction noise and vibration. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Noise and Vibration 5: Concord General Plan Policy S-2.2.5 requires developers to reduce noise impacts of new developments on adjacent properties through appropriate means. Prior to approving a permit for development at the site to ensure that the City's policy is achieved, the City shall require developers to demonstrate compliance with the following guidelines:</p> <ul style="list-style-type: none"> Whenever construction occurs adjacent to occupied residences (on or off site), temporary barriers shall be constructed around the construction sites to shield the ground floor from the noise-sensitive uses. These barriers shall be of 3/4-inch medium-density plywood sheeting, or equivalent, and shall achieve a Sound Transmission Class of 30 or greater, based on certified sound transmission loss data taken according to American Society for Testing and Materials Test Method E90, or as approved by the City of Concord Building Department. <p>Construction activities shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday, 8:00 a.m. to 5:00 p.m. on Saturday, and 12:00 p.m. to 4:00 p.m. on Sundays and holidays, or at such other hours as may be authorized or restricted by the permit, if they meet at least one of the following noise limitations:</p> <p>No individual piece of equipment shall produce a noise level exceeding 90 decibels equivalent continuous noise levels (dBL_{Aeq})</p>	<p>Finding: Implementation of Mitigation Measure Noise and Vibration 5, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: During construction, noise would be produced by the operation of heavy-duty equipment and various other construction activities. Similar to other projects in the area, pile driving could be used in conjunction with drilling for foundations of the buildings. Construction noise levels were estimated using FTA guidance (FTA, 2006), which provides a method for calculating noise levels from multiple pieces of equipment operating at multiple locations using reference noise levels for individual pieces of equipment. The noise levels associated with equipment that may be used during the various project construction phases are shown in Table 12-12 in the Final EIR.</p> <p>The construction phase of the Preferred Alternative could also temporarily increase levels of existing groundborne vibration. Groundborne vibration levels from construction equipment that could be used to</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>at a distance of 25 feet. If the device is housed within a structure or trailer on the property, the measurement shall be made outside the structure at a distance as close to 25 feet from the equipment as possible. The noise level at any point outside the site boundary shall not exceed 90 dBL_{Aeq}.</p> <ul style="list-style-type: none"> • Construction equipment staging areas shall be located as far as feasible from residential areas while still serving the needs of construction contractors. • Quieter “sonic” pile drivers shall be used, unless engineering studies are submitted to the City showing this is not feasible and cost-effective, based on geotechnical considerations. • Groundborne vibration impacts from construction activities shall be considered in the construction programs to minimize the disturbance to noise-sensitive receptors. • Routes for heavy construction site vehicles shall be identified and contractors shall be required to use them exclusively to minimize noise and vibration impact to residences and noise-sensitive receptors. • Activities that generate high noise levels—such as pile driving and the use of jackhammers, drills, and impact wrenches—shall be restricted to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday. • With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant. 	<p>develop the site are shown in Table 12-13.</p> <p>The Preferred Alternative would be developed in phases. Residents moving into the site after each phase would be exposed to construction noise from subsequent phases because they would be in the vicinity of construction activities.</p> <p>The Preferred Alternative includes development on the parcels of land bounded by SR 4, Willow Pass Road, and Port Chicago Highway. Noise-sensitive receptors along the Port Chicago Highway boundary and Willow Pass Road are likely to be exposed to a temporary increase in noise and vibration due to construction activities.</p> <p>As required by Mitigation Measure Noise and Vibration 5, limiting the hours when construction can take place, incorporating measures to reduce noise from the construction site, and requiring the use of equipment that does not exceed the prescribed limit will ensure that this potential impact is reduced to a level that is less than significant. (FEIR, pp. 12-23 to 12-26.)</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>Impact Noise and Vibration 6: Noise from operation of the Tournament Sports Facility component of the Preferred Alternative would result in increases to exterior noise levels. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Noise and Vibration 6: Before the City of Concord grants approval for the Tournament Sports Facility, a noise analysis shall be carried out to determine the likely increase to exterior noise levels at noise-sensitive receptors during sporting events. Where applicable, the noise analysis should do the following:</p> <ul style="list-style-type: none"> • Set forth the hours of operation of the Tournament Sports Facility that has been agreed upon with the City of Concord Planning Department. • Set forth the noise targets and noise-sensitive receptors agreed upon with the City of Concord Planning Department. • Establish the predicted noise levels from the Tournament Sports Facility at noise-sensitive receptors. • Demonstrate the mitigation measures that have been used to achieve the noise targets agreed upon with the City. Possible mitigation measures are constructing earth berms and increasing the distance between spectator seating and noise-sensitive receptors. • If sound reinforcement and public address systems are to be provided, include electroacoustic computer model noise maps showing the noise level at the noise-sensitive receptors. The report should demonstrate that the orientation and directionality of loudspeakers has been considered in the design. Cutsheets for the proposed loudspeakers should be provided in the report appendices. <p>With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than</p>	<p>Finding: Implementation of Mitigation Measure Noise and Vibration 6, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: The exact use and layout of the parcel of land identified as the Tournament Sports Facility will be defined at a project level. However, it is likely the facility will include locations with tiered spectator seating, and possibly sound reinforcement and public address systems.</p> <p>It is currently proposed to locate residential and open space land uses adjacent to the Tournament Sports Facility. During operation of the facility, the normally acceptable community noise limits for residential and open space land uses could be exceeded by more than 4 dB.</p> <p>Mitigation Measure Noise and Vibration 6 requires a noise analysis to determine the likely increase in exterior noise levels and set forth measures to achieve the City's noise standard. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant. (FEIR, pp. 12-26 to 12-27.)</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	significant.		
POPULATION, HOUSING, AND EMPLOYMENT (CHAPTER 13)			
<i>None identified.</i>			
PUBLIC SERVICES (CHAPTER 14)			
<i>None identified.</i>			
RECREATION (CHAPTER 15)			
<i>None identified.</i>			
UTILITIES (CHAPTER 16)			
<p>Impact Utilities 1: Implementation of the Preferred Alternative would result in an increase in demand for water that could exceed supply limits. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Utilities 1a: The City of Concord will request that Contra Costa Water District (CCWD) provide a Water Supply Assessment (WSA) for incorporation as part of the Amendment of the General Plan. The City of Concord has provided CCWD with the programmatic data for the Preferred Alternative, to enable CCWD to assess the future water demand and prepare the WSA, per the requirements of Senate Bill (SB) 610 and SB 221. CCWD will prepare the WSA based on water usage that considers all available City of Concord and CCWD water conservation and recycling programs. No development of the site shall be approved by the City of Concord until CCWD can demonstrate that adequate supplies can be delivered to meet the identified water demands.</p> <p>Mitigation Measure Utilities 1b: Prior to approving any development of the site, CCWD and the City shall implement demand-side management practices to reduce water demand, in accordance with General Plan Policy PF-1.1.2.</p> <p>Mitigation Measure Utilities 1c: The City of Concord will require developers to install “purple pipe” in outdoor irrigation systems throughout the project area to maximize the</p>	<p>Finding: Implementation of Mitigation Measure Utilities 1, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: The projected population growth of the Preferred Alternative is 28,800. CCWD completed the Future Water Supply Study (FWSS) to identify alternatives to offer customers a high-quality, reliable supply for the next 50 years. The FWSS examined water demand, conservation, and existing and potential supplies for a range of service area alternatives. With the proposed land transfer from Navy ownership and subsequent urban development and increase in population, additional water supply would be required. Commencing in 2006, the City has regularly briefed CCWD on the status of the project. CCWD’s current forecasts include an allowance for growth in</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>potential use of recycled water to reduce demand on the potable and raw water supplies. With implementation of these mitigation measures, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Concord, some of which may or may not occur within the project area. However, the current project program is not completely reflected in CCWD's forecasts, resulting in a potentially significant impact.</p> <p>Pursuant to Water Code Section 10910 et seq., the City shall request that CCWD prepare a WSA, incorporating the project program, to support the Amendment of the General Plan, as a first step in entitlement of the property. CCWD can use the information provided by the City to update its plans, to secure additional supplies, and to program facilities improvements to accommodate the development at the site. CCWD will need to prepare an evaluation of the development alternatives to identify the water supply facilities required to provide service to the site. Initial demand calculations based on current understandings are presented in Tables 16-2 and 16-3 of the Final EIR. Implementation of Mitigation Measure Utilities 1a will likely ensure adequate supplies are available to meet the needs of any new development; however, this cannot be confirmed until completion of the WSA.</p> <p>Further, pursuant to Mitigation Measure Utilities1b, demand-side management can help control the demand of customers to the average demand per service level. In accordance with the City's General Plan Policy PF-1.1.2, which "encourage(s) water conservation through City programs and cooperation with the CCWD," future development at the site will be required to implement water demand management measures. These measures will include maximizing use of recycled water for</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>landscape irrigation, utilizing high-efficiency fixtures and appliances, high-efficiency irrigation systems, and water-wise landscape techniques.</p> <p>In addition, pursuant to Mitigation Measure 1c, the City will require that outdoor irrigation systems be installed using “purple pipe” that is suitable to convey recycled water per code. This will enable irrigation systems to utilize recycled water wherever it is available, thus minimizing the potable water demand of outdoor irrigation systems.</p> <p>With implementation of these mitigation measures, this potentially significant impact would be reduced to a level that is less than significant. (FEIR, pp. 16-24 to 16-16-28; see also MR Utilities 1 in Section 3 of the Response to Comments on the August 2009 Draft Revised EIR.)</p>	
<p>Impact Utilities 2: Implementation of the Preferred Alternative would result in an increase in wastewater generation that could exceed the capability of the Contra Costa Central Sanitary District (CCCSD) wastewater treatment facilities to comply with the wastewater discharge requirements of the Water Board. In addition, implementation of the Preferred Alternative would result in an increase in wastewater generation that could exceed the capacity of CCCSD and City collection and transmission facilities, resulting in the need to construct additional facilities. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Utilities 2: The City of Concord shall reach an agreement with CCCSD such that CCCSD commits to improving its collection system and treatment process and to pursuing a sufficient effluent discharge limit, as needed over time, to accommodate the project. With implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Utilities 2, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: The projected increase in demand for wastewater treatment as a result of implementing the Preferred Alternative would be 2.9 mgd (average daily dry weather flow). As newly planned growth, this</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>additional wastewater generation could cause CCCSD to reach its effluent discharge limit sooner than 2035. If that happens, some future development projects (planned pre-2000) could cause an additional discharge limit increase to be needed. Such an increase would require a discretionary approval by the Water Board.</p> <p>The demand for wastewater treatment required to support implementation of the Preferred Alternative is not addressed in the General Plan. CCCSD has not included the potential increased demand for wastewater treatment that could result from the implementation of any of the Preferred Alternative in its projections. By updating the projections for future wastewater generation in its service areas, CCCSD and the City will be able to include needed system enhancements in their respective capital improvement and developer fee programs to fund required capacity expansions. Also, the City will need to ensure that measures to reduce the demand for wastewater treatment are incorporated in the alternative to reduce the need for treatment. With implementation of Mitigation Measure Utilities 2, this potentially significant impact would be reduced to a level that is less than significant. (FEIR, pp. 16-28 to 16-29.)</p>	
<p>Impact Utilities 3: Implementation of the Preferred Alternative could result in an increase in demand for untreated or raw water for irrigation or other non-potable uses. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Utilities 3a: Prior to approving any development at the site, the City of Concord shall provide data to CCWD and request that CCWD assess the future demand for untreated or raw water supplies as part of the WSA, to demonstrate that it can supply the water to the site.</p> <p>Mitigation Measure Utilities 3b: Recycled</p>	<p>Finding: Implementation of Mitigation Measure Utilities 3a, 3b and 3c, which have been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that these mitigation measures be adopted. The City Council therefore finds that changes or</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>water shall be utilized in preference to untreated or raw water where feasible. The City of Concord will work with CCWD and CCCSD to maximize the use of recycled water, and to determine if the potential recycled water supply will match the potential demand.</p> <p>Mitigation Measure Utilities 3c: Per Mitigation Measure Utilities 1b, CCWD and the City of Concord shall implement demand-side management practices to reduce indoor and outdoor water use at the project site. Per Mitigation Measure Utilities 1c, the City of Concord shall require developers to install "purple pipe" in outdoor irrigation systems, to maximize the potential use of recycled water. These measures will subsequently reduce the demand for untreated or raw water. With implementation of these mitigation measures, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: If raw or recycled water is used to supply the anticipated irrigation requirements of the Preferred Alternative, the average day demand for potable water would be 3.1 mgd. The anticipated irrigation demand would be 2.5 mgd. The increase in parks and recreational facilities associated with the Preferred Alternative, depending on how they are designed, could result in areas that have the potential to be irrigated with untreated or raw water. The use of untreated or raw water could reduce the demand for potable water. There is also the potential that untreated or raw water could be used to supply residential, commercial, and community facilities at the site, if those potential uses comply with applicable regulations.</p> <p>The demand for non-potable water for implementation of the Preferred Alternative is not addressed in the Concord General Plan. As described in Impact Utilities 1, the City of Concord will request that CCWD provide a WSA for incorporation as part of the Amendment of the General Plan, which will include an assessment of non-potable water supply and demand.</p> <p>The City and CCWD will work together to identify the potential level of use of untreated or raw water at the site. CCWD can use the information to update its demand calculations and to program facilities improvements to accommodate for the level</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		of use of untreated or raw water as part of the WSA that have to be prepared in accordance with Water Code Section 10910 et. seq. With implementation of Mitigation Measures Utilities 3a, 3b and 3c, this potentially significant impact would be reduced to a level that is less than significant. (FEIR, pp. 16-30 to 16-31.)	
<p>Impact Utilities 4: Implementation of the Preferred Alternative could require construction of a new untreated water distribution system, possibly including pump stations and storage tanks. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Utilities 4a: Based on agreement with CCWD on the amount of raw water to be supplied, the City of Concord shall ensure that future development at the site includes construction of the untreated water distribution system, storage tanks/ponds, filtering system, pump stations, and other facilities needed to supply the desired amount of untreated or raw water, in accordance with CCWD's requirements and standards.</p> <p>Mitigation Measure Utilities 4b: The City of Concord shall ensure that any use of untreated or raw water at the site includes the measures identified by CCWD to upgrade or improve the Contra Costa Canal to supply the agreed to amount of water.</p> <p>Mitigation Measure Utilities 4c: The City of Concord shall ensure that any untreated or raw water obtained from the Contra Costa Canal will be at a metered location designated by CCWD. With the implementation of these mitigation measures, this potentially significant impact will be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measures Utilities 4a, 4b and 4c, which have been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that these mitigation measures be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: Untreated, raw water could be taken from the Contra Costa Canal that currently crosses the site. However, there is inadequate infrastructure at the site to deliver and distribute the water to new development.</p> <p>CCWD can provide untreated or raw water to the site directly during most of the year from the Contra Costa Canal for irrigation and other purposes if the supply is available. However, depending on how the Preferred Alternative is developed, a separate system supplied either with treated or untreated water may be required to accommodate the interruption of untreated water service during the Contra Costa Canal annual maintenance period. Cross-connecting treated and</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>untreated water is unacceptable. The City will also need to require that future development at the site includes the facilities required to store and distribute the untreated or raw water and that the water is obtained from a location and in a manner that complies with the requirements of CCWD. With the implementation of these mitigation measures, this potentially significant impact will be reduced to a level that is less than significant.</p>	
<p>Impact Utilities 5: Implementation of the Preferred Alternative would result in a need for potable water that could require the construction of new or expansion of existing facilities to provide treated water. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Utilities 5: The City of Concord shall ensure that all required water distribution systems, water storage tanks, pump stations, and other facilities at the site to supply the demand for potable water are constructed to meet CCWD's requirements and standards. With the implementation of this mitigation measure, the potentially significant impact will be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Utilities 5, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: New treated water distribution system components, including water storage tanks, pump stations, and other facilities (including treated and untreated water conveyance), will need to be constructed at or adjacent to the site to accommodate the anticipated demand. The water storage tanks will need to be designed with the operational, emergency, and fire service capacities required by CCWD. Impacts from construction of new facilities could include disturbances related to noise, air quality (dust), and traffic; however, these construction-related impacts would be temporary. These potential improvements</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		would result in temporary construction-related impacts that are less than significant. (FEIR, pp. 16-31 to 16-32.)	
<p>Impact Utilities 6: Implementation of the Preferred Alternative would result in an opportunity to use recycled water at the site. Recycled water could be provided by CCCSD's existing system, by an alternative off-site source, or by a future on-site treatment system. Additional treatment capacity will be required at the CCCSD WWTP to provide the additional recycled water. New recycled water distribution lines, pumping stations, and on-site storage reservoirs will be required to connect the project to CCCSD's existing recycled water system. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Utilities 6: It will be incumbent upon the City of Concord, CCCSD, and CCWD to have an agreement in place regarding the provision of recycled water to the site, prior to recycled water being utilized on site. The City of Concord needs to reach an agreement with CCCSD, or an alternative off-site provider, to ensure that the recycled water treatment and transmission facilities are sufficiently expanded to serve the project. Alternatively, an on-site recycled water treatment plant may be constructed, which may eliminate the need for expanded off-site facilities. With the implementation of this mitigation measure, this potentially significant impact will be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Utilities 6, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: Impacts from construction of new facilities could include disturbances related to noise, air quality (dust), and traffic; however, these construction-related impacts would be temporary. These potential improvements would result in temporary, construction-related impacts that are less than significant.</p> <p>The City shall withhold development approvals pertaining to the use of recycled water until an agreement is in place between the City, CCCSD, and CCWD. Implementing this mitigation measure will reduce this impact to a level that is less than significant. (FEIR, pp. 16-32 to 16-33.)</p>	Yes
<p>Impact Utilities 7: Implementation of the Preferred Alternative would result in an increase in impervious surface, which would result in an alteration of the existing site drainage pattern and could increase the rate and volume of surface runoff. This increase could exceed the capacity of the existing stormwater drainage system, and</p>	<p>Mitigation Measure Utilities 7: Prior to approving any development at the site, the City of Concord shall require that the new development incorporate drainage facilities and BMPs to reduce the quantity and improve the quality of runoff in accordance with NPDES permit requirements. New</p>	<p>Finding: Implementation of Mitigation Measure Utilities 7, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or</p>	Yes

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>require or result in the construction of new stormwater drainage facilities or expansion of existing facilities. This impact is considered to be potentially significant.</p>	<p>development shall also be required to consult with the CCCFC&WCD to manage any additional stormwater generated at the site. With the implementation of this mitigation measure, this potentially significant impact would be reduced to a level that is less than significant.</p>	<p>alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: The City's Municipal Code, Chapter 86, "Stormwater Management and Grading and Erosion Control," requires new development to submit a grading permit and a stormwater control plan that meets the requirements of the most recent version of the Contra Costa Clean Water Program Stormwater C.3. Guidebook. The intent of these measures is to meet the City's NDPES permit requirements by reducing erosion and sedimentation potential on site, to improve the quality of runoff during construction, and to improve stormwater quality post-construction. Recommended measures to treat runoff from urban, hardscaped areas include BMPs such as permeable surfaces, on-site detention, sediment trapping and filtering, and landscaping.</p> <p>The Contra Costa Clean Water Program's Joint Municipal NPDES Permit requires most new and redevelopment projects to capture and treat and/or infiltrate a specific quantity of stormwater on site prior to discharge. It also requires that new runoff be managed to protect streams from erosive flows. To effectively address these new development standards, the proposed drainage systems should cost-effectively manage flooding, control streambank erosion, and protect water quality.</p> <p>Low-impact design guidelines will also be implemented where appropriate and feasible.</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>Additional drainage capacity may need to be provided to effectively convey stormwater from the site. If the City makes approval of development at the site contingent upon demonstrating that stormwater quality, capacity, and conveyance requirements are adequately addressed, the potential impact will be less than significant. (FEIR, pp. 16-34 to 16-35.)</p>	
<p>Impact Utilities 8: Implementation of the Preferred Alternative would result in an increase in demand for electricity that could require or result in the construction of new electricity facilities, transformers, distribution systems, substations, or expansion of existing electricity facilities. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Utilities 8a: Prior to approving any development at the site, the City of Concord shall coordinate with Pacific Gas and Electric Company (PG&E) regarding the planned development and provide data for PG&E to assess the future electricity demand, and for the Project Proponent to study the environmental impacts of such facilities in its approval process.</p> <p>Mitigation Measure Utilities 8b: Prior to approving any development at the site, the City of Concord shall require that PG&E demonstrate that it can upgrade its existing electrical supply infrastructure and construct new electrical substations either on or off site to meet potential energy demand for the development. The Project Proponent shall then study the environmental impacts of such facilities in its approval process. With the implementation of these mitigation measures, this potentially significant impact will be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measures Utilities 8a, 8b and 8c, which have been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that these mitigation measures be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: There is no existing major electricity distribution system at the site to accommodate the new development. PG&E has confirmed that new off-site electrical infrastructure will be required to connect the development's distribution system to the existing transmission infrastructure. A new substation will be required to be constructed within the new development that would occur as a result of the Preferred Alternative.</p> <p>A typical PG&E distribution substation site with a footprint of approximately 5 acres could be located near one of four locations indicated in Figure 16-4 in the Final EIR. Land use within the transmission line easement will be limited to compatible uses</p>	<p>Yes</p>

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Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>such as parking, landscaping (with height restrictions), and passive recreation. Structures will not be allowed within the transmission line easement, unless otherwise agreed upon with PG&E. From the substation, electric distribution feeders would radiate out to serve the development.</p> <p>It is assumed that PG&E can use the information provided by the City to update its planning processes and program facilities to accommodate the development that would occur as a result of the Preferred Alternative. The City shall withhold development approvals until PG&E has demonstrated that it can supply the required electrical service to support the development, and until the environmental impacts of the new facilities are reviewed under CEQA. (FEIR, pp. 16-35 to 16-39.)</p>	
<p>Impact Utilities 9: Implementation of the Preferred Alternative would result in an increase in demand for natural gas that could require or result in the construction of new natural gas facilities, distribution systems, or expansion of existing natural gas facilities. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Utilities 9a: Prior to approving any development at the site, the City of Concord shall coordinate with PG&E regarding the planned development and provide data for PG&E to assess the future natural gas demand, and for the Project Proponent to study the environmental impacts of such facilities in its approval process.</p> <p>Mitigation Measure Utilities 9b: Prior to approving any development at the site, the City of Concord shall require that PG&E demonstrate that it can upgrade its existing gas supply infrastructure or construct new gas supply infrastructure to meet potential natural gas demand for the development. The Project Proponent shall then study the environmental impacts of such facilities in its approval process. With the implementation of these mitigation measures, this potentially</p>	<p>Finding: Implementation of Mitigation Measures 9a, 9b and 9c, which have been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that these mitigation measures be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: PG&E has confirmed that there is sufficient capacity in the adjacent existing gas transmission systems to serve the development. PG&E is proposing that a distribution feeder main (DFM) would tap the existing gas transmission line near Port Chicago Highway and SR 4. The main would</p>	<p>Yes</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	significant impact will be reduced to a level that is less than significant.	<p>then run southerly, below ground, and within a roadway or public utility easement to a gas regulator site that would be approximately 1 acre in size. The location of the gas regulating station will be determined during the future design process.</p> <p>Potential locations for the station are indicated on Figure 16-4 in the Final EIR. Distribution mains would radiate out from the gas regulator station to serve the development.</p> <p>PG&E can use the information provided by the City to update its planning processes and program facilities improvement to accommodate for the planned development. The City shall withhold development approvals until PG&E has demonstrated that it can supply the required natural gas service to support development of any of the alternatives, and until the environmental impacts of the new facilities are reviewed under CEQA. (FEIR, pp. 16-39 to 16-40.)</p>	
<p>Impact Utilities 10: Implementation of the Preferred Alternative would result in an increase in demand of information technology/communications (IT/COMM) services at the site that would require additional levels of service or construction of additional IT/COMM facilities. This impact is considered to be potentially significant.</p>	<p>Mitigation Measure Utilities 10: Prior to approving any development at the site, the City of Concord shall require that the IT/COMM providers demonstrate that they can provide the needed services and facilities. With the implementation of this mitigation measure, this potentially significant impact will be reduced to a level that is less than significant.</p>	<p>Finding: Implementation of Mitigation Measure Utilities 10, which has been required or incorporated into the Project, will reduce this impact to a less-than-significant level. The City Council hereby directs that this mitigation measure be adopted. The City Council therefore finds that changes or alterations have been required in, or incorporated into, the Project that avoid the significant environmental effect.</p> <p>Explanation: AT&T, Comcast, and/or Astound are the current IT/COMM providers in the City of Concord. They or another IT/COMM</p>	Yes

Table 1
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Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>provider could service the site in the future. However, because there are minimal IT/COMM services and facilities at the site currently, development of the Preferred Alternative will require the provision of additional services and the development of new facilities. Provision of these additional services and facilities is considered to be a potentially significant impact.</p> <p>The City shall withhold development approvals until the IT/COMM providers demonstrate that they can supply the required services and facilities to support the development of the alternatives. (FEIR, p. 16-40.)</p>	
OTHER CEQA CONSIDERATIONS – CUMULATIVE IMPACTS (CHAPTER 17, SECTION 17.1)			
Cumulative Transportation Impacts			
<p>Cumulative Impact Transportation 1: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold on six freeway segments:</p> <ol style="list-style-type: none"> 1. SR 4 east of Willow Pass Road eastbound (PM peak hour) 2. SR 4 east of Willow Pass Road westbound (AM and PM peak hour) 3. SR 4 east of San Marco Boulevard eastbound (PM peak hour) 4. I-680 north of SR 242 southbound (PM peak hour) 5. I-680 north of SR 4 southbound (AM peak hour) 6. SR 4 east of SR 242 westbound (PM peak hour) 	<p>Cumulative Mitigation Measure Transportation 1: The City of Concord will coordinate in good faith with affected jurisdictions, including neighboring cities, Caltrans, and Contra Costa County, prior to the approval of a specific development with the goal of reaching agreement on the appropriate mitigation measures to address impacts in the respective agencies' jurisdiction. The City of Concord will work collaboratively with affected jurisdictions to identify specific performance criteria to mitigate the impact.</p> <p>Mitigation measures may include capacity increases, Transportation Demand Management (TDM) measures, arterial traffic management tools, and adaptive timing technology upgrades. The Concord Naval Weapons Station Area Plan will include specific TDM measures with</p>	<p>Finding: Implementation of Cumulative Mitigation Measure Transportation1, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation:</p>	<p>No</p>

Table 1
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Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>corresponding estimates of trip reductions. The City shall require future developers at the site to contribute a traffic impact fee in accordance with the TRANSPAC Subregional Transportation Mitigation Fee Program requirements of the Central County Action Plan for Routes of Regional Significance. All currently existing applicable agreements, including the Bailey Road Traffic Mitigation Measure Inter-Agency Funding Agreement and the East Central Traffic Management Study, may be reviewed and revised through this coordinated process. A Nexus Study, required pursuant to the Mitigation Fee Act ("AB 1600 Study") shall be conducted for the entire site to establish an equitable traffic impact fee rate for each land use category to ensure that future development projects will contribute a fair share of the unfunded cost of planned improvements and mitigation measures determined cooperatively by the City of Concord and the affected jurisdictions. No development will occur until a traffic impact fee is adopted based on an AB 1600 study. Until future coordination with the affected jurisdictions takes place and agreement is reached, this impact is considered significant and unavoidable.</p>	<p>As shown in Tables 17-3 and 17-4, these six freeway segments would exceed the established performance threshold with the traffic from the Preferred Alternative. Peak hour operations on the six freeway segments are projected to be deficient with buildout traffic from the Preferred Alternative. Improvements that have been included in the Contra Costa County Authority (CCTA) traffic model used to evaluate these freeway segments are listed in Section 4.3.4. Additional improvements beyond those identified in Section 4.3.4 have not been planned or programmed by the agencies responsible for the freeway network at this time. Future development will be required to pay a fair share of the cost of currently identified improvements and improvements agreed to in the future through the regional process described in Section 4.1.2.2. However, because a significant impact would occur even with the currently identified improvements, this cumulative impact will remain significant and unavoidable. (FEIR, pp. 17-23 to 17-24; see also pp. 4-2 to 4-3, 4-65 to 4-68.)</p>	
<p>Cumulative Impact Transportation 2: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold on 11 freeway ramps:</p> <ol style="list-style-type: none"> 1. SR 4/Port Chicago Highway eastbound off-ramp (AM peak hour) 2. SR 4/Willow Pass Road westbound off-ramp (AM peak hour) 	<p>Cumulative Mitigation Measure Transportation 2: The City of Concord will coordinate in good faith with affected jurisdictions, including neighboring cities, Caltrans, and Contra Costa County, prior to the approval of a specific development with the goal of reaching agreement on the appropriate mitigation measures to address impacts in the respective agencies' jurisdiction. The City of Concord will work</p>	<p>Finding: Implementation of Cumulative Mitigation Measure Transportation 2, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact.</p>	<p>No</p>

Table 1
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Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>3. SR 4/northbound San Marco Boulevard eastbound on-ramp (PM peak hour)</p> <p>4. SR 4/southbound Bailey Road eastbound off-ramp (PM peak hour)</p> <p>5. SR 4/Railroad Avenue westbound on-ramp (AM peak hour)</p> <p>6. I-680/Willow Pass Road eastbound to southbound on-ramp (AM peak hour)</p> <p>7. SR 4/Port Chicago Highway westbound on-ramp (PM peak hour)</p> <p>8. SR 4/San Marco Boulevard eastbound off-ramp (PM peak hour)</p> <p>9. SR 4/southbound San Marco Boulevard westbound on-ramp (AM peak hour)</p> <p>10. SR 4/northbound San Marco Boulevard westbound on-ramp (AM peak hour)</p> <p>11. SR 4/San Marco Boulevard westbound off-ramp (AM peak hour)</p>	<p>collaboratively with affected jurisdictions to identify specific performance criteria to mitigate the impact.</p> <p>Mitigation measures may include capacity increases, Transportation Demand Management (TDM) measures, arterial traffic management tools, and adaptive timing technology upgrades. The Concord Naval Weapons Station Area Plan will include specific TDM measures with corresponding estimates of trip reductions. The City shall require future developers at the site to contribute a traffic impact fee in accordance with the TRANSPAC Subregional Transportation Mitigation Fee Program requirements of the Central County Action Plan for Routes of Regional Significance. All currently existing applicable agreements, including the Bailey Road Traffic Mitigation Measure Inter-Agency Funding Agreement and the East Central Traffic Management Study, may be reviewed and revised through this coordinated process. A Nexus Study, required pursuant to the Mitigation Fee Act ("AB 1600 Study") shall be conducted for the entire site to establish an equitable traffic impact fee rate for each land use category to ensure that future development projects will contribute a fair share of the unfunded cost of planned improvements and mitigation measures determined cooperatively by the City of Concord and the affected jurisdictions. No development will occur until a traffic impact fee is adopted based on an AB 1600 study. Until future coordination with the affected jurisdictions takes place and agreement is reached, this impact is considered significant and unavoidable.</p>	<p>No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: As shown in Table 17-5, these 11 freeway ramps exceed the established performance threshold either on the ramp itself or on the downstream freeway mainline with the traffic from the Preferred Alternative. In addition, the Preferred Alternative worsens the 2030 No Project condition. This impact is considered to be potentially significant. The low level of service (LOS) at the ramp junctions with the freeway mainline at merge and diverge locations that result with the Preferred Alternative would largely be caused by congestion on the freeway mainline.</p> <p>Ramp Impact Location 1: The SR 4/Port Chicago Highway eastbound off-ramp would operate at LOS F during the AM peak hour due to congestion on SR 4. The volumes on the freeway at the diverge point for this single-lane off-ramp exceed the capacity of the freeway. The operations of this ramp can be attributed to the operations on SR 4.</p> <p>Because no improvements beyond those identified in the assumptions listed in Section 4.3.4 have been planned or programmed to address the capacity of SR 4, there are no</p>	

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Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>feasible mitigation measures to address the capacity of SR 4, and this cumulative impact is considered to be significant and unavoidable.</p> <p>Ramp Impact Location 2: Improvements to the SR 4/Willow Pass Road interchange are programmed in the 2035 Regional Transportation Plan (RTP); however, the CCTA 2030 model does not include this improvement because specific project-level details have not been determined. The interchange improvements will be defined in detail once a Project Study Report (PSR) and document to comply with CEQA are prepared by Caltrans. Because the specific improvement, and therefore the effects of the improvement, cannot be measured at this time, this cumulative impact is considered to be significant and unavoidable.</p> <p>Ramp Impact Location 3: The SR 4/northbound San Marco Boulevard eastbound on-ramp would operate at LOS F during the PM peak hour due to the high volume of traffic that would use the Avila Road - West Leland Road connection to avoid congestion on SR 4. This single-lane on-ramp merges with SR 4. The volume at the merge exceeds the capacity of the freeway. The operations of this ramp can be attributed to the operations on SR 4. Because there are no improvements planned or programmed by the regional agencies responsible for operations on SR 4 that would alleviate this congestion, there are no feasible mitigation measures to address the capacity of SR 4, and this cumulative impact is considered to be</p>	

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Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>significant and unavoidable.</p> <p>Ramp Impact Location 4: The SR 4/southbound Bailey Road eastbound off-ramp would operate at LOS F during the PM peak hour due to upstream traffic volumes on the freeway that exceed the capacity where the ramp diverges from the freeway. Traffic from the freeway cannot exit at the ramp due to congestion on this segment of SR 4. The operations of this ramp can be attributed to the over-capacity conditions on SR 4. Because there are no improvements planned or programmed by the regional agencies responsible for operations on SR 4 that would alleviate this congestion, there are no feasible mitigation measures to address the capacity of SR 4, and this cumulative impact is considered to be significant and unavoidable.</p> <p>Ramp Impact Location 5: The SR 4/Railroad Avenue westbound on-ramp is a single-lane ramp that would operate at LOS F during the AM peak hour. This is due to volumes on the freeway and ramp exceeding the capacity of the freeway at the ramp merge area. The operations of this ramp can be attributed to the over-capacity conditions on SR 4. Because there are no improvements planned or programmed by the regional agencies responsible for operations on SR 4 that would alleviate this congestion, there are no feasible mitigation measures to address the capacity of SR 4, and this cumulative impact is considered to be significant and unavoidable.</p> <p>Ramp Impact Location 6: The I-680/Willow Pass Road eastbound to southbound on-</p>	

Table 1
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Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>ramp would operate at LOS F during the AM peak hour due to downstream freeway volumes at the merge area of this one-lane on-ramp. The volumes exceed the capacity of the freeway, resulting in unstable flow of the on-ramp. Because no improvements beyond those identified in the assumptions listed in Section 4.3.4 have been planned or programmed by the agencies responsible for freeway network operations, there are no feasible mitigation measures to address the capacity of the freeway, and the cumulative impact on freeway ramps is therefore considered to be significant and unavoidable.</p> <p>Ramp Impact Location 7: The SR 4/Port Chicago Highway westbound on-ramp would operate at LOS F during the PM peak hour due to congestion on SR 4. The downstream volumes on the freeway at the merge point exceed the capacity of the freeway. This ramp is two lanes at Port Chicago Highway with one lane splitting off to SR 242 and one lane that merges onto SR 4 westbound. The operations of this ramp can be attributed to the operations on SR 4. Because no improvements beyond those identified in the assumptions listed in Section 4.3.4 have been planned or programmed to address the capacity of SR 4, there are no feasible mitigation measures to address the capacity of SR 4, and this cumulative impact is considered to be significant and unavoidable.</p> <p>Ramp Impact Location 8: The SR 4 eastbound off-ramp at San Marco Boulevard is a single-lane off-ramp with a dedicated freeway lane where the LOS F is due to the</p>	

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Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>ramp volume exceeding the ramp capacity. The SR 4 ramps at San Marco Boulevard would operate at LOS F due to the traffic using the parallel arterials of Avila Road - West Leland Road and Evora Road - Willow Pass Road to avoid congestion on SR 4. Because there are no improvements planned or programmed by the regional agencies responsible for operations on SR 4 that would alleviate this congestion, there are no feasible mitigation measures, and this cumulative impact is considered to be significant and unavoidable.</p> <p>Ramp Impact Location 9: The SR 4 westbound on-ramp from southbound San Marco Boulevard is a single-lane on-ramp with a dedicated freeway lane where the ramp volume exceeds the capacity. The SR 4 ramps at San Marco Boulevard would operate at LOS F due to the traffic using the parallel arterials of Avila Road - West Leland Road and Evora Road - Willow Pass Road to avoid congestion on SR 4. Because there are no improvements planned or programmed by the regional agencies responsible for operations on SR 4 that would alleviate this congestion, there are no feasible mitigation measures, and this cumulative impact is considered to be significant and unavoidable.</p> <p>Ramp Impact Location 10: The SR 4 westbound on-ramp from northbound San Marco Boulevard is a single-lane on-ramp. The impact that occurs at this location can be attributed to the over-capacity condition on SR 4 that results in unstable ramp operations. The SR 4 ramps at San Marco Boulevard would operate at LOS F due to</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>the traffic using the parallel arterials of Avila Road - West Leland Road and Evora Road - Willow Pass Road to avoid congestion on SR 4. Because there are no improvements planned or programmed by the regional agencies responsible for operations on SR 4 that would alleviate this congestion, there are no feasible mitigation measures to address the capacity of SR 4, and this cumulative impact is considered to be significant and unavoidable.</p> <p>Ramp Impact Location 11: The SR 4 westbound off-ramp to San Marco Boulevard is a single-lane off-ramp. The impact that occurs at this location can be attributed to the overcapacity conditions on SR 4 that results in unstable ramp operations. The SR 4 ramps at San Marco Boulevard would operate at LOS F due to the traffic using the parallel arterials of Avila Road - West Leland Road and Evora Road - Willow Pass Road to avoid congestion on SR 4. Because there are no improvements planned or programmed by the regional agencies responsible for operations on SR 4 that would alleviate this congestion, there are no feasible mitigation measures to address the capacity of SR 4, and this cumulative impact is considered to be significant and unavoidable. (FEIR, pp. 17-24 to 17-28.)</p>	
<p>Cumulative Impact Transportation 3: The development of the Preferred Alternative would increase traffic volumes and contribute to already deficient conditions on three roadway segments:</p> <ol style="list-style-type: none"> 1. Ygnacio Valley Road east of Cowell Road (PM peak hour) 2. Concord Boulevard west of Denkinger Road (AM) 	<p>Cumulative Mitigation Measure Transportation 3: TDM programs will be adopted through an amendment to the Concord General Plan—including bicycle and pedestrian facilities, transit promotion, carpool promotion, and parking management—that supports the use of alternative transportation modes and will reduce the use of automobiles, thus</p>	<p>Finding: Implementation of Cumulative Mitigation Measure Transportation 3, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>and PM peak hours)</p> <p>3. Port Chicago Highway north of Olivera Road (AM and PM peak hours)</p>	<p>lessening traffic impacts. The City will monitor these roadway segments periodically and will develop updated traffic volume forecasts based on the performance of TDM programs as development occurs in the future. However, this cumulative impact is considered significant and unavoidable.</p>	<p>environmental effect associated with Impact. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: As shown in Table 17-6, these three roadway segments would exceed the established performance threshold with the traffic from the Preferred Alternative. In addition, the Preferred Alternative worsens the 2030 No Project condition. Even with the implementation of transportation demand management (TDM) measures, this impact is considered to be potentially significant.</p> <p>Roadway widening would mitigate the impact of the Preferred Alternative, but widening would potentially require acquisition of property and possible displacement of existing businesses and residents. As discussed in the assumptions in Section 4.3.4, as a policy matter the City will implement TDM measures rather than roadway widening, as wider roads in residential neighborhoods and urban locations would encourage the use of automobile travel and discourage walking by increasing exposure of pedestrians during crossings. Widening roadways in Concord therefore would conflict with policies in the General Plan as described in Section 4.1.2.3. However, implementation of TDM</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		measures will not necessarily alleviate impacts that will occur on Concord Boulevard and Port Chicago Highway. Therefore, this cumulative impact is considered to be significant and unavoidable. (FEIR, pp. 17-28 to 17-29; see also pp. 4-2 to 4-3, 4-65 to 4-68.)	
<p>Cumulative Impact Transportation 4: The development of the Preferred Alternative would increase traffic volumes and exceed the established performance threshold at 19 intersections:</p> <ol style="list-style-type: none"> 1. Port Chicago Highway and Panoramic Drive (AM peak hour) 2. Port Chicago Highway and Olivera Road (AM and PM peak hours) 3. North Main Street and Geary Road (AM and PM peak hour) 4. Willow Pass Road and Evora Road (west) (PM peak hour) 5. Willow Pass Road and Avila Road (AM and PM peak hours) 6. San Marco Boulevard and West Leland Road (AM peak hour) 7. San Marco Boulevard - Willow Pass Road and SR 4 eastbound ramp (PM peak hour) 8. Willow Pass Road and SR 4 westbound ramps (AM peak hour) 9. Willow Pass Road and SR 4 eastbound ramps (AM peak hour) 10. Oak Grove Road and Treat Boulevard (AM peak hour) 11. Oak Road and Treat Boulevard (PM peak hour) 12. Walnut Boulevard and Ygnacio Valley Road 	<p>Cumulative Mitigation Measure Transportation 4, Intersection Impact Locations 1, 2, 5, 8, 9, 10: TDM programs will be adopted through an amendment to the Concord General Plan—including bicycle and pedestrian facilities, transit promotion, carpool promotion, and parking management—that supports the use of alternative transportation modes and will reduce the use of automobiles, thus lessening traffic impacts. However, this cumulative impact is considered significant and unavoidable.</p>	<p>Finding: Implementation of Cumulative Mitigation Measure Transportation 4, Intersection Impact Locations 1, 2, 5, 8, 9, 10, which have been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: At Location 1, the intersection of Port Chicago Highway and Panoramic Drive, providing a third through lane northbound would reduce the impact to LOS E during AM and PM peak hours, but this would require widening Port Chicago Highway to accommodate an additional through lane. Port Chicago Highway is constrained by the Bay Area Rapid Transit (BART) District</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>(PM peak hour)</p> <p>13. Bancroft Road and Treat Boulevard (PM peak hour)</p> <p>14. Buskirk Avenue northbound I-680 off-ramp and Treat Boulevard (PM peak hour)</p> <p>15. North Main Street and Sunnyvale Avenue and southbound I-680 ramps (AM peak hour)</p> <p>16. Northbound I-680 off-ramp and Ygnacio Valley Road (AM peak hour)</p> <p>17. Railroad Avenue and West Leland Road (AM peak hour)</p> <p>18. Kirker Pass Road and James Donlon Boulevard Extension (PM peak hour)</p> <p>19. Bailey Road and SR 4 eastbound ramps - BART access (PM peak hour)</p>		<p>tracks to the east.</p> <p>At Location 2, improvements to the intersection of Port Chicago Highway and Olivera Road would require widening of Port Chicago Highway, which is constrained by the BART tracks to the east, or widening of Olivera Road through an existing residential neighborhood.</p> <p>At Location 5, the intersection of Willow Pass Road and Avila Road, the Preferred Alternative adds a new eastbound approach to the existing T-intersection. Improvements assumed as part of the Preferred Alternative include signalization of this intersection and new lane configurations on all approaches to accommodate the new approach. Additional widening at the intersection would be required to fully mitigate the impacts to the mid-D LOS standard.</p> <p>At Location 8, improvements to the SR 4/Willow Pass Road interchange are programmed in the RTP; however, the intersection analysis does not include a new ramp configuration because specific project-level details have not been determined. For this analysis, the existing stop control was assumed to be replaced with a new signal.</p> <p>At Location 9, improvements to the SR 4/Willow Pass Road interchange are programmed in the RTP; however, the intersection analysis does not include a new ramp configuration because specific project-level details have not been determined. For this analysis, the existing stop control was assumed to be replaced with a new signal.</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>At Location 10, the intersection of Oak Grove Road and Treat Boulevard, widening is not feasible.</p> <p>As discussed in the assumptions in Section 4.3.4, for all of these Locations, as a policy matter the City will implement TDM measures rather than roadway widening at intersections, as large intersections in residential neighborhoods and urban locations would encourage the use of automobile travel and discourage walking by increasing exposure of pedestrians during crossings. Widening roadways in Concord therefore would conflict with policies in the General Plan as described in Section 4.1.2.3. However, implementation of TDM measures will not necessarily alleviate impacts that will occur at this intersection. Therefore, this cumulative impact is considered to be significant and unavoidable. (FEIR, pp. 17-29 to 17-45.)</p>	
	<p>Cumulative Mitigation Measure Transportation 4, Intersection Impact Locations 3, 11, 12, 13, 14, 15, 16: The City of Concord will coordinate in good faith with affected jurisdictions, including neighboring cities, Caltrans, and Contra Costa County, prior to the approval of a specific development with the goal of reaching agreement on the appropriate mitigation measures to address impacts in the respective agencies' jurisdiction. The City of Concord will work collaboratively with affected jurisdictions to identify specific performance criteria to mitigate the impact. Mitigation measures may include capacity increases, Transportation Demand Management (TDM) measures, arterial traffic management tools, and adaptive</p>	<p>Finding: Implementation of Mitigation Measure Transportation 4, Intersection Locations 3, 11, 12, 13, 14, 15, 16, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Transportation 4. No mitigation is available to render the effects less than significant.</p> <p>Further, although the mitigation requires the City to undertake coordination with affected jurisdictions, mitigation of physical impacts will require action by other public agencies;</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>timing technology upgrades. The Concord Naval Weapons Station Area Plan will include specific TDM measures with corresponding estimates of trip reductions. The City shall require future developers at the site to contribute a traffic impact fee in accordance with the TRANSPAC Subregional Transportation Mitigation Fee Program requirements of the Central County Action Plan for Routes of Regional Significance. All currently existing applicable agreements, including the Bailey Road Traffic Mitigation Measure Inter-Agency Funding Agreement and the East Central Traffic Management Study, may be reviewed and revised through this coordinated process. A Nexus Study, required pursuant to the Mitigation Fee Act ("AB 1600 Study") shall be conducted for the entire site to establish an equitable traffic impact fee rate for each land use category to ensure that future development projects will contribute a fair share of the unfunded cost of planned improvements and mitigation measures determined cooperatively by the City of Concord and the affected jurisdictions. No development will occur until a traffic impact fee is adopted based on an AB 1600 study. Until future coordination with the affected jurisdictions takes place and agreement is reached, this impact is considered significant and unavoidable.</p>	<p>the City of Walnut Creek, and in the case of intersections with I-680, Caltrans. The City therefore finds that the mitigation is within the responsibility and jurisdiction of another agency and not the agency making this finding.</p> <p>The City Council hereby directs that this mitigation measure be adopted. Even with adoption of this mitigation measure, the effects (or some of the effects) will remain significant and unavoidable. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: Location 3, the intersections of North Main Street and Geary Road; Location 11, the intersection of Oak Road and Treat Boulevard; Location 12, the intersection of Walnut Boulevard and Ygnacio Valley Road; Location 13, the intersection of North Bancroft Road and Treat Boulevard; Location 14, the intersection of Buskirk Avenue - northbound I-680 off-ramp and Treat Boulevard; Location 15, the intersection of North Main Street and Sunnyvale Avenue/southbound I-680 ramp; and Location 16, the intersection of the northbound I-680 off-ramp/Ygnacio Valley Road are all located in the City of Walnut Creek.</p> <p>The City of Concord will coordinate with the City of Walnut Creek, and also Caltrans for those Locations that intersect with I-680, prior to the approval of a specific</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>development on the appropriate mitigation measures in accordance with the TRANSPAC Subregional Transportation Mitigation Program (STMP) requirements of the Central County Action Plan for Routes of Regional Significance. No changes are currently recommended for this intersection. Until future coordination with the affected jurisdiction takes place and an agreement is reached, this cumulative impact will remain significant and unavoidable. (FEIR, pp. 17-29 to 17-45.)</p>	
	<p>Cumulative Mitigation Measure Transportation 4, Intersection Impact Locations 4, 6, 7, 17, 18, 19: The City of Concord will coordinate in good faith with affected jurisdictions, including neighboring cities, Caltrans, and Contra Costa County, prior to the approval of a specific development with the goal of reaching agreement on the appropriate mitigation measures to address impacts in the respective agencies' jurisdiction. The City of Concord will work collaboratively with affected jurisdictions to identify specific performance criteria to mitigate the impact. Mitigation measures may include capacity increases, Transportation Demand Management (TDM) measures, arterial traffic management tools, and adaptive timing technology upgrades. The Concord Naval Weapons Station Area Plan will include specific TDM measures with corresponding estimates of trip reductions. The City shall require future developers at the site to contribute a traffic impact fee in accordance with the TRANSPAC Subregional Transportation Mitigation Fee Program requirements of the Central County Action Plan for Routes of Regional</p>	<p>Finding: Implementation of Mitigation Measure Transportation 4, Intersection Locations 4, 6, 7, 17, 18, 19, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact Transportation 4. No mitigation is available to render the effects less than significant.</p> <p>Further, although the mitigation requires the City to undertake coordination with affected jurisdictions, mitigation of physical impacts will require action by another public agency, the City of Pittsburg. The City therefore finds that the mitigation is within the responsibility and jurisdiction of another agency and not the agency making this finding.</p> <p>The City Council hereby directs that this mitigation measure be adopted. Even with adoption of this mitigation measure, the effects (or some of the effects) will remain</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
	<p>Significance. All currently existing applicable agreements, including the Bailey Road Traffic Mitigation Measure Inter-Agency Funding Agreement and the East Central Traffic Management Study, may be reviewed and revised through this coordinated process. A Nexus Study, required pursuant to the Mitigation Fee Act ("AB 1600 Study") shall be conducted for the entire site to establish an equitable traffic impact fee rate for each land use category to ensure that future development projects will contribute a fair share of the unfunded cost of planned improvements and mitigation measures determined cooperatively by the City of Concord and the affected jurisdictions. No development will occur until a traffic impact fee is adopted based on an AB 1600 study. Until future coordination with the affected jurisdictions takes place and agreement is reached, this impact is considered significant and unavoidable.</p>	<p>significant and unavoidable. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: At Location 4, the intersection of Willow Pass Road and Evora Road (west), the increased traffic is due to the heavy northbound right turns from Willow Pass Road and the westbound left turns from Evora Road. Widening the northbound and westbound approaches to provide an additional westbound left turn lane and an additional northbound right turn lane would improve the operations at the intersection of Willow Pass Road and Evora Road (west). However, additional improvements would be required to fully mitigate the impacts to the mid-D LOS standard.</p> <p>At Location 6, the intersection of San Marco Boulevard and West Leland Road, it would operate at LOS D with a volume-to-capacity (v/c) ratio of 0.90 due to the use of the West Leland Road connection to Avila Road as a parallel roadway to SR 4. Widening the northbound approach for a right turn lane as programmed by the City of Pittsburg would not reduce the v/c ratio during the AM peak hour. However, an additional right turn lane in the westbound direction would mitigate the impact.</p> <p>At Location 7, the intersection of San Marco Boulevard - Willow Pass Road and the SR 4 eastbound ramp, no specific improvements have been identified.</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>At Location 17, the City of Pittsburg had identified improvements at the intersection of Railroad Avenue and West Leland Road, but funding has not been secured. The improvements include widening the southbound approach for two left turn lanes and widening the eastbound approach for a right turn lane. However, additional widening would be required to mitigate the impacts to the mid-D LOS standard.</p> <p>At Location 18, Kirker Pass Road and James Donlon Boulevard Extension, additional improvements to widen the intersection would be needed to mitigate the impacts. No specific improvements have been identified.</p> <p>At Location 19, the intersection of Bailey Road and SR 4 eastbound ramps - BART access is included as part of the current study for streetscape improvements for Bailey Road. No specific improvements have been identified.</p> <p>Any improvements at these intersection will be developed through discussions and coordination with the City of Pittsburg prior to the approval of a specific development in accordance with the TRANSPAC STMP requirements of the Central County Action Plan for Routes of Regional Significance. Because no improvements have been agreed upon at this time, the increase in traffic volumes at this location will remain a potential cumulative impact that is considered to be significant and unavoidable. (FEIR, pp. 17-29 to 17-45.)</p>	
<p>Cumulative Impact Transportation 5: The development of the Preferred Alternative would</p>	<p>Cumulative Mitigation Measure Transportation 5: The City of Concord will</p>	<p>Finding: Implementation of Cumulative Mitigation</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>reduce average vehicle occupancies, increase the delay index, and/or reduce average speeds and exceed the established performance threshold on 38 segments of Routes of Regional Significance:</p> <ol style="list-style-type: none"> 1. I-680 south of Monument Boulevard - southbound PM peak hour (average speed and delay index), AM peak hour (average vehicle occupancy) 2. I-680 north of Monument Boulevard - southbound PM peak hour (average vehicle occupancy, average speed and delay index) 3. I-680 north of Monument Boulevard - northbound AM peak hour (average vehicle occupancy) 4. I-680 north of SR 242 - southbound PM peak hour (average speed and delay index) 5. I-680 north of Concord Avenue - northbound AM peak hour (average vehicle occupancy) 6. SR 242 north of I-680 - southbound PM peak hour (average speed and delay index), AM and PM peak hours (average vehicle occupancy) 7. SR 242 north of I-680 - northbound AM peak hour (average vehicle occupancy) 8. SR 242 north of Willow Pass Road - northbound AM and PM peak hours (average vehicle occupancy) 9. SR 242 north of Willow Pass Road - southbound AM and PM peak hours (average vehicle occupancy) 10. SR 242 north of Concord Avenue - northbound AM and PM peak hours (average vehicle occupancy) 11. SR 242 north of Concord Avenue - southbound PM peak hour (average vehicle occupancy) 	<p>coordinate in good faith with affected jurisdictions, including neighboring cities, Caltrans, and Contra Costa County, prior to the approval of a specific development with the goal of reaching agreement on the appropriate mitigation measures to address impacts in the respective agencies' jurisdiction. The City of Concord will work collaboratively with affected jurisdictions to identify specific performance criteria to mitigate the impact. Mitigation measures may include capacity increases, Transportation Demand Management (TDM) measures, arterial traffic management tools, and adaptive timing technology upgrades. The Concord Naval Weapons Station Area Plan will include specific TDM measures with corresponding estimates of trip reductions. The City shall require future developers at the site to contribute a traffic impact fee in accordance with the TRANSPAC Subregional Transportation Mitigation Fee Program requirements of the Central County Action Plan for Routes of Regional Significance. All currently existing applicable agreements, including the Bailey Road Traffic Mitigation Measure Inter-Agency Funding Agreement and the East Central Traffic Management Study, may be reviewed and revised through this coordinated process. A Nexus Study, required pursuant to the Mitigation Fee Act ("AB 1600 Study") shall be conducted for the entire site to establish an equitable traffic impact fee rate for each land use category to ensure that future development projects will contribute a fair share of the unfunded cost of planned improvements and mitigation measures determined</p>	<p>Measure Transportation 5, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: As shown in Table 17-8, these 38 segments of Routes of Regional Significance would exceed the established performance threshold with the traffic from the Preferred Alternative. In addition, the Preferred Alternative worsens the 2030 No Project condition. This impact is considered to be potentially significant.</p> <p>The Action Plan for Routes of Regional Significance identifies planned improvements to the regional system. Additional mitigation measures beyond the planned improvements included in the assumptions listed in Section 4.3.4 will require consultation and coordination with other TRANSPAC members, other regional transportation planning committees (RTPCs), and the CCTA. Future traffic studies for specific development projects on</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>12. SR 242 north of Solano Way - northbound AM and PM peak hours (average vehicle occupancy)</p> <p>13. SR 242 north of Solano Way - southbound PM peak hour (average vehicle occupancy)</p> <p>14. SR 242 north of Olivera Road - northbound PM peak hour (average vehicle occupancy)</p> <p>15. SR 242 north of Olivera Road - southbound PM peak hour (average vehicle occupancy)</p> <p>16. SR 4 east of Willow Pass Road - eastbound PM peak hour (average speed and delay index), AM and PM peak hours (average vehicle occupancy)</p> <p>17. SR 4 east of Bailey Road - eastbound PM peak hour (delay index)</p> <p>18. SR 4 east of I-680 - eastbound AM peak hour (average vehicle occupancy)</p> <p>19. SR 4 east of I-680 - westbound AM and PM peak hours (average vehicle occupancy)</p> <p>20. SR 4 east of Solano Way - eastbound AM peak hour (average vehicle occupancy)</p> <p>21. SR 4 east of Port Chicago Highway - eastbound AM peak hour (average vehicle occupancy)</p> <p>22. SR 4 east of Port Chicago Highway - westbound PM peak hour (average vehicle occupancy)</p> <p>23. SR 4 east of Willow Pass Road - westbound AM and PM peak hours (average vehicle occupancy)</p> <p>24. SR 4 east of San Marco Boulevard - eastbound AM peak hour (average vehicle occupancy) and PM peak hour (delay index)</p> <p>25. SR 4 east of San Marco Boulevard - westbound AM peak hour (delay index) and PM peak hour (average vehicle occupancy)</p>	<p>cooperatively by the City of Concord and the affected jurisdictions. No development will occur until a traffic impact fee is adopted based on an AB 1600 study. Until future coordination with the affected jurisdictions takes place and agreement is reached, this impact is considered significant and unavoidable.</p>	<p>the site should update the TSO impact analysis to analyze the adopted Central County and East County Action Plans for Routes of Regional Significance. Because no improvements beyond those identified in the assumptions have been planned or programmed by the agencies at this time, this cumulative impact is considered to be significant and unavoidable. (FEIR, pp. 17-45 to 17-48.)</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
<p>26. SR 4 east of Bailey Road - westbound AM peak hour (delay index)</p> <p>27. SR 4 east of Railroad Avenue - eastbound AM and PM peak hours (average vehicle occupancy)</p> <p>28. Leland Road (proposed) east of San Marco Boulevard - eastbound PM peak hour (delay index)</p> <p>29. Avila Road (proposed) west of San Marco Boulevard - eastbound PM peak hour (delay index)</p> <p>30. Avila Road (proposed) west of San Marco Boulevard - westbound AM and PM peak hours (delay index)</p> <p>31. Willow Pass Road east of Evora Road - eastbound PM peak hour (delay index)</p> <p>32. Kirker Pass Road east of Concord Boulevard - eastbound AM and PM peak hours (average vehicle occupancy)</p> <p>33. Kirker Pass Road east of Concord Boulevard - westbound PM peak hour (average vehicle occupancy)</p> <p>34. Treat Boulevard east of Oak Grove Road - eastbound AM peak hour (average vehicle occupancy)</p> <p>35. Ygnacio Valley Road east of Cowell Road - eastbound AM peak hour (average vehicle occupancy)</p> <p>36. Ygnacio Valley Road east of Cowell Road - westbound PM peak hour (average vehicle occupancy)</p> <p>37. Leland Road (proposed) east of San Marco Boulevard - westbound AM peak hour (delay index)</p> <p>38. Willow Pass Road east of Evora Road - westbound AM peak hour (delay index)</p>			

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
Cumulative Air Quality Impacts			
<p>Cumulative Impact Air Quality 1: Emissions from the Preferred Alternative would result in an increase to global greenhouse gas emissions. This impact is considered to be significant.</p>	<p>Cumulative Mitigation Measure Air Quality 1: The City of Concord shall require development and implementation of a Climate Action Plan for the project prior to amendment of the General Plan. With implementation of this mitigation measure, this significant impact will still be considered significant and unavoidable.</p>	<p>Finding: Implementation of Cumulative Mitigation Measure Air Quality 1, which has been required or incorporated into the Project, will not reduce this impact to a less-than-significant level. Changes or alterations have been required in, or incorporated into, the Project that substantially lessen, but do not avoid, the potentially significant environmental effect associated with Impact. No mitigation is available to render the effects less than significant. The effects (or some of the effects) therefore remain significant and unavoidable. The City Council hereby directs that this mitigation measure be adopted. The City Council concludes, however, that the Project's benefits outweigh the significant unavoidable impact of the Project, as set forth in the Statement of Overriding Considerations.</p> <p>Explanation: The Preferred Alternative will contribute to an increase in GHGs from mobile sources, stationary sources, and other indirect sources. Based on a CEQA threshold of zero, any increase in GHGs would render the impact significant.</p> <p>The Climate Action Plan will implement a five-step process for the development of the Preferred Alternative at the site. The International Council on Local Environmental Issues (ICLEI) has created a program called Cities for Climate Protection. Through this program, it has established a framework for managing the impacts of climate change and writing climate action plans. Local governments that participate in the Cities for</p>	<p>No</p>

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>Climate Protection program commit to completing the following five steps:</p> <ol style="list-style-type: none"> 1. Conduct a GHG emissions analysis/inventory. 2. Set a target for emissions reduction. 3. Draft a local action plan for meeting the target/establish a GHG reduction plan. 4. Implement the action plan. 5. Monitor and report on progress. <p>These five steps provide a framework that can be followed in relation to the Preferred Alternative.</p> <p>There is considerable opportunity to make significant and cost-effective GHG emission reductions by implementing strategies to improve energy efficiencies and reduce demand, while supplying clean energy from on-site renewable sources. Appendix F of the CEQA Guidelines suggests several mitigation measures that promote energy conservation. In addition to those mentioned in Appendix F, energy efficiency and conservation strategies that would result in reduced GHG emissions include, but are not limited to:</p> <ul style="list-style-type: none"> • Co-generation • District heating and cooling systems • Passive solar space heating • Solar thermal water heating • Building shading devices to reduce solar loads • Siting and orientation of buildings • Daylighting • Natural ventilation • High-performance glazing • Reflective paving and roofs to reduce the heat island effect • Efficient building equipment, lighting, and 	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>appliances.</p> <p>Low-GHG or zero-GHG energy sources include:</p> <ul style="list-style-type: none"> • Building-integrated photovoltaic panels • Wind turbines • Solar farms • Anaerobic digestion of organic waste <p>Water conservation and efficiency efforts include:</p> <ul style="list-style-type: none"> • Water-efficient landscapes and irrigation systems • Water-efficient building design • Restriction of watering methods and control of stormwater run-off • On-site education regarding water conservation <p>Solid waste measures include:</p> <ul style="list-style-type: none"> • The reuse and recycling of construction and demolition waste • Interior and exterior storage containers for recyclables and compost. <p>Transportation and motor vehicle measures include:</p> <ul style="list-style-type: none"> • Limiting idling time for construction vehicles and commercial vehicles on site • Promoting car-share and ride-share programs within the community • Promoting the use of low-emissions vehicles by providing charging stations on site. <p>Other measures include:</p> <ul style="list-style-type: none"> • Promoting local hiring practices during site construction. <p>All measures to reduce VMT associated with the project will also reduce GHG emissions from mobile sources (see Chapter 4,</p>	

Table 1
Summary of Findings

Significant Impact	Mitigation Measures	Findings of Fact	Does Implementation of the Mitigation Measure(s) Reduce the Impact to Less-Than-Significant Levels?
		<p>Transportation, and Chapter 11, Air Quality). When combined with the stationary source reductions, the mobile source emissions reductions will reduce the overall GHG emissions associated with the project and help meet the targets that will be established in the Climate Action Plan. (FEIR, pp. 17-102 to 17-104; see also MR 26 through MR 32 in Section 3 of the Response to Comments on the May 2008 Draft EIR; MR General 10 and MR Air Quality 2 in Section 3 of the Response to Comments on the August 2009 Draft Revised EIR.)</p>	