



**NOTICE OF AVAILABILITY
for Public Review of a
Negative Declaration
Distribution Date: November 11, 2019**

As Lead Agency, the City of Lafayette hereby provides a 20-day public review period for a Negative Declaration (ND) prepared pursuant to the California Environmental Quality Act (CEQA) for the following project:

PROJECT TITLE: LLR04-20 Happy Valley Oaks, LLC
FILE: LLR04-20

LOCATION: 4123 Happy Valley Rd, Lafayette, CA 94549
OWNER: Kris Leamy
REQUEST: Request for a Lot Line Revision to adjust the property lines between three undeveloped, unaddressed parcels on Happy Valley Rd in the Hillside Overlay District.

INITIAL STUDY DETERMINATION

An Initial Study was completed by staff in accordance with the California Environmental Quality Act (CEQA), as is available for review in the project file in the Planning Department at 3675 Mt. Diablo Boulevard, Suite 210 in the City of Lafayette from 8 am to 5 pm, Monday through Thursday or online at www.lovelafayette.org/CEQA. Based upon the Initial Study, insofar as the project involves a lot line adjustment between three undeveloped parcels, the **project will not have a significant effect on the environment** because the project as proposed will not have a significant impact to the environment.

COMMENTS

Comments may be filed with the City in response to the preparation of this Mitigated Negative Declaration, within 20-days review period beginning **Wednesday, November 11, 2020, and ending Tuesday December 1, 2020**, pursuant to section 15073 of the CEQA Guidelines. Responses received in writing on or before the date of review or verbally at the time of the review of this project will be considered along with the proposed Negative Declaration.

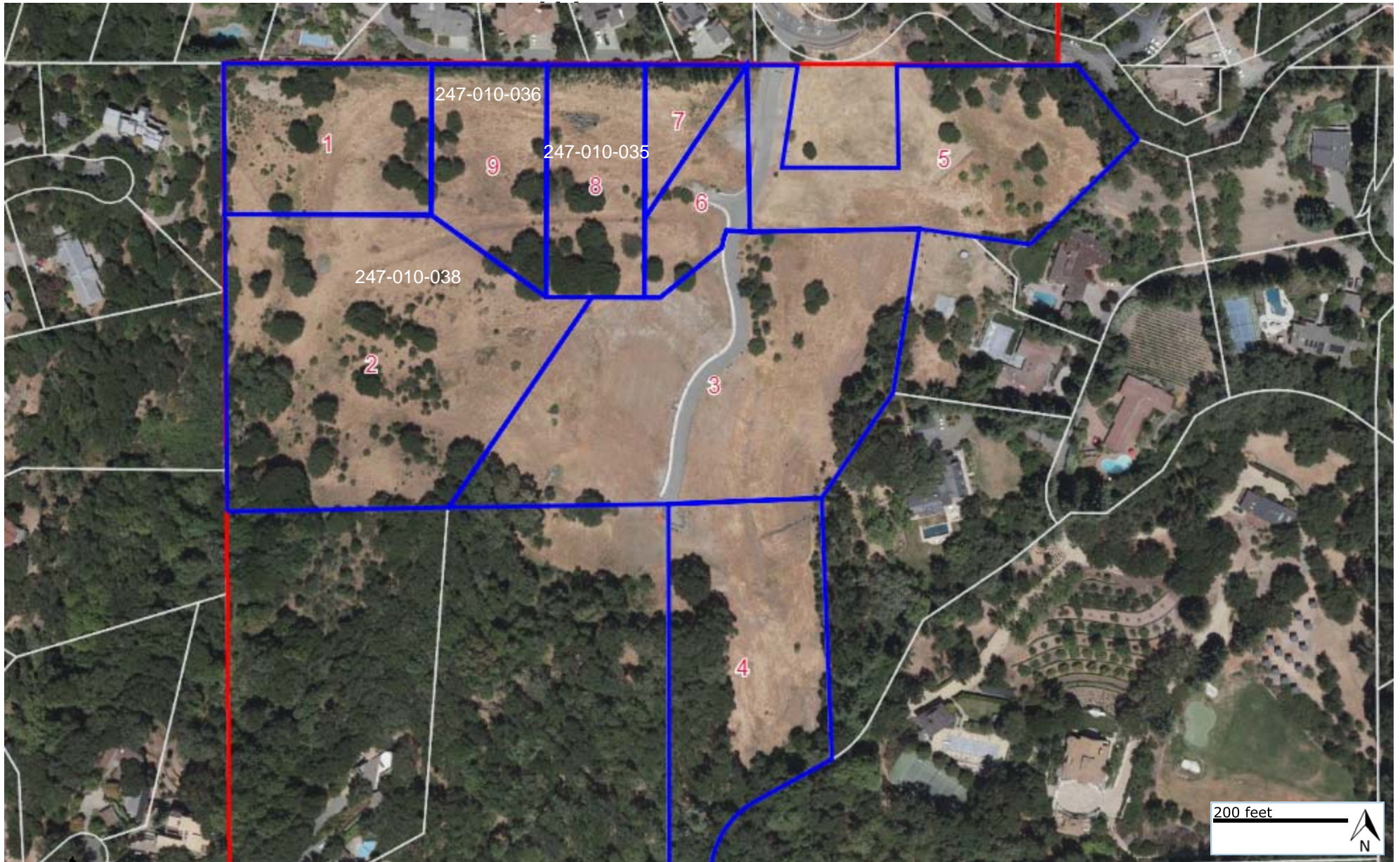
Lead Agency: City of Lafayette, Planning Department

Project Planner: Renata Robles, Associate Planner • (925) 299-3202 • rrobles@lovelafayette.org
3675 Mt. Diablo Boulevard, Suite 210, Lafayette, CA 94549

Renata Robles, Associate Planner

November 10, 2020

4123 Happy Valley Road





Planning Services Division
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CITY OF LAFAYETTE
INITIAL STUDY CHECKLIST FORM

INTRODUCTION

- 1. Title:**
LLR04-20 Robin and Kris Leamy
- 2. Lead Agency Name and Address:**
City of Lafayette, 3675 Mt. Diablo Boulevard, Suite 210, Lafayette, CA 94549
- 3. Contact Person and Phone Number:**
Renata Robles, Associate Planner, (925) 299-3202, rrobles@ci.lafayette.ca.us
- 4. Project Location:**
4123 Happy Valley Road, Lafayette, CA 94549
- 5. Applicant's Name and Address:**
Kris Leamy, 3569 Mt. Diablo Blvd, Lafayette, CA 94549
- 6. General Plan Land Use Designations:**
Low Density Single-Family Residential up to 2 dwelling units/acre
- 7. Zoning:**
R-40 Single-Family Residential District-minimum lot size 40,000 sq. ft.
- 8. Description of Project:**
LLR04-20 Happy Valley Oaks, LLC (Owner) R-40 Zoning: Request for a Lot Line Revision to adjust the property lines between three undeveloped, unaddressed parcels on Happy Valley Rd in the Hillside Overlay District.
- 9. Surrounding Land Uses and Setting:** *(Briefly describe the project's surroundings.)*
Single family residential zoning and buildings occur to the north, south, east, and west.
- 10. Other Required Approvals:** *(e.g., permits, financing approval, or participation agreement.)*
None

11. Have California Native American Tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

Assembly Bill (AB) 52, which took effect on July 1, 2015, amends CEQA and adds standards of significance that relate to Native American consultation and certain types of cultural resources. Projects subject to AB 52 are those that file a notice of preparation for an EIR or notice of intent to adopt a negative or mitigated negative declaration on or after July 1, 2015. As of July 1, 2016, the Governor's Office of Planning and Research (OPR) developed guidelines and the NAHC informed tribes which agencies are in their traditional area. In response to these guidelines, this Section VI, Tribal Cultural Resources, has been added as a stand-alone section to this Initial Study.

AB 52 requires the CEQA lead agency to begin consultation with a California Native American Tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if the Tribe requests in writing, to be informed by the lead agency through formal notification of the proposed projects in the area. The consultation is required before the determination of whether a negative declaration, mitigated negative declaration, or EIR is required. In addition, AB 52 includes time limits for certain responses regarding consultation. AB 52 also adds "tribal cultural resources" (TCR) to the specific cultural resources protected under CEQA.¹ CEQA Section 21084.3 has been added, which states that "public agencies shall, when feasible, avoid damaging effects to any tribal cultural resources." Information shared by tribes as a result of AB 52 consultation shall be documented in a confidential file, as necessary, and made part of a lead agencies administrative record. In response to AB 52, the City of Lafayette has not received any request from any Tribes in the geographic area with which it is traditionally and culturally affiliated with or otherwise to be notified about projects in the City of Lafayette.

¹ California Environmental Quality Act (CEQA) Statute, Section 21074.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Geology & Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology & Water Quality | <input type="checkbox"/> Land Use | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population & Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

Determination:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the City. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) will be prepared.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Printed Name

Title

ENVIRONMENTAL CHECKLIST

I. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				X
<i>All three parcels are located in the Hillside Overlay District; however, much of the project site is within a scenic easement that prohibits development within the protected area of the easement. No new structures are proposed to be built as part of this project, therefore, here will be no substantial adverse impact to the scenic vistas. (Source: HOD Map and General Plan Map I-5 Scenic View Corridors)</i>				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway?				X
<i>This project seeks to amend the lot line between three parcels, all of which will be compliant with the development standards as defined by the zoning standards, therefore no damage will occur. The existing scenic easement will be unaffected by this lot line adjustment. (Source: Aerial Maps)</i>				
c) In non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				X
<i>As previously mentioned, no construction is proposed as part of the project and a scenic easement protects most of the area affected by the adjustment; therefore no degrading of visual character will occur. (Source: Site Plans)</i>				
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?				X
<i>No construction or physical change to the properties will occur as part of the proposal; therefore no new light sources will affect views. (Source: Site Plans)</i>				

II. AGRICULTURE AND FORESTRY RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
<i>The site is not designated as important farmland as indicated on the local and regional farmland resources map. The project is not proposing to change the use of the site. (Source: CA State Farmland Map; Contra Costa County Farmland Map; Site Location Map)</i>				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
<i>All three parcels are zoned R-40 (Single-family Residential District) which allows residential uses such as home occupation, supportive care facilities, and small animal farms and is not zoned for agricultural use. There is no documentation of a contract in place to preserve this land as agricultural land or open space. (Source: City of Lafayette Zoning Map; R-40 zoning regulations)</i>				
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				X
<i>The site is not designated as farmland and is not near farmland. The existing area is zoned for and contains residential uses and will remain as such. (Source: Zoning Map; CA / Contra Costa Farmland Maps)</i>				
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
<i>The site is not currently zoned for forest land. The current zoning is R-40 and the proposal seeks to change the lot line between three existing residentially-zoned parcels. The site is not in a designated national or protected forested land and not adjacent to open space. The site is surrounded by existing residential development. (Source: Zoning Map; R-40 Zoning Regulations; CA Protected Forested Land Map)</i>				
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or of conversion of forest land to non-forest use?				X

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<i>The site is not currently zoned for farmland or forest land. The current zoning is R-40 for the three vacant parcels. There is no proposal for rezoning. (Source: Zoning Map; R-20 & R-40 Zoning Regulations; CA Protected Forested Land Map)</i>				

III. AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
<i>The proposal is to adjust the lot line between three parcels, which will not result in obstruction of the applicable air quality plans. No construction is proposed as part of the project. (Source: Site Plans; Bay Area Air Quality Management District)</i>				
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project area is in non-attainment under applicable federal or State ambient air quality standards.				X
<i>No construction is proposed as part of the project and therefore, the project will not result in cumulative considerable net increase of any criteria pollutants. (Source: Site Plans)</i>				
c) Expose sensitive receptors to substantial pollutant concentrations?				X
<i>No construction is proposed as part of this project and therefore, the project will not expose sensitive receptors to substantial pollutant concentrations. (Source: Site Plans)</i>				
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				X
<i>The proposed project is to change the lot line between three parcels, and will not result in any objectionable odors. (Source: Site Plans)</i>				

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
<i>The Project will have no adverse effect on any special status species. The project is located in an existing urbanized area and designated in the General Plan as low density residential. (Source: General Plan Map1-1 Land Use)</i>				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
<i>A creek runs on the western boundary of one parcel; however no physical change is proposed that would substantially impact a riparian habitat or other sensitive natural community identified. (Source: Site Plans)</i>				
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
<i>The project site is not in the vicinity of a federally protected wetland as defined by Section 404 and therefore will not have any impact on such sites. (Source: Site Plans; U.S Fish & Wildlife Service National Wetlands Inventory Map)</i>				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<i>As no physical change to the land is proposed, therefore, the project exercises full avoidance of impacts to the movements of wildlife. (Source: Site Plans)</i>				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
<i>The project will not be in conflict with any local policies or tree removal ordinances as no tree removal is proposed. (Source: Site Plans)</i>				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
<i>There are no adopted or approved local, regional, or state habitat conservation plans applicable to this project. The East Contra Costa County Habitat Conservation Plan does not include the project area. (Source:https://www.contracosta.ca.gov/depart/cd/water/HCP/archive/hcp_nccp_content/hcp_nccp/hcp_nccp_figs/fig1-1_inventory_area.pdf)</i>				

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5?				X
<i>Since the proposed project is a lot line adjustment, the project does not affect any of the registered landmarks (Source: City Council Landmark Resolutions # 36-76, 33-78 and 85-83)</i>				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
<i>The proposed project does not include construction of any structures or any excavation on the site and therefore, there will be no substantial adverse impact to the archaeological resources. (Source: Site Plans)</i>				
c) Disturb any human remains, including those interred outside of dedicated cemeteries?				X
<i>The site is not a known cemetery or location of human remains. Since no excavation or grading is proposed as part of this project, there will be no disturbance caused to any human remains on the site. (Source: General Plan Goal LU-22; State CEQA Guidelines Title 14, Chapter 3, Article 5, Section 15064.5)</i>				

VI. ENERGY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				X
<i>The proposed project does not include construction of any structures therefore there shall be no wasteful or unnecessary consumption of energy resources. (Site Plans).</i>				
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				
<i>In that there is no proposed state or local renewable energy or energy efficiency plans for the area. (California Energy Commission)</i>				

VII. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving: i) Strong seismic ground shaking? ii) Seismic-related ground failure, including liquefaction? iii) Landslides, mudslides or other similar hazards?				X
<i>The parcel is not located within a currently designated State of California Earthquake Fault Zone and no known faults are mapped on the site. The site has low liquefaction potential and an area of known slides. As no construction or physical changes are proposed as part of this project, there will be no landslide impacts to the project. (Source: ENGEO Incorporated Geotechnical Report USGS; General Plan Map VI-1)</i>				
b) Result in substantial soil erosion or the loss of topsoil?				X
<i>As no construction or physical changes to the land are proposed, no increase in soil erosion will occur. (Source: Site Plan)</i>				
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of				X

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				
<i>As no construction or physical changes to the land are proposed, no soil will become unstable. (Source: Site Plan)</i>				
d) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code, creating substantial direct or indirect risks to life or property?				X
<i>As no construction or physical changes to the land are proposed, no substantial risks to life or property will be created. (Source: Site Plan)</i>				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?				X
<i>Though no construction is proposed, the project site is within CCCSD's service area and sanitary sewer service is available. (Source: Central Sanitary District).</i>				
F) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?				
<i>In that the site is not a known location for unique paleontological resources or has a known unique geological feature. Since no excavation, grading, or construction is proposed as part of this project, there will be no disturbance caused to any paleontological resources. (Site Plan)</i>				

VIII. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?				X
<i>As no construction or change in land use is proposed, the project will not generate greenhouse gasses. (Source: Site Plans)</i>				
b) Conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?				X
<i>As no construction or grading is proposed, the project emissions will not exceed the BAAQMD thresholds for significance. (Source: Bay Area Air Quality Management District)</i>				

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				X
<i>The subject property is a legal lot of record that is zoned for residential use. The project is not proposing to grade or excavate dirt from the site. Since it is an undeveloped property and will remain vacant as part of the project, there is will be no transport of hazardous materials to and from this site as a result of this project. (Source: Project Description; Contra Costa Environmental Health Department)</i>				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
<i>All three parcels are zoned for residential use are vacant and not proposed to be developed as part of this application. Therefore, there is no reasonable foreseeable upset or cause for accidental release of hazardous materials into the environment (Source: Project Description; Activity Classification)</i>				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?				X

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<i>The project is not proposing to grade or excavate dirt from the site. Since it is an undeveloped property and will remain vacant as part of the project, there is will be no emissions of hazardous materials within one-quarter mile of an existing or proposed school. (Source: Project Description; Contra Costa Environmental Health Department)</i>				
d) Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?				X
<i>The site is not located on a documented hazardous materials site. (Source: CA Department of Toxic Substance Control - Hazardous Waste and Substances Site List)</i>				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X
<i>The site is not located near an airport. (Source: Aerial Maps)</i>				
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
<i>The project is in residential zoning, no changes are proposed, and will not block entrance or exit to the City, nor would it block an emergency evacuation route. (Source: Safety Element of the General Plan pg. VI-14; Emergency Operations Plan)</i>				
g) Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires.				X
<i>The project in located in an existing developed area not intermixed with wildlands and will not increase fire risk in this high fire zone. (Source: Areal Maps)</i>				

X. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?				X

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<i>The project will not violate water quality standards since no construction or grading is proposed by this project. (Source: Site Plans)</i>				
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				X
<i>The project is not taking new groundwater as it could be served by existing supply of water from the East Bay Municipal Utility District if any construction was proposed. (Source: East Bay MUD Service Area; Aerial Maps)</i>				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would; <ul style="list-style-type: none"> i. Result in substantial erosion or situation on-or offsite; ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or offsite; iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv. Impede or redirect flood flow? 				X
<i>The project proposes no physical changes and will not alter drainage patterns, create runoff, or create erosion.</i>				
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
<i>The area does not contain threat of seiche, tsunami or mudflow due to location, weather patterns, and geography. (Sources: Location Maps; Site Plans)</i>				
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<i>The project proposes no construction and will not create runoff. (Source: Site Plans)</i>				

XI. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Physically divide an established community?				X
<i>No construction is proposed, the project is not a road, freeway, wall, or other element that would physically divide the community. (Source: Project Description; Aerial Maps)</i>				
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X
<i>The project meets the zoning requirements of the General Plan and Zoning Ordinance as both parcels are legal lots of record, designated as low density residential R-40. Single-family housing is permitted and an expected use regardless of an average slope over 20% on the vacant parcel. No construction is proposed with this application. (Source: R-40 Zoning Regulations; General Plan Map I-3)</i>				

XII. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
<i>There are no known mineral resources on the site. (Source: Lafayette General Plan; ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/OFR_96-03)</i>				
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
<i>There is no known mineral recovery sites described in the General Plan or local Specific Plans. (Source: Lafayette General Plan; Specific Plan; ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/OFR_96-03)</i>				

XIII. NOISE

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
<i>Noise levels are expected to be similar to other parcels in the area. As no construction is proposed, no additional noise will be created. (Source: Site Plans; Noise Ordinance)</i>				
b) Generation of excessive groundborne vibration or ground borne noise levels?				X
<i>As no construction or grading is proposed by this project, no additional noise will be created. (Source: Site Plans; Noise Ordinance)</i>				
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
<i>The project is not located within the vicinity of an airport. (Source: Location Maps)</i>				

XIV. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<i>The proposed project is changing the lot line between three parcels that are currently zoned for residential use; no changes to the use are proposed at this time. Therefore, this lot line is not a growth inducing project. (Source: Project Plans)</i>				
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X
<i>The project proposes no changes to land use, does not reduce the number of parcels, and no demolition, therefor no existing housing will be displaced. (Source: Project Plans)</i>				

XV. PUBLIC SERVICES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services including; <ul style="list-style-type: none"> • Fire protection? • Police protection? • Schools? • Parks? • Other public facilities? 				X
<i>The project site is served by existing services, public facilities, and infrastructure and no new construction is proposed in this lot line adjustment. (Source: Context Map)</i>				

XVI. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
<i>The three parcels are zoned single family residential and the project does not propose a change in use or new construction, therefore it will not increase use of existing services, public facilities, and infrastructure. (Source: Context Map)</i>				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
<i>The project does not include and will not require the expansion of recreational facilities as no change in use is proposed. (Source: Project description)</i>				

XVII. TRANSPORTATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit roadways, bicycle and pedestrian facilities?				X
<i>The area's streets, land use planning, and zoning were planned and in place to accommodate the City's ultimate build-out, though no construction is proposed through this project. (Source: General Plan; Project Description)</i>				
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)?				X
<i>Not applicable as the project site is not in a congestion management program. (Source: General Plan)</i>				
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
<i>As no changes to the road or land use are proposed, there will be no increase in hazards from design features or incompatible uses. (Source: Project Plan)</i>				

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
d) Result in inadequate emergency access?				X
<i>The project proposes no changes to the road and meets the requirements for emergency access. There is no construction plan for the vacant parcel with this application. (Source: Project Plans)</i>				

XVII. TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Would the project cause a substantial adverse change in significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: <ul style="list-style-type: none"> i. Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1 (k) or ii. A resource determined by the lead agency in its discretion and supported by substantial evidence to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1 the lead agency shall consider the significance of the resource to a California Native American tribe. 				X
<i>There are no California Native American Tribes that have requested notification of the City's CEQA documents. The site is not listed on the historical resource register and is not a local historical resource. There are no known resources at the site; however if resources are discovered an archeologist would be called in to evaluate the resources. (Source: Lafayette General Plan; General Plan Goal LU-22)</i>				

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?				X
<i>The project will not require or result new facilities that might cause significant environmental effects as no construction is proposed. (Source: Project Plans)</i>				
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X
<i>No expanded entitlements would be required as no new construction is proposed. (Source: EBMUD Service Area Map https://www.ebmud.com/about-ebmud/our-story/service-area-map)</i>				
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
<i>No construction is proposed by this project and will therefore not exceed capacity of the wastewater treatment plant. (Source: Project Description)</i>				
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				X
<i>Lafayette is served by Contra Costa County Solid Waste Authority and Keller landfill has sufficient capacity to serve any development of the project site as zoned single family residential, though no development is proposed by this lot line adjustment. (Source: Solid Waste Authority Service Area Map http://www.wastediversion.org/app_pages/view/243)</i>				
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				X
<i>No waste will be produced by this project as no construction or grading is proposed. (Source: Project Description)</i>				

XX. WILDFIRE

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
<i>In that no construction is proposed as part of this application that will obstruct or impair an adopted emergency response plan. (Site Plan; General Plan, Goal S-4, Program S-4.1.5; City of Lafayette Emergency Operations Plan)</i>				
b) Due to slope, prevailing winds, and other factors exacerbate wildlife risks and thereby expose project occupants to pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?				X
<i>In that no construction is proposed as part of this application. All parcels are in a high fire zone; however the proposed project will not increase the risk of wildfire than already exists. (Site Plan; Aerials)</i>				
c) Require the installation of maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
<i>In that the project is for a lot line revision between undeveloped parcels. No construction is proposed as part of the application. (Site Plans)</i>				
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability or drainage changes?				
<i>In that the proposed project is a lot line revision between three parcels. No construction or grading is proposed as part of this application and there is no significant slope on either parcel that would help to create a significant risk to persons or structures. (Site Plans)</i>				

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
<p>a) Does the project have the potential to substantially degrade the quality of the environment substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustainable levels, threatened to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>				
<p><i>The project will not degrade the quality of the environment, cause wildlife population to drop, threaten plant or animal communities, reduce the number of threatened species, or eliminate important historical resources as no construction or physical changes to the land are proposed. (Source: Project Plans)</i></p>				
<p>b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</p>				X
<p><i>The project will not have limited or cumulatively considerable impacts as no changes in land use or zoning and no construction or grading is proposed by this lot line revision. (Source: Project Description)</i></p>				
<p>c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>				X
<p><i>The project will not have environmental effects or cause substantial adverse effects on human beings as no changes to land use or construction are proposed. (Source: Project Description)</i></p>				

ENVIRONMENTAL CHECKLIST SUPPORTING SOURCES

1. Acalanes School District
2. Aerial Photographs
3. Association of Bay Area Governments (ABAG), Projections 2005
4. Bay Area Air Quality Management District
5. California Air Resources Board
6. California Department of Transportation, District 4
7. California Environmental Protection Agency, Hazardous Waste and Substance Sites List
8. Caltrans Highway Design Manual
9. Caltrans Traffic Manual
10. Central Contra Costa County Sanitary District, correspondence dated
11. City of Lafayette Emergency Operations Plan
12. City of Lafayette Engineering Division
13. City of Lafayette General Plan
14. City of Lafayette Grading Ordinance
15. City of Lafayette Municipal Code
16. City of Lafayette Noise Ordinance
17. City of Lafayette Parks and Recreation Department
18. City of Lafayette Planning and Building Services Division
19. City of Lafayette Police Department
20. City of Lafayette Standard Specifications
21. City of Lafayette Transportation Division
22. City of Lafayette Tree Protection Ordinance
23. City of Lafayette Zoning Map
24. City of Lafayette Zoning Ordinance
25. Contra Costa County
26. Contra Costa County Clean Water Program/Stormwater Management Plan
27. Contra Costa County Congestion Management Plan
28. Contra Costa County Fire Protection District, correspondence dated
29. Contra Costa County Flood Control District
30. Contra Costa County Solid Waste Authority
31. Contra Costa Important Farmland 2000
32. Contra Costa Water District
33. Database for Lafayette General Plan, dated May 1992
34. Department of Fish and Game, Natural Diversity Database Maps and Reports
35. Earlier Analysis
36. East Bay Municipal Utility District, correspondence dated
37. Experience with Other Projects of this Size and Nature
38. Federal Emergency Management Agency, Flood Insurance Program
39. Field Inspection / Investigation
40. Final EIR for Lafayette General Plan Revision, dated July 2002

41. Lafayette School District
42. Lamorinda Building Inspection Office
43. Planner's Knowledge of Area
44. Project Description / Application Information
45. Project Plans
46. State Archaeological Clearinghouse, Sonoma State University
47. State of California, Special Studies Zones (Revised Official Map)
48. Uniform Building Codes and Appendices (as adopted by the City)
49. USDA-SCS, "Soils of Contra Costa County"
50. Utility and Service Providers
51. Archaeological Reconnaissance
52. Geologic Report

NOTE: Not all sources identified in this list may be applicable to the subject project; refer to environmental checklist for reference. Supporting sources are available under separate cover and/or available for review in the Planning Services Division.