CONTRA COSTA COUNTY PLANNING COMMISSION
TUESDAY, OCTOBER 18, 2011

SUFISM REORIENTED RELIGIOUS SANCTUARY

I. INTRODUCTION

SUFISM REORIENTED (Owner and Applicant), County Files LP08-2034 and MS09-0008: Applicant requests approval of a Land Use Permit AND Minor Subdivision as follows:

Land Use Permit # LP08-2034: This is a request for a Land Use Permit to allow construction of a new sanctuary on approximately 3.12 acres. The proposed project includes: (1) a 66,074 square foot sanctuary building that includes a prayer hall, administrative offices, a library, classroom, archives, art and music program space, and related ancillary uses. Approximately 46,074 square feet of the building would be located below ground, including the administrative offices, bookstore, art studio, art storage, chorus rehearsal, video and audio production, music mixing and scoring, reception area, multi-purpose room, film/video and photo library, a music, drama, and dance studio, a coat room, women's and men's restrooms, and a kitchen. The 46,074 square feet includes approximately 13,800 square feet as open areas referenced as a rotunda, plaza, and east and west galleries (hallway) and a grand staircase; (2) a request for parking reduction based on a Transportation Demand Management Program (TDM) which includes the promotion of carpool, shuttle service, pedestrian and secure bicycle parking; (3) the removal of approximately 58 trees and the planting of at least 165 new trees; (4) the excavation and removal of soil (approximately 40,000 cubic yards of soil) an estimated 3,300 truck load of soil to be exported; and (5) demolition of three existing single family residences.

Minor Subdivision # MS09-0008: The applicant requests approval of a minor subdivision for the merging of seven (7) lots into one (1) parcel to create approximately 3.12 acres. The project addresses are 11 White Horse Ct., 1354, 1360, 1364, 1366, and 1384 Boulevard Way within the unincorporated (Saranap) Walnut Creek area of Contra Costa County [Zoning: Single Family Residential, 10,000 square foot minimum parcels (R-10); (General Plan: Single Family Residential High Density (SH), (Census Tract: 3410.00) (Parcel Nos. 184-450-006, 007, 012, 031, 032, 033, 034) (Zoning Atlas page:N-13)]

II. RECOMMENDATION

Staff recommends that the County Planning Commission take the following actions:

A. ACCEPT the recommendation from the County Zoning Administrator regarding the adequacy and completeness of the Final Environmental Impact Report (Final EIR).

B. CERTIFY the Final Environmental Impact Report ("Final EIR") dated September 2011, finding it to be adequate and complete, finding that it has been prepared in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines, and finding that it reflects the County's independent judgment and analysis, and specify that the Community Development Division (located at 651 Pine Street, Martinez, CA) is the custodian of the documents and other material which constitutes the record of proceedings upon which this decision is based.

C. CERTIFY the contents of the Final EIR and that the information was reviewed and considered prior to making a decision on the project.

D. ADOPT CEQA findings that address environmental impacts and mitigation measures, and that adopt a Mitigation Monitoring and Reporting Program. (Exhibit A)

E. APPROVE the minor subdivision, County File #MS09-0008 and the land use permit, County File #LP08-2034 with a minor modification to Project Variant B, based on the CEQA Findings, Growth Management Standards and Land Use permit findings and subject to the attached conditions of approval (Exhibit B).

F. APPROVE the Final Transportation Demand Management Program (TDM) as set forth in the conditions of approval.

G. DIRECT staff to file a Notice of Determination with the County Clerk.

III. PROJECT BACKGROUND

The project sponsor has proposed to develop a religious facility (sanctuary building) on approximately 3.12 acres in the Saranap neighborhood of unincorporated Walnut Creek. The applicant is Sufism Reoriented, a non-profit religious corporation recognized by the State of California and the Federal government.

The proposed 66,074 square foot sanctuary building includes a prayer hall, administrative offices, a library/bookstore, classroom and art program space, and related ancillary uses. Approximately 46,074 square feet of the building would be located below ground, including the administrative offices, a library/bookstore, classroom, and art program space. A list of each space and the respective square footage is located on page 5 of the Transportation Demand Management Plan (Exhibit C).

The project site would be further developed with a plaza, parking area, and landscaping. Sufism Reoriented's current sanctuary is located at 1300 Boulevard Way. If this project is approved and the new sanctuary building is constructed, Sufism Reoriented would cease its use of 1300 Boulevard Way, selling or leasing that property to another unknown user.

The new Sufism Reoriented Sanctuary will contain a concourse level, mechanical mezzanine plan, and ground level floor plans. The parsonage residence will remain and three existing single family homes that either are renter occupied or vacant will be demolished.

The concourse level which is below ground will be approximately (46,074 square feet) and consist of office space, a square foot bookstore and storage, consortium rehearsal, storage and Art Studio, video posting, music scoring, reception area, multi-purpose room, film video and photo library, a music, drama and dance studio, a coat room, women and men restrooms, and a kitchen. In addition, approximately 13,800 square feet are open areas referenced as a rotunda, plaza, and east and west galleries (hallway), a grand staircase.

The mechanical mezzanine is concrete and above the concourse level and will contain the equipment for the building elevator, heating, ventilation and air conditioning system. No part of this space will be useable space for activities.

The ground level will be approximately (20,000 square feet) and is proposed for the Prayer Hall, art vault, library, and archives display, (3) three areas designated for prayer hall storage space, classroom and classroom storage space and the Murshida's Office (spiritual leader). Below is page 5 from the Transportation Demand Management Plan which describes the uses and square footage.

SUFISM REORIENTED
TRANSPORTATION DEMAND MANAGEMENT PLAN
PAGE 5

a. **Prayer Hall**
The 5,000 square-foot prayer hall would have a capacity of 400 people and include a backstage area with storage for items, such as chairs and video equipment. The prayer hall would be used for worship and devotional gatherings, chorus rehearsals and occasional larger celebrations.

b. **Library**
The 2,656 square feet of library space includes book, film and audio storage for reference and in use in productions. The ground floor library would be used to read transcripts of classes and listen to CDs or watch DVDs of classes.

c. **Classroom**
The classroom space, 1, 065 square feet, would be used for small class meetings.

d. **Offices**
This 3,095 square-foot area would be used regularly by Sanctuary staff and participants working on craft or computer projects.

e. **Murshida**
This 1,079 square-foot main office would be used for work and to meet with students.

f. **Plaza**
This 9,100 square-foot area would be used for large group dining often followed by live dramatic and musical skits.

g. **Video and Audio Rooms**
This area that comprises a total of 2,750 square feet would be used to shoot videos, edit videos, mix recordings and attach sound track.

h. **Dance and Drama Studio**
This 2,200 square-foot area would be used for drama, dance and music rehearsals and classes.

i. **Searchlight Bookstore**
The 1450 square-foot bookstore would be open to the public Tuesday nights and Saturday and Sunday during the day.

Please refer to Figure 3 to view the site plan of the proposed Sanctuary site.

This is a hearing on the proposed Sufism Reoriented "New Sanctuary" project. The land use permit was submitted on July 3, 2008 and the minor subdivision for the merging of lots to create one parcel was submitted on June 15, 2009. Due to the submittal of over 3,000 letters from those who opposed and supported the project, the County Zoning Administrator elected to refer the projects to the planning commission for hearing, consideration and initial decision. The letters and petitions can be located on the County website at the following link:

http://www.cccounty.us/DocumentCenterii.aspx?FID=621

On October 3, 2011, the Zoning Administrator at a public hearing recommended the County Planning Commission certify the Environmental Impact Report (EIR) along with a chart added to Volume I listing the changes from the Draft EIR in the Final EIR.. Exhibit G includes two letters received requesting the Zoning Administrator to not certify the EIR and a transcript of other oral comments provided.

IV. GENERAL INFORMATION

A. **General Plan**: The property is currently designated SH (Single- Family Residential High Density) under the Land Use Element Map to the Contra Costa County General Plan (2005-2020).

B. **Zoning**: The sites are zoned R-10 (Single-Family Residential, 10,000 square feet minimum parcel sizes).

C. **CEQA Status**: The Department of Conservation and Development determined that an EIR was required for the project and distributed a Notice of Preparation ("NOP") on March 9, 2010. The Draft EIR was released for public review on March 29, 2011. The initial comment period was scheduled for 45 days ending on May 13, 2011. A public hearing before the Zoning Administrator to receive comments on the Draft EIR was held

on April 18, 2011. During the public hearing several members of the public requested an extension of the time. On April 26, 2011, the Department distributed a revised notice extending the period to receive comments to May 27, 2011.

The Final EIR was published and distributed in September of 2011. The EIR identified potentially significant environmental impacts that would occur if the project was implemented and recommended mitigation measures that would reduce all of the potentially significant impacts to less than significant levels. All mitigation measures are included within the Mitigation Monitoring and Reporting Plan attached to the CEQA findings, which describes the timing and responsibility for monitoring compliance with all mitigation measures. All mitigation measures are included in the conditions of approval. (Exhibit B)

D. **Surrounding Land Use and Settings**: The subject parcels are surrounded by single family and multiple family developments to the north. The multi family development directly abutting the subject parcels is a 36- unit apartment building. To the south is predominantly single-family residential development. To the east, is a mix of uses consisting of single family homes, the existing Sufism Reoriented worship facility, and various commercial developments leading into the City of Walnut Creek. To the west, is additional single family residential development leading into the City of Lafayette. The neighborhood is predominantly an established neighborhood within the Saranap community, and has mature trees and fully grown vegetation.

E. **Existing Site Description**: The subject land is relatively flat topographically with a slight two and half percent grade gently descending from the east towards the northwest and fronts on Boulevard Way. The project involves seven (7) parcels. Parcel 184-450-032 contains a single family residence referred to as the parsonage that will remain. Parcels 184-450-007, 012, and 006 also contain single family residences that are either renter-occupied or vacant. Currently, access to the parsonage is either by White Horse Court to Boulevard Way or by a private access easement to Warren Road. All other parcels are accessed via Boulevard Way. In addition to the residential development the parcels contain mature trees, a grass lawn and concrete paving for vehicular parking.

F. **Regulatory Programs**:

1. Flood Hazards: This project is within Flood Zone X. The project site is considered not within a flood hazard and will not be required to comply with the Floodplain Management Ordinance prior to the issuance of building permits.

2. Active Fault Zone: The project is not within the Alquist Priolo Zone. No faults cross the property. The nearest active Concord fault is mapped approximately 5 miles northeast of the site. The active Hayward fault is approximately 8 miles southwest of the site and the non-active Calaveras fault line is north of the Town of Danville.

3. Noise Hazards: The project sites range from less than 50 dBA to 63 dBA (noise levels) according to the noise contours within the County General Plan for the Walnut Creek area and the noise study. The highest range is due to vehicular traffic. The long term effect of the sanctuary would not increase the noise level beyond an unacceptable level however the construction related noise and vibration activity such as the construction activity used to excavate soil will be mitigated as identified under NOI-4.10-1 and 4.10-2 on page 4.10-11 and 12 of the Draft EIR.

4. Previous Applications:

The previous applications on various parcels consisted of the following:

A. MS020007: This application was approved on July 21, 2003 for a Vesting Tentative Map to subdivide approximately .67 acres into two parcels on parcel 184-450-007.

B. LL020009: This application was a request for a lot line adjustment that was submitted in error and subsequently withdrawn by the applicant for parcel 184-450-007.

C. TP030034: This application was approved on October 4, 2003 for the removal of 1 Elm Tree with a trunk size of 36-inches in diameter on parcel 184-450-007.

D. ZI 87-35: This application was a zoning violation in 1987 for the removal of inoperable vehicles and rubbish on site.

E. ZI 8610: This was approval of cleanup and remediation associated with a request for the Ultramar clean fuels project, Phase II, approved on April 23, 2002.

F. VR011013: This application for an 8-foot wall with a variance to the front property line was withdrawn on August 16, 2001.

G. SD978125: This application was for the removal of 6 trees and the development of an 8 lot residential subdivision involving 1360 and

1364 Boulevard Way. This application was withdrawn in 1998.

H. TP010008: This application was approved on March 20, 2001 for the removal of 1 tree near a fence on a vacant lot for parcel 184-450-029.

I. MS990005: This application was withdrawn on February 7, 2000 for the subdivision of approximately 1.34 acres into 3 parcels.

J. LL990006: A lot line adjustment was approved between parcels 184-450-013, 019, & 027 on April 13, 1999.

K. VR001088: This application was approved on February 16, 2001 for an 8 foot fence (concrete) with a 0-foot setback.

L. TP000008: This application was approved on May 4, 2000 for the removal of a Ash Tree 18" in diameter and denied for a 20" Oak on parcel 184-450-028.

V. PROPOSED PROJECT

The proposed New Sanctuary consists of the following components:

A. **Height:** The sanctuary would be located partially underground. The portion of the building which is visible at grade will be 35-feet in height from original grade and 33.5-feet in height from finished grade to the top of the proposed main (center) dome and approximately 20-feet from ground to the smaller domes.

B. **Construction and Grading:** Approximately two-thirds (46,074 square feet) of the building is proposed to be constructed underground. Extensive soil excavation will be required. An estimated 3,310 truck loads of soil are expected to be exported from the site (approximately 40,000 cubic yards of soil). The project proposes no pile driving activity. Excavation on the site would occur to a depth of approximately 18- feet on the east side and 23-feet on the west side. It is anticipated that excavation will take approximately 6 to 8 weeks and approximately 16 to 18 months to complete the entire project. The haul route would transport soils via Boulevard Way to State Route 24 and I-680 and on to the Acme Landfill in Martinez.

C. **Parcels of Land:** The Sufism Reoriented Sanctuary will merge (7) seven lots into (1) parcel of land for a combined acreage of approximately 3.12 acres.

D. **Design**: The Sanctuary will include 13 (thirteen) circular domes. (12 small domes will be constructed around 1 larger dome) with a height ranging from approximately 20- feet from grade to the top of the small domes and a maximum of 35-feet from grade to the

top of the larger dome. The color scheme is proposed to be an off- white color palette with a lot of natural light provided by skylights.

E. **Aesthetics:** The proposed "new sanctuary" architecture reflects the spiritual value of Sufism Reoriented with the emphasis on spaciousness, light, and openness as well as a sacred place of worship. The proposed architectural design is unique. It is circular in shape with 12 small and medium domes will be constructed around 1 larger dome. The architecture reflects the symbolic imitation of planets in the solar system.

F. **Transportation Demand Management (TDM) and Parking:** The County Code would require 125 parking spaces if there were no TDM program. The project sponsor proposes to construct 74 parking spaces and implement the TDM program to reduce the number of automobile trips to the project site. Sixty (60) parking spaces for general use will be a pervious grass surface and eleven (11) spaces will be a pervious concrete and the remaining (3) spaces are reserved for the parsonage. In lieu of the 51 additional spaces required and as part of the program, the project sponsor proposes members walking, bicycling, public transit, carpool, and a remote lot shuttle service as alternative modes of transportation to reduce to the number of vehicles on project site and number of vehicle trips.

G. **Landscaping and Circulation:** At the entrance the project sponsor proposes a marble plaza with a reflection pool with sidewalks made of permeable pavers that would circle the sanctuary. The replacement landscaping plan will consist of drought tolerant plants and trees after the removal of 58 trees with the replacement of 165. In addition, a six foot high perimeter wall will be constructed around the property boundaries.

H. **Size**: The proposed 66,074 square foot "new sanctuary" is to accommodate the activities of the members in one facility. Currently various activities and preparation of such activities take place in the private homes of the members. Having one facility for all activities and preparation on the same grounds as the Murshida (spiritual leader) parsonage is the primary objective of the project sponsor. Below is the list of programs from Table 3-1 of the EIR that are likely to occur.

Table 3-1 Program of Activities

Use/Activity	Time of Year	Day(s)	Time	Participants (Estimate)
Night Classes	October – June	Friday	8:00 PM to 9:30 PM	357
Annual Celebration	4 days total in the month of March	Friday - Monday	Fri: 8:00 PM to 10:00 PM Sat: 8:00 PM to 10:30 PM Sun: 2:00 PM to 5:00 PM Mon: 8:00 PM to 9:00 PM	200-400
Rehearsals for Annual Celebration	February and March	Every day	Weekdays: 8:00 PM to 10:00 PM Weekends: 9:00 AM to 5:00 PM	100
Devotional Gatherings	October – June	Sunday	8:00 PM to 9:00 PM	200-250
Taverns[b]	5 days total between October and June	Thursday - Monday	6:30 PM to 10:00 PM	175
Ancillary Activities: Administration, cleaning, landscaping, day classes, bookstore	Year-round	Every day	9:00 AM to 6:00 PM	25
Review Classes	October-June	Thursday	8:00 PM to 9:00 PM	30-50
Chorus Rehearsals	October-June	Wednesday	8:00 PM to 9:00 PM	70

[b] "Taverns" is a cabaret style dinner and musical drama performance for members. Taverns are not concurrent with any other use. Friday Night Classes and Sunday Devotional Gatherings are suspended when Taverns take place.

Source: Sufism Reoriented, 2009.

Letters Received Prior to Application Process

In summary, the majority of the opposition letters received prior to processing the above applications were concerned with the scale of the sanctuary in comparison to a 350 membership count; the style of architecture, soil movement and instability, removal of mature trees to maintain wildlife habitats, the reduced parking spaces yielding only 59.2 percent of the total requirement, the removal of residence, the feasibility of the TDM plan when in inclement weather, the decline of the request to install story poles, the flow of water on adjacent property and into Las Trampas Creek, widening of the private road to the parsonage, no sidewalks and narrow streets, excess traffic and vehicular speeds, and visual impact of the Saranap semi-rural character. While there are other comments the above were the most commonly expressed oral and written comments.

The majority of the concerns listed above were discussed within the Final Environmental Impact Report with the exception of the request for story poles. The County does not have an Ordinance which requires the installation of story poles. As the Final EIR explains, the photo

simulations prepared by the County's sub-consultant was sufficient to provide an adequate analysis of aesthetic impacts.
The comments related to soil stability were discussed in Chapter 4.5, page 4.5-1 (Geology and Soils) of the Draft EIR. Appendix I consists of the Geotechnical Engineering Investigation report and foundation recommendations. The flow of water was discussed in Chapter 4.8 (Hydrology and Water Quality) page 4.8-1, this section describes surface waters and groundwater resources. Streets and sidewalks were addressed in Chapter 4.13 (Traffic and Circulation) p. 4.13-1 of the Draft EIR. All potentially significant impacts were mitigated and can be found in the Mitigation Monitoring Reporting Program. (Exhibit A)

In reference to the style of architecture and scale of the sanctuary, the architecture is an expression of Sufism Reoriented spiritual values and beliefs with emphasis on space, both physical and solar. A large portion approximately 13,800 square feet of the 46, 074 square feet is dedicated to hallway space, a rotunda, and a grand staircase and the remaining square footage is dedicated toward the expression of religion through dance, music, and performances.

In April of 2009, the environmental review for the project was started and resulted in the preparation of an Environmental Impact Report (EIR). The treatment of Boulevard Way has been the subject of many discussions between the County and the applicant. The Draft EIR evaluates two "Project Variants" [A (applicant) and B (public works)] which differ mainly in terms of improvements to the Boulevard Way right-of-way frontage. Project Variant B with a modification to eliminate a crosswalk is the recommendation of the Public Works Department and included within the conditions of approval.

The key differences are shown below on Table 3-2, (page 3-9 of the Final EIR, Volume I-Revised Draft EIR).

Table 3-2 Project Variants: Key Differences

	Existing Conditions	Project Variant A	Project Variant B
Width of Boulevard Way eastbound lane	12 feet	12 feet	17 feet (12 feet plus 5 foot shoulder)
Traffic Control at Blvd./Kinney/Garden	Stop sign at Kinney Road and Garden Court	No change	No change
Cross walks for pedestrians	None	None proposed by applicant– but required in Boulevard Way per Mitigation Measure 4.13-1.	New crosswalk across Boulevard Way, somewhere between Garden Court and Molly Way (location TBD)
Sidewalk Pedestrian Improvements	None	None proposed – but required along Boulevard Way frontage per **Mitigation Measure 4.13-1.**	Yes –along Boulevard Way frontage
Utility undergrounding and street lighting	Utilities above ground, no street lights along project frontage	None proposed	Utilities relocated to accommodate frontage improvements ~~undergrounded~~, new streetlights installed per County standards.
Sight-distance setback	None	None proposed, but required per **Mitigation Measure 4.13-2.**	Yes
Bus Pullout	None	Yes ~~None~~	Yes

Source: Circlepoint, 2011.

VI. AGENCY COMMENTS or CONSULTATIONS

The Department of Conservation and Development received comments from a very large number of members of the community (public) and various local and county agencies prior to the preparation of the EIR (Environmental Impact Report) and at the beginning stages of processing the land use and minor subdivision applications. Approximately 3,296 letters

letters of support and 566 were letters of opposition. No comments were received from the Parkmead Community Association.

On April 21, 2009, the Saranap Community Association (SCA) provided a letter stating that the letter (dated July 31, 2008) regarding the Project did not reflect the usual process followed by the Association to evaluate and discuss projects and was not authorized by the Association as a whole. In addition, the Association requested to reserve its comments and recommendation until the distribution of the Draft EIR. The comments provided by the Association during the distribution of the Draft EIR are referenced as Letter 73 on page 3-365 of the Final EIR.

On July 9, 2011, the SCA provided a letter in support of the Project. The Association raised two concerns as follows:

- Boulevard Way-Kinney Drive intersection: The Association oppose any changes to encourage speeding along either Boulevard Way or Kinney Drive and widening of Blvd. Way without stop signs.

- Pedestrian safety: The Association believes adding one or more crosswalks would not only make the area safer but more pedestrian and bicycle friendly.

Correspondence was received in response to the NOP (Notice of Preparation) filed on March 9, 2010, and the Draft EIR released with a Notice of Completion and Availability on March 29, 2011. The initial comment period was scheduled for 45 days ending on May 13, 2011 then extended to May 27, 2011 All correspondence received during the 59- day public comment period for the Draft EIR and all of the responses to those comments are included in the Final EIR dated September 2011. The NOP and Notice of Completion have also been attached as Exhibit E.

VII. SUMMARY OF ENVIRONMENTAL IMPACTS

The Draft EIR identified environmental impacts which would occur if the new sanctuary project was implemented. Potentially significant impacts mitigated to less than significant were identified in the following Draft EIR areas: Aesthetics, Air Quality, Geology and Soils, Hydrology and Water Quality, Noise, and Transportation and Traffic and Cumulative Impacts.

Aesthetics: discussed in detail in Draft EIR Section 4.1 (page 4.1-16) and in the Final EIR. The project would result in the potential for substantial nighttime lighting which could adversely affect nighttime views. All potentially significant impacts can be mitigated to a less-than-significant level.

Air Quality: discussed in detail in Draft EIR Section 4.2 (page 4.2-14) and in the Final EIR. The project construction would result in emission of particulate matter in the form

of dust and create objectionable odors affecting a substantial number of people. All potentially significant impacts can be mitigated to less than significant.

Biological Resources: discussed in detail in Draft EIR Section (page 4.3 -17) A potential purchase of neighboring property would trigger a County Fire Protection District requirement to widen the secondary road access to the project site from Warren Road. In addition, the removal of trees could have an adverse effect on special status species. All potentially significant impacts can be mitigated to less-than-significant.

Cultural Resources: discussed in detail in Draft EIR section 4.4 (page 4.4-9) Demolition of existing structures and/or construction activities could inadvertently uncover human remains or damage previously unidentified historical resources. All potentially significant impacts can be mitigated to less-than-significant impacts.

Geology and Soils: discussed in detail in Draft EIR Section 4.5 (page 4.5-11) The proposed Project variants could expose people and structures to potential adverse effects to seismic ground shaking, soil erosion or be located on expansive soils, soil instability on site and adjacent properties. All potentially significant impacts can be mitigated to less-than-significant levels.

Hazards and Hazardous Materials: discussed in detail in Draft EIR Section 4.7 (page 4.7-8) Demolition of existing structures on the site could result in release of lead, asbestos and other contaminants. All potentially significant impacts can be mitigated to less-than-significant levels.

Hydrology and Water Quality: discussed in detail in Draft EIR Section 4.8 (page 4.8-14) and the Final EIR Improvements could impact storm water flow and construction could contribute sediment to Las Trampas Creek affecting water quality. All potentially significant impacts can be mitigated to less-than-significant levels.

Noise: discussed in detail in Draft EIR Section 4.10 (page 4.10-11) construction activity could generate a temporary increase in noise. Construction and operational activities could temporarily expose persons or structures to excess ground borne vibration. All potentially significant impacts can be mitigated to less-than-significant.

Traffic and Circulation: discussed in detail in Draft EIR Section 4.13 (page 4.13-23) proposed reliance on a TDM program would increase the number of bicyclists and pedestrians along Blvd Way frontage and Project Variant A would not allow adequate stopping sight distance creating a significant impact regarding a potential safety concern. All potentially significant impacts, including the site distance-related impact, can be mitigated to less-than-significant.

Utilities and Service Systems: discussed in detail in Draft EIR Section 4.14 (page 4.14-10) the proposed project would generate an increase in demand for water supply over exiting

uses. All potentially significant impacts can be mitigated to less-than-significant.

All mitigation measures are included in the Mitigation Monitoring and Reporting Program (CEQA Findings -Exhibit A and the conditions of approval -Exhibit B)

Public Comments:

Approximately 90 letters and/or correspondences were received during the public comment period for the Draft EIR. Prior to the determination of completeness of the applicant's application and during the processing of the application the County received approximately 3,296 letters from residents and businesses who opposed or support the project. Only those comments received during the release of the Draft EIR and the public hearing held on April 18, 2011 during the 59 day comment period are included in the Final EIR.

Oral and written comments were received during the public hearing related to the Draft EIR held on April 18, 2011. The Final Environmental Impact Report (FEIR) responds to and incorporates the written comments submitted at the pubic hearing on April 18, 2011.

VIII. STAFF ANALYSIS AND DISCUSSION

A. **General Plan Compliance**: The General Plan for the project is Single Family Residential – High Density (SH). This designation allows between 5.0 and 7.2 single family units per net acre. Population density would normally range from about 12.5 to about 22 persons per acre with an average of 2.5 to 3 persons per household. However, secondary land uses permitted within the SH designation are permitted that are compatible with low density homes including childcare facilities, churches and other similar places of worship. The General Plan states the (R-10) zoning district is consistent with the (SH) designation.

The new sanctuary project is consistent with the General Plan designations.

B. **Zoning Compliance**: According to Sections 84-8.404 and 84-4.404 (3), the (R-10)-Single Family Residential Zoning District permits the construction and establishment of churches and religious institutions and parochial and private schools including nursery schools with the issuance of a land use permit. The project as described above in section IV of this staff report is consistent with County Codes for building height and setbacks.

C. **Traffic and Circulation**: The subject site fronts Boulevard Way, a public road, along its northerly and westerly boundaries and is located at the intersection with Kinney Drive and Garden Court, both public roads. The existing pavement width varies from approximately 20 to 40 feet along the project frontage of Boulevard Way.

There is an existing private access easement, White Horse Court, located on the subject site, but it is not expected to be used as access to the developed site. The Parsonage

structure will continue to gain access from Warren Road via an existing private access easement located on the adjacent properties to the east and south.

The project sponsor proposes two driveways off of Boulevard Way along the northerly boundary. The main entrance, which will be used as access to the parking lot, will be located approximately 180 feet east of the intersection with Garden Court and Kinney Drive. The second driveway is located at the easternmost frontage of Boulevard Way approximately 450 feet from the intersection and will primarily provide access for trash pickup.

D. **Boulevard Way Precise Alignment**: Boulevard Way is an *arterial* per the County General Plan for which a Precise Alignment (PA 3851-69) was adopted in 1969. It had provided for a four-lane facility with a 500-foot centerline radius curve through the intersection within an 84-foot wide ultimate right of way.

However, a smaller facility has been determined to be more appropriate for the traffic needs in the area. Therefore, a new Precise Alignment (PA 3851-00) was developed around year 2000 which provided for two 12-foot lanes, one 14-foot left-turn lane in the middle, and 5-foot bike lanes with a 300-foot radius curve through the intersection within a 68-foot right-of-way.

The 1969 Precise Alignment was rescinded in May 2010 by the Board of Supervisors based on a Public Works recommendation. Although the 2000 Precise Alignment has not been formally adopted by the Board of Supervisors, compliance with this precise alignment has in the past been the requirement for all land development projects along Boulevard Way in lieu of the more imposing 1969 alignment.

E. **Frontage improvements requirements**: After discussing the site constraints with the project sponsor, Public Works Department recommends that the frontage improvements along Boulevard Way shall at a minimum accommodate pavement (half-width) of 17-feet from the *existing striped centerline* of Boulevard Way, thus retaining the existing geometry and providing a 12-foot wide travel lane and a 5-foot wide paved shoulder. Existing utility poles would need to be relocated but not required to be placed underground. A 5-foot wide sidewalk shall be provided along the entire frontage and extend to the intersection of Warren Road. Sidewalk should be constructed monolithically with the new curb, but may meander around the utility poles, as needed. Conforming pavement would be required to fill the gap between the existing street and the new sidewalk South of the Project Site.

F. **Right -of -way requirements**: The current right of way half width along the project frontage of Boulevard Way is approximately 25 feet, as measured from the existing striped centerline. The proposed conditions of approval attached as Exhibit B require that the new right of way or public utility easement shall be 10 feet from the new face of curb; therefore, to accommodate the 17-foot wide pavement, the right of way shall be

minimum 27-foot wide (half-width). The sidewalk, bus pullout, and curb ramps must be contained within the public right of way.

G. **Intersection control**: Currently, the intersection features stop signs at two of its legs – at Garden Court and Kinney Drive. The traffic flow along Boulevard Way (which has 4500 daily trips) moves through the intersection without stopping.

The project sponsor's consultant has suggested installing one stop sign on Boulevard Way at the southern leg of the intersection. The Public Works Department does not recommend this modification for the following reasons:

- Stop sign warrants are not met
- Reduction of the free flow of the main movement along Boulevard Way
- Increased traffic congestion along Boulevard Way
- Speed increase as drivers tend to make up time lost due to stopping
- Increased air pollution due to vehicle stopping and acceleration

H. **Drainage:** The project site is located within unformed Drainage Area 121. The property drains to three drainage areas, all of which drain to Las Trampas Creek.

Of the three drainage areas, one is of particular concern due to inadequate drainage system on the private property located at the southeast corner of Warren Road and Boulevard Way with a "marginal" outfall into Las Trampas Creek located on the same property. There is an approved minor subdivision (MS03-0015) at this property that is conditioned to upgrade this private drainage system. However, there has been no recent activity on that property.

The second area, which drains generally eastward along Warren Road, has an inadequate 12-inch culvert at Warren Road. This culvert will be replaced by the applicant with an 18-inch pipe. The rest of this drainage system appears to be adequate, including a section of a collapsed pipe recently replaced by a private owner.

The third area drains along Boulevard Way via storm drain system that appears to have sufficient capacity for the 10-year design storm.

A drainage report prepared by Aliquot Associates (dated January 3, 2011) shows that the applicant proposes to utilize pervious paving systems for the parking lot to reduce the stormwater runoff and maintain the post-project design flows below the pre-project levels. Since certain types of pervious paving systems become silted in and clogged over time, the project sponsor will be required to develop a long-term maintenance plan to guarantee the infiltration performance of these systems.

I. **Transportation Demand Management (TDM):** In accordance with Chapter 82-32 of the County Code, pertaining to Transportation and Demand Management, the project sponsor may qualify for reductions in off -street parking requirements. The conceptual

TDM program must identify measures that can be demonstrated to attain the trip reductions necessary to quality for a parking reduction. The TDM requirement does apply to all development projects residential and non residential. The intent and purpose of this Chapter is to further the goals of the General Plan, Bay Area Air Quality and Growth Management Standards. The project sponsor's conceptualized TDM incorporates bicycle use, walking, transit, carpool, and van/shuttle service programs. Approximately 224 members live within one-half mile of the new site. In addition, the project sponsor has submitted a pledge from approximately 167 members who will walk to the new facility under all weather conditions. The vast majority of members live within one quarter mile of the Project site.

The Program of Activities shown on Table 3-1, page 3-6 indicates the days and time of activities that have had with the most membership attendance, and projects they will occur predominantly in the evenings around 8pm. Given the above information and in review of the Traffic Study prepared, the Final TDM meets the intent and purpose of the County code. The project sponsor will replace the conceptual TDM with a Final TDM pursuant to condition of approval #7. Specifically, the project sponsor shall perform the following:

A. Walking: Continue the written commitment of a substantial number of its members to walk to the site, particularly for special or regularly scheduled general membership events and any other events with similar attendance, (including but not limited to Friday and Sunday night activities, annual celebrations and taverns), as necessary to achieve goal (b).

B. Transit. Install bus stop(s) as shown on approved plans.

C. Bicyling: Install and maintain racks for 12 bicycles. Construct shower facilities as proposed in application.

D. Carpools: Continue to organize and use car pools for special or regularly scheduled general membership events and any other events with similar attendance (including but not limited to Friday and Sunday night activities, annual celebrations and taverns), as necessary to achieve goal (b). Register carpools and reserve on-site parking spaces for them.

E. Remote Lot Shuttle Service. Provide over-flow, off-site parking for large events with a minimum of parking for 54 vehicles[2] with shuttle service to site as necessary to achieve goal (b). The off-site parking shall be located at the Lafayette School District property now leased to The Meher Schools. If that site becomes unavailable, applicant shall notify CDD and provide another off-site location or locations, within two miles of the site, for the parking of no fewer than 54 vehicles.

F. Van. Initially, the shuttle service shall continue to be provided in passenger cars. Within 30 days of written notice from CDD, based on a need demonstrated by monitoring reports or other evidence, Applicant shall purchase a van for the shuttle service.

Given the above information and in review of the Traffic Study prepared, the TDM will meet the intent and purpose of the County Code.

J. **Stormwater**: This project is required to be incompliance with Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) Permit and the County's Stormwater Management and Discharge Control Ordinance (§1014).A Stormwater Control Plan dated February 17, 2009 was reviewed and determined to be preliminarily complete. A final Stormwater Control Plan must be submitted prior to issuance of building permits.

The newly-issued Municipal Regional Permit (MRP) has changed requirements that apply to projects that have not passed certain thresholds in the development process by specified dates. The MRP requires projects to comply with new regulations unless they have had funding committed and are scheduled to begin construction no later than December 1, 2012. *If funding has not been committed by and construction is not scheduled to begin by December 1, 2012*, then the project may be required to implement "Low Impact Development" requirements by managing stormwater runoff through harvesting and reuse, infiltration or evapotranspiration, unless these methods are determined to be infeasible, in which case bioretention-type treatment (as is generally required under the superseded permit) may be employed. Criteria for infeasibility and design criteria for harvest/reuse, infiltration and evapotranspiration, will be determined by reports that will be generated by permitees and subject to approval by the SFBRWQCB.

K. **Annexation to a lighting district**: Some of the subject parcels that are a part of the proposed development are annexed into the County Service Area L-100 Lighting District. Other parcels that make up this development proposal are not. Therefore, the project sponsor shall annex all parcels to Community Facilities District CFD 2010-1 for Countywide Street Light Financing.

IX. CONCLUSION

The project is consistent with the General Plan and zoning designations for the project. All environmental impacts would be mitigated to less-than-significant levels, the health and safety of the general public would not be threatened. Staff recommends that the County Planning Commission approve the project by adopting the recommendation as listed above in Section II.

List of Exhibits

A. Ceqa Findings and Mitigation Monitoring Program
B. Land Use Permit Findings & Conditions of Approval
C. General Plan & Zoning Maps with Project Drawings
D. Notice of Preparation, Completion & Extension
E. Agency Comments
F. Oct. 3, 2011 ZA transcript & letters on EIR adequacy

Exhibit A

CEQA Findings

Mitigation Monitoring & Reporting Program

CEQA FINDINGS FOR COUNTY FILES # LP08-2034 AND # MS09-0008, SUFISM REORIENTED (Applicant and Owner).

A. Introduction.

The Contra Costa County Planning Commission adopts the following findings for certification of the EIR and approval of a modification of Variant B of the New Sanctuary For Sufism Reoriented project pursuant to the California Environmental Quality Act, California Public Resources Code, Sections 21000, et seq. the Guidelines for Implementation of CEQA, Title 14 of the California Code of Regulations, Sections 15000, et seq. ("CEQA Guidelines") and the County's CEQA Guidelines.

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, no pubic agency shall approve and carry out a project where an Environmental Impact Report (the "EIR") has been certified, which identifies one or more significant impacts on the environment that would occur if the project is approved, unless the public agency makes one or more findings for each of those significant impacts, accompanied by a brief explanation of the rationale for each finding. The possible findings, which must be supported by substantial evidence in the record, are:

a. Changes or alterations have been required in, or incorporated into, the project that mitigation or avoid the significant impact on the environment.

b. Changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

c. Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or project alternatives identified in the EIR.

For those significant impacts that cannot be mitigated to below a level of significance, the public agency is required to find that specific overriding economic, legal, social, technological or other benefits of the project outweigh the significant impacts of the projects. The New Sanctuary for Sufism Reoriented Project did not present any significant impacts that cannot be mitigated below to a less-than-significant impact level.

B. Project and EIR.

The Project is a new religious facility (sanctuary) on approximately 3.12 acres in the Saranap neighborhood of unincorporated Walnut Creek. The Project includes a 66,074 square foot sanctuary building that includes a prayer hall, administrative offices, a library, classroom, archives, art and music program space, and related ancillary uses. Approximately 46,074 square feet of the building would be located below ground, including the administrative offices, bookstore, art studio, art storage, chorus rehearsal, video and audio post production, music mixing and scoring, reception area, multi-purpose room, film/video and photo library, a music, drama and dance studio, a coat room, women's and men's restrooms, and a kitchen. Approximately 13,800 square feet of the 44,074 square feet are open areas referenced as a rotunda, plaza, and east and west galleries (hallway), and a grand staircase

The Project Site would be further developed with a plaza, parking area, and landscaping. Further details are provided in Chapter 3 of the EIR. The term "Project" as used in these findings refers to the Project as described in the EIR. That project has two variants: Variant A is the project as proposed by the applicant. Variant B adds frontage and additional sidewalk improvements recommended by the County Public Works Department. These findings pertain to approval of Varian B, slightly modified.

Sufism Reoriented's current sanctuary is located at 1300 Boulevard Way. Upon construction of the new sanctuary, Sufism Reoriented would cease its use of 1300 Boulevard Way, selling or leasing that property to another unknown user.

The Department of Conservation and Development determined that an EIR was required for the project. Accordingly, the County, as lead agency for this Project, distributed a Notice of Preparation on March 9, 2010. The Draft EIR, State Clearinghouse Number 2010032038, was released for public review on March 29, 2011. The initial comment period was scheduled for 45 days ending on May 13, 2011. A public hearing before the Zoning Administrator to receive comments on the Draft EIR was held on April 18, 2011. During the public hearing several members of the public requested an extension of the time. On April 26, 2011, the Department distributed a revised notice extending the period to receive comments to May 27, 2011.

The Final EIR was published and distributed in September of 2011. The Zoning Administrator held a hearing on October 3, 2011 and recommended certification of the EIR. The Zoning Administrator recommended that a chart be prepared that indicates where revisions to text can be found in the Final EIR. On September 27, 2011, the applicant's counsel submitted a letter addressing alternatives and identifying where in the "Final EIR Vol. I – Revised Draft EIR" revisions to the text of the Draft EIR could be found. The County's consultant have peer-reviewed that chart, determined its accuracy, and County staff has made it available to the public online at http://www.cccounty.us/DocumentCenterii.aspx?FID=621.

The "EIR" as referenced in these findings includes the Draft EIR (and its appendices) as supplemented and revised by the Final EIR, and the Final EIR (and its appendices). The Final EIR contains a Volume 1 that restates and revises some text, figures and tables of the Draft EIR. When these findings refer to sections, tables, figures or text of the EIR, and unless the context clearly indicates otherwise, these findings refer to the revised versions in Volume I of the Final EIR.

The EIR identifies potentially significant environmental impacts that would occur if the project were implemented, and feasible mitigation measures would reduce all of the potentially significant impacts to less than significant levels. The EIR provides a comprehensive analysis of the Project's impacts, and cumulative impacts to which the Project would contribute. The EIR includes responses to all written and oral comments received during the comment period, and provides adequate, good faith, and reasoned responses to all comments raising significant environmental issues. The EIR also addresses a reasonable range of alternatives. Evidence regarding the range of alternatives, and the evidence indicating that offsite and reduced development alternatives were not studied in detail because they would not achieve most of the project objectives is in the EIR and in the record. The Commission adopts the analysis and conclusions of the EIR and bases its decision upon the evidence referenced in the EIR and its

appendices. The Commission further concludes that in these unique circumstances the No Project/ No Build alternative represents a reduced density and off site alternative.

The Commission also finds that, while no projection of future circumstances can be certain, the program of activities in Table 3-1 represents a reasonable projection of future activities, and it is that reasonable projection that informed the analysis of impacts. This conclusion is based upon the information and analysis in the EIR and in the applicant's letter of June 30, 2011. The conditions of approval and mitigation measures are tied to the proposed program of activities in that the conditions and mitigation measures ensure that there will likely be no greater or more severe significant impacts from actual activities than would occur from implementation of the program of activities in Table 3-1.

The comprehensive analysis in the EIR provides the Commission with the necessary information required by the California Environmental Quality Act (CEQA) to properly analyze and evaluate any and all of the potential environmental impacts of the Project.

Certification of EIR.

The Commission finds that the EIR has been completed in compliance with CEQA; that the Commission reviewed and considered the information contained in the EIR prior to approving the project; and the EIR reflects the County's independent judgment and analysis.

No Recirculation Is Required.

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR but before certification of the Final EIR. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. The Guidelines provide examples of significant new information under this standard, which involve evidence of a new or more severe significant impact, all as more specifically set forth in section 1.3 of the EIR.

The Commission recognizes that the Final EIR incorporates information obtained since the Draft EIR was completed, and contains additions, clarifications, modifications, and other changes. These include information regarding trees that have grown since the original studies were undertaken in 2009, and additional information about drainage and hydrology contained in Appendix R and in the applicant's June 30, 2011 submittal to the County. Various minor changes and edits have been made to the mitigation measures, text, tables and figures of the Draft EIR, as described in the Final EIR. Information that confirms the conclusions of the Draft EIR has been provided in response to comments, and mitigation measures have been edited for clarity, feasibility and to strengthen them. With respect to this information, the Commission adopts the conclusions and analysis of the EIR (especially section 1.3) based upon the evidence to which the EIR refers. This information confirms and provides additional support for the conclusions of the Draft EIR, and further confirms that impacts will remain less than significant.

The Commission also recognizes that the project that is approved varies slightly from Variant B of the Project studied in the EIR, as it incorporates mitigation measures, further refinements and details that have been developed since the Draft EIR was published, and reflects the factors regarding project refinement that are described in response to comment 21.3. The changes are environmentally beneficial or minor, and do not rise to the level of recirculation.

Based on the foregoing, and having reviewed the information contained in the EIR and in the documents comprising the administrative record the Commission finds that no significant new information has been added since public notice was given of the availability of the Draft EIR that would require recirculation of the EIR.

Differences of Opinion Regarding Environmental Analysis.

In making its determination to certify the Final EIR and to approve the Project, the Commission recognizes that the Project involves controversial environmental issues and that a range of technical and scientific opinion exists with respect to those issues. The Commission has acquired an understanding of the range of this technical and scientific opinion by its review of the Draft EIR, the comments received on the Draft EIR and the responses to those comments in the Final EIR, as well as other testimony, letters, and reports submitted for the record. The Commission recognizes that some of the comments submitted on the EIR, and at the hearing, disagree with the conclusions, analysis, methodology and factual bases stated in the EIR. The EIR was prepared by experts, and that some of these comments were from experts, thus creating an disagreement among experts. The Commission has reviewed and considered, as a whole, the evidence and analysis presented in the EIR and in the record, and has gained a comprehensive and well-rounded understanding of the environmental issues presented by the Project. In turn, this understanding has enabled the Commission to make its decisions after weighing and considering the various viewpoints on these important issues.

Impact Conclusions and Mitigation Measures

Exhibit 1 (the summary of impacts, mitigation measures and resulting levels of significance that appears as Table 2-1 in the EIR) is attached to these findings and incorporated herein by reference. Exhibit 1 summarizes the environmental determinations of the EIR about the Project's impacts and describes mitigation measures. This exhibit does not attempt to describe the full analysis of each environmental impact contained in the EIR. Instead, Exhibit 1 provides a summary description of each impact, describes the applicable mitigation measures identified in the EIR and adopted by the Commission, and states the Commission'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 EIR. The Commission ratifies, adopts, and incorporates the analysis and explanation in the EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the EIR relating to environmental impacts and mitigation measures. These findings are based upon the evidence contained in and referenced in the EIR, in staff reports, in the submittals from the applicant, and on the record as a whole.

Exhibit 2 (the Mitigation, Monitoring and Reporting Program that appears as Chapter 4.0 in Volume II of the Final EIR) is attached to these findings, is hereby adopted by the Commission,

insofar as the mitigation measures pertain to Variant B, and is incorporated into these findings. The mitigation measures set forth in Exhibit 2 will feasibly reduce or avoid the potentially significant and significant impacts of the Project to less than significant levels, and will reduce some less-than-significant impacts as well. In adopting these mitigation measures, the Commission intends to adopt each of the mitigation measures identified by the EIR. Accordingly, in the event a mitigation measure recommended in the EIR and applicable to Variant B has inadvertently been omitted from Exhibit 2, such mitigation measure is hereby adopted and incorporated in these findings by reference. In addition, in the event the language describing a mitigation measure set forth in Exhibit 2 fails to accurately reflect the substance of the mitigation measures in the EIR due to a clerical error, the language of the mitigation measure as set forth in the EIR shall control, unless the language of the mitigation measure has been specifically and expressly modified by these findings. Some language has been modified to reflect County practices and procedures regarding department approval processes, and to reflect technical details of the project that do not substantively affect the mitigation of impacts.

The Commission finds that changes or alterations have been required in, or incorporated into, the Project which feasibly avoid or substantially lessen the significant environmental effects on the environment. As shown in Exhibit 2, primary responsibility for implementation, monitoring and enforcement of all mitigation measures except one lies with the County. The agency responsible for Mitigation Measure 4.14-1 is EBMUD. Other agencies may play a role in approving the project. For example, there may be consultation with the Regional Water Quality Control Board regarding stormwater plans and other water quality aspects of the Project, and resource agencies may become involved should any resource issues need their input as a result of pre-construction surveys. To these extent participation by other agencies involves discretionary approvals that implicate mitigation measures, and with respect to Mitigation Measure 4.14-1, the Commission finds that mitigation measures are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

In comments on the Draft EIR, various measures were suggested by commenters as proposed additional mitigation measures or modifications to the mitigation measures identified by the EIR. Some of the EIR's mitigation measures were modified in response to such comments. Other comments requested minor modifications in mitigation measures identified in the Draft EIR, requested mitigation measures for impacts that were less than significant, or requested additional mitigation measures for impacts as to which the Draft EIR identified mitigation measures that would reduce the identified impact to a less-than-significant level; these requests are declined as unnecessary. With respect to the additional measures suggested by commenters that were not added to the EIR, the Commission adopts the reasons set forth in the responses to comments contained in the EIR as its grounds for rejecting adoption of these mitigation measures. The alternative and additional mitigation measures are not necessary to reduce impacts to a less than significant level, some would have imposed requirements on this Project that are not generally imposed on similar projects in the County, and some purported to address an impact that was not potentially significant.

C. The Administrative Record.

Various documents and other materials constitute the record upon which the Commission bases these findings and the approvals contained herein. These findings cite specific pieces of

evidence, but none of the Commission's findings are based solely only those pieces of evidence. These findings are adopted based upon the entire record, and the Commission intends to rely upon all supporting evidence in the record for each of its findings.

The location and custodian of the documents and materials that comprise the record is Contra Costa County, Department of Conservation & Development, Attn: Lashun Cross, 651 Pine Street, 4th Floor – North Wing, Martinez, CA, 94553, telephone (925) 335-1210.

Exhibit 1

Summary of Impacts

Table 2-1 Summary of Impacts and Mitigation Measures

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Aesthetics			
Impact 4.1-1: Either Project Variant would result in the potential for substantial nighttime lighting which could adversely affect nighttime views.	S	Mitigation Measure 4.1-1: The applicant shall submit a lighting plan and a photometric study which shall demonstrate, to the satisfaction of the Department of Conservation and Development, that no bare bulbs will be visible from offsite. The plan shall also demonstrate that no lighting will be directed across property lines, and all lighting visible from offsite – including spillover onto adjacent properties – will be compatible with offsite private and public right-of-way lighting in the vicinity. The plans shall reflect the effect of lighting both before and after proposed site landscaping achieves maturity. **If needed, the plans may include recommendations for turning off lights at specific times to reduce effects to nighttime views.**	LTS
Air Quality			
Impact 4.2-1: Construction would result in emissions of fugitive dust.	S	Mitigation Measure 4.2-1: Prior to the approval of a grading plan, County DCD shall ensure that grading and demolition plans include the following measures for all phases of construction as recommended by BAAQMD to reduce the air quality impacts of particulate matter (PM_{10} and $PM_{2.5}$) associated with grading and new construction: ▪ All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered a minimum of two times per day; ▪ All haul trucks transporting soil, sand, or other loose material off-site shall be covered;	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Air Quality (continued)			
Impact 4.2-1,continued		▪ All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. No dry power sweeping shall be performed (i.e., prohibited); ▪ All vehicle speeds on unpaved roads shall be limited to 15 mph; ▪ All roadways, driveways, and sidewalks to be paved shall be completed as soon as **feasible** ~~possible~~. Building pads shall be laid as soon as **feasible** ~~possible~~ after grading unless seeding or soil binders are used; ▪ Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes. Clear signage shall be provided for construction workers at all access points; ▪ All construction equipment and haul trucks shall be maintained and properly tuned in accordance with manufacturer's specifications. All construction equipment and haul trucks shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and ▪ A publicly visible sign shall be posted with the telephone number of the Construction Manager and BAAQMD to report dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD complaint line telephone number shall also be visible to ensure compliance with applicable regulations.	
Impact 4.2-2: Emissions of diesel exhaust during construction would exceed BAAQMD thresholds for NO_x.	S	Mitigation Measure 4.2-2: Emissions of NOx from construction activities shall be limited to less than 54 pounds per day. This performance standard would be achieved by limiting vehicle miles travelled (VMT) for standard hauling trucks to ~~1,764~~ **1,872** VMT per day.	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Air Quality (continued)			
Impact 4.2-2 continued		Assuming 13 cubic-yard-trucks and delivery to the Acme landfill, **and assuming a round trip of 31.2 miles,** this would mean that soil hauling would be capped at ~~74~~ **60** round trips per day, which would extend the excavation schedule from an earlier projection by the applicant of 35 working days to ~~45~~ **55** working days. If other sites **at a different distance** were identified to accept the fill, the schedule could be revised accordingly to fit within the same VMT limitation. **However, all hauling trucks must use a haul route that leaves the project site, heads east on Boulevard Way, and enters Highway 24 near Mt. Diablo and Boulevard Way.**	
Impact 4.2-3: The Project Variant ultimately selected could create objectionable odors affecting a substantial number of people during construction.	S	Mitigation Measure 4.2-3: Prior to the approval of a grading permit, County DCD shall verify that grading plans include a requirement that limits the allowable idling time of diesel-powered construction equipment to two minutes or less	LTS
Biological Resources			
Impact 4.3-1: Potential future purchase of the adjacent Odell property would trigger a County Fire Protection District requirement to widen the existing secondary road providing access to the project site from Warren Road. This would result in the removal of and/or damage to several existing trees.	S	Mitigation Measure 4.3-1: If the applicant purchases the Odell property, compliance with the CCCFPD condition to widen the secondary access drive to Warren Road shall be required. In compliance with Chapter 816-6.8002 of the Tree Protection and Preservation Ordinance, a permit shall be obtained for the removal of all protected trees. If the applicant purchases the Odell property after August 2012, a qualified arborist shall examine the property and the recommendations of the arborist reports dated June 22, 2009 and August 4, 2009, included as **Appendix G** to this EIR, to confirm and/or append to the conditions included in the earlier reports.	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Biological Resources (continued)			
Impact 4.3-2: Demolition and tree removal activities could have an adverse effect on special-status species including roosting bats that are potentially nesting in trees and/or abandoned buildings found on the project site, as well as migratory birds and raptors that may nest in mature trees.	S	Mitigation Measure 4.3-2a: Given the potential for occurrence of roosting bats on the project site, the Contra Costa County Department of Conservation and Development (DCD) shall require a qualified biologist to conduct pre-construction surveys for roosting bats prior to issuance of demolition permits. If roosting bats are detected, DCD shall require that a qualified biologist, in consultation with the California Department of Fish and Game (CDFG), shall exclude/evict the bats prior to removal of the occupied structure or tree. Abandoned structures or trees that are proposed for removal shall be removed before ground-disturbing activities begin to avoid conflicts with potential nesting periods. Immediately prior to construction, DCD shall require another pre-construction survey to be conducted to detect presence and confirm absence of active nesting in the trees that will remain. During the pre-construction survey, the qualified biologist may enact other measures to protect roosting bats on the project site. These measures must be followed throughout the pre-construction and construction period. Mitigation Measure 4.3-2b: Given the potential for occurrence of special-status bird species on the project site and the possibility for overlap of demolition and tree removal with the nesting season, DCD shall require a qualified biologist to conduct pre-construction surveys for nesting birds prior to issuance of demolition permits and no more than one week prior to tree removal. If an occupied bird's nest is detected, a buffer zone of 50 to 300 feet shall be implemented to protect adults and nestlings from construction disturbances. If occupied nests are detected, exclusion areas are required until young birds have fledged.	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Biological Resources (continued)			
Impact 4.3-2, continued		During the pre-construction survey, the qualified biologist may enact other measures to protect raptors and birds on the project site. These measures must be followed throughout the pre-construction and construction period. Destruction of occupied nests would be in violation of the Migratory Bird Treaty Act (MBTA) and the CDFG Code.	
Impact 4.3-3: Construction activities could disturb potential nesting habitat in trees that are not proposed for removal.	S	Implement Mitigation Measures 4.3-2a and 4.3-2b.	LTS
Cultural Resources			
Impact 4.4-1: Demolition of existing structures and construction activities could inadvertently damage previously unidentified historical, archaeological, and paleontological resources on the project site.	S	Mitigation Measure 4.4-1: **When demolition and site clearing activities are complete, a qualified archaeologist, hired by the applicant, shall reinspect the project site to ascertain whether clearance activities exposed any previously undetected archaeological resources.** In the event that **any** ~~buried~~ cultural (historical, archeological, and/or paleontological) resources are encountered, the Contra Costa County Department of Conservation and Development (DCD) shall ensure that construction, excavation, and/or grading activities within 100 feet of the find are temporarily halted until a qualified archaeologist or paleontologist, hired by the applicant, can assess the significance of the find and provide proper management recommendations to be incorporated in to the Project Variant ultimately selected. Prehistoric cultural materials include, but is not limited to, shell midden deposits, hearth remains, stone and/or shell artifacts, and/or burials. Historic materials, including but not limited to, whole or fragmentary ceramic, glass or metal objects, wood, nails, brick, or other materials may occur	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Cultural Resources (continued)			
Impact 4.4-1 continued		on the project site in deposits such as old privies or dumps. If the site is found to contain significant cultural or paleontological resources (as determined by the CEQA Guidelines) by a qualified archaeologist or paleontologist, funding shall be provided by the applicant to identify, record, report, evaluate, and recover the resources as necessary. Construction within the area of the find shall not recommence until impacts to the cultural or paleontological resource are mitigated. Additionally, as required by Public Resources Code Section 5097.993, the applicant must inform project personnel that collection of any Native American artifact is prohibited by law.	
Impact 4.4-2: Construction activities could inadvertently uncover human remains.	S	Mitigation Measure 4.4-2: In accordance with Public Resource Code Section 5097.98, should human remains be found on the site at any time during pre-construction or construction activities, the Contra Costa County Department of Conservation and Development (DCD) shall ensure that no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains shall be disturbed until: ▪ The County Coroner in which the remains are discovered is contacted and determines that no investigation of the cause of death is required; and ▪ If the County Coroner determines the remains to be Native American then: (1) The coroner shall contact the Native American Heritage Commission within 24 hours;	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Cultural Resources (continued)			
Impact 4.4-2 continued		(2) The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased native American; and (3) The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98. The landowners or their authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance if the following conditions occur: ▪ The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission; ▪ The descendent identified fails to make a recommendation; or ▪ The landowners or their authorized representative reject the recommendation of the descendent, and the mediation by the NAHC fails to provide measures acceptable to the landowner.	
Geology and Soils			
Impact 4.5-1: Either Project Variant could expose people and structures to potential adverse effects from strong seismic ground shaking.	S	Mitigation Measure 4.5-1: Prior to the issuance of a building permit, the County Building Official shall verify that plans incorporate the following CBC seismic site categorization and design coefficients, in conformance with the most recent version of the California Building Code as shown in the table below::	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Geology and Soils (continued)			
Impact 4.5-1 continued		**Categorization/Coefficient** — **Design Value** Site Class (Table 1613.5.2) — C 0.2 Second Spectral Response Acceleration, S_s (Figure 1613.5(3)) — 1.5g 1.0 Second Spectral Response Acceleration, S_1 (Figure 1613.5(4)) — 1.6g Seismic Site Coefficient, F_a (Table 1613.5.3(1)) — 1.0 Seismic Site Coefficient, F_v (Table 1613.5.3(2)) — 1.3 Long-period Transition Period, T_l (Figure 22-6)[1] — 1.0 [1] From ASCE/SEI 7-05 (2006) Source: DCM Engineering, October 2008. The County Building Official shall certify that a qualified geotechnical engineer has reviewed final plans and specifications for consistency with CBC and UBC design standards. The County Building Official shall verify that all pertinent recommendations of the geotechnical engineer are incorporated into final building plans.	
Impact 4.5-2: The project site is located on soil that could become unstable as a result of construction activities, and potentially result in instability on neighboring sites.	S	Mitigation Measure 4.5-2a: ~~Prior to the issuance of a grading permit~~ **Where permitted by the owner or tenant in possession,** the County Building Official shall direct the applicant or their contractor to complete the following actions:: ▪ inspect existing structures/utilities to document any evidence of **then** existing damage, cracking, distortion, weaknesses in structural elements, deterioration, corrosion, excessive stress, overloading, or use of the structure in a manner which may not have been intended by its design **prior to issuance of any**	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Geology and Soils (continued)			
Impact 4.5-2 continued.		**construction permits.** The inspection shall include an assessment of the condition of the following structures and facilities: - ~~the parsonage~~ - structures on neighboring properties **adjacent to the project site** - Boulevard Way - potentially affected utilities within the project site, as determined by a qualified engineer All inspections and notations of pre-existing damages shall be thoroughly documented, **to the extent permitted by the relevant owner or tenant in possession**, prior to the issuance of a demolition or grading permit by photographs and mapping, and reference markings or measurement points shall be established on critical or previously damaged structures/utilities to assist in determining whether any damage or movement has occurred as a result of construction. **Such inspections shall be completed before issuance of the grading permit and again, after construction of the building shell is substantially complete. To the extent required by Civil Code Section 832, the applicant shall be responsible to repair or compensate for damage caused by the project. The County Building Official shall, prior to issuance of an occupancy permit: (a) confirm that the applicant has undertaken a written obligation to repair or compensate for damage caused by the construction of the project as recommended by the architect of record, or has established procedures that assure such repairs will be made or such compensation will be paid; and (2)**	

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Geology and Soils (continued)			
Impact 4.5-2 continued		**confirm that any such repairs or payment of compensation is planned to be completed within a time frame the Official deems reasonable under the circumstances.** Where existing structures are in close proximity to the excavation, additional measures beyond pre-construction inspection, such as building underpinning, shall be required as determined by the geotechnical consultant. Mitigation Measure 4.5-2b: Prior to the issuance of a grading permit, the County Geologist shall review the final plans to ensure that proposed excavation shoring and dewatering systems meet minimum performance requirements. These minimum performance requirements include: a. Protect personnel that enter excavations; b. Protect adjacent existing utilities, pavements, and structures; c. Installation should not cause settlement or heave of the ground surface nor produce construction vibrations that could damage adjacent utilities or structures; d. Prevent caving or lateral movement of excavation walls and associated loss of adjacent ground and adjacent ground surface settlement, even when subjected to construction vibration; e. Prevent heave and or piping (boiling) of the excavation bottom; and f. Where applicable, resist hydrostatic pressures and lateral loads for adjacent structural foundations, vehicular traffic, construction equipment and spoils.	

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Geology and Soils (continued)			
Impact 4.5-2 continued		Mitigation Measure 4.5-2c: Prior to the issuance of a grading permit, the County Building Official shall ensure that grading plans show a requirement that a qualified geotechnical engineer monitor and document soil and groundwater conditions on an ongoing basis during excavation, grading, and construction. The geotechnical engineer shall anticipate changes and modifications to shoring systems and sloping (on the west side) in response to changes in soil and groundwater conditions. All sheeting and shoring shall be evaluated for stability by the geotechnical consultant prior to entry by personnel. The County Building Official and County Geologist shall review and consider the recommendations of the geotechnical engineer and incorporate any or all recommendations into final grading plans.	
Impact 4.5-3: Either Project Variant would result in substantial soil erosion.	S	Incorporate Mitigation Measure 4.8-2.	LTS
Impact 4.5-4: Either Project Variant would be located on expansive soils that could create a risk to life and property.	S	Mitigation Measure 4.5-4a: Prior to the issuance of a grading permit, the County Building Official shall ensure that plans for building foundations have been reviewed by a qualified geotechnical engineer to ensure measures are included to reduce potential future structural damage to the religious facility from expansive soils. Such measures shall include but are not limited to minimum requirements for the expansion potential of fill material, soil compaction, and soil moisture content. The County Building Official and County Geologist review and approval shall ensure that all pertinent recommendations of the geotechnical engineer are incorporated into final grading plans.	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Impact 4.5-4 continued		Mitigation Measure 4.5-4b: Prior to the issuance of a building permit, the County Building Official shall ensure that plans are revised as necessary to show that foundations for the new facility consist of a reinforced concrete floor slab or a mat slab, consistent with recommendations of the County Geologist.	
Greenhouse Gas Emissions			
There would be no significant impacts to greenhouse gas emissions.			
Hazards and Hazardous Materials			
Impact 4.7-1: Demolition of existing structures on the site could result in the release of lead, asbestos, and other contaminants.	S	Mitigation Measure 4.7-1a: At least fifteen days prior to issuance of a demolition permit, a state certified contractor shall complete an asbestos and lead-based paint survey for all structures proposed for demolition that were constructed prior to 1980. The survey shall be submitted to the Department of Conservation and Development, Community Development Division for review and approval. If LBP or asbestos-containing materials are identified in the survey, they shall be removed from the site and properly disposed of in accordance with CAL/ OSHA requirements: ▪ Known or suspected asbestos-containing materials shall be abated by a certified asbestos abatement contractor in accordance with BAAQMD regulations and notification requirements. ▪ Intact lead-based paint found to be secure (not flaking, peeling or cracked) may be discarded along with demolition debris during the demolition of the structure.	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Hazards and Hazardous Materials (continued)			
Impact 4.7-1 continued		▪ Loose and peeling paint shall be disposed of as state and/or federal hazardous waste if the concentration of lead exceeds applicable waste thresholds. ▪ Hazardous wastes shall be appropriately managed, labeled, transported, and disposed of by trained workers in accordance with local requirements. ▪ The demolition and removal of materials potentially containing lead-based paint would be required to follow the CAL/OSHA Lead in Construction Standard, Title 8, California Code of Regulations (CCR). ▪ Other hazardous materials associated with buildings, such as fluorescent lights and electrical switches, shall be disposed of in accordance with DTSC hazardous waste regulations. Mitigation Measure 4.7-1b: Prior to the issuance of grading or demolition permit, the County Building Official and Community Development Division shall review a Risk Management Plan prepared for the Project Variant ultimately selected by a qualified professional. The plan shall include, but is not limited to the following conditions: ▪ Should tanks, drums, free product, or other potential chemical hazards be encountered during excavation, the County, environmental consultant and the owner shall be consulted prior to proceeding. Excavated material shall be segregated and stockpiled in a designated area and covered in plastic. Stockpiles shall be maintained for profiling and disposal. A qualified environmental consultant shall take samples of each stockpile for analysis. Stockpiles and other hazardous wastes	

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Hazards and Hazardous Materials (continued)			
Impact 4.7-1 continued		shall be appropriately managed, labeled, transported, and disposed of by trained workers in accordance with all applicable laws and regulations. ▪ The contractor shall include specific information related to chemical hazards that could be present during the excavation. This information shall include, but shall not be limited to, the proper use of personal protective equipment (PPE), worker air monitoring, and action levels for use of PPE and stop work. Workers engaged in the excavation of petroleum-affected soil shall be trained per OSHA standards for hazardous waste operations and emergency response.	
Hydrology and Water Quality			
Impact 4.8-1: Improvements, primarily the introduction of a parking area for 74 cars, could affect the quality of stormwater flowing from the project site.	S	Mitigation Measure 4.8-1a: : Prior to the approval of a building permit, the County Department of Conservation and Development shall ascertain that final landscaping plans for the Project Variant ultimately selected shall: ▪ Be designed to minimize irrigation and runoff and to minimize use of fertilizers and pesticides that can contribute to stormwater pollution. ▪ Specify plantings within planters and swales that are tolerant of the sandy loam soils and periodic inundation. ▪ Include pest-resistant plants.	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Hydrology and Water Quality (continued)			
Impact 4.8-1 continued		▪ Include plantings appropriate to site soils, slopes, climate, sun, wind, rain, land use, air movement, ecological consistency and plant interactions. ▪ Note that all on-site storm drain inlets shall be marked with the words "No Dumping! Drains to Creek" or similar language. Mitigation Measure 4.8-1b: Prior to the approval of a building permit, the applicant shall submit a Final Storm Water Control Plan to the Public Works Department in general conformance with the Preliminary Drainage Report for review and approval. The Final Drainage Report and Storm Water Control Plan shall demonstrate use of GrassPave2 and pervious pavers or pervious concrete with comparable or better infiltration and storage capacity. Mitigation Measure 4.8-1c: Prior to the approval of a building permit, the applicant shall submit a Maintenance Program to the Public Works Department. The Maintenance Program shall include procedures for maintaining the pervious surfaces employed within the project site in the Operation and Maintenance Plan of the SWCP. The Maintenance Program shall include the following measures: ▪ Landscaping grades shall follow a post-project Sediment Control Plan. Landscape areas shall be designed to drain away from pervious surfaces in the parking lot area wherever possible in order to curtail run-off from carrying silt onto the pervious pavements. The Sediment Control Plan would be included in the Storm Water Control Plan and grades directing water away from the parking lot area shall be shown on the Grading plan.	

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Hydrology and Water Quality (continued)			
Impact 4.8-1 continued		▪ The applicant shall engage an outside contractor experienced in maintenance of pervious pavers. The contractor will follow the procedures listed in the Operation and Maintenance Plan of the Storm Water Control Plan. ▪ Permeable paver surfaces will be kept clean of organic materials. Leaves and other organic material shall be swept and removed from the paver surfaces periodically when debris accumulates and weekly during the rainy season (October 15 to April 15), or as otherwise directed by the Public Works Department for any other wet times of the year. ▪ Periodic vacuuming should be used to clear out voids with conventional street sweepers or like equipment with vacuums and brushes, a minimum of two (2) times a year, but the actual required frequency ~~will~~ shall be determined by conditions of the site. With an interlocking paver system, additional aggregate fill material will be added after cleaning, if needed to return aggregate fill material to its initial installation levels. ▪ The landowner shall be obligated to comply with the Operation and Maintenance Plan and Agreement. The landowner's maintenance obligations shall be reflected in such recorded documents as the County lawfully and routinely requires.	
Impact 4.8-2: During construction, excavated materials could contribute sediment to Las Trampas Creek that could adversely affect water quality.	S	Mitigation Measure 4.8-2: Prior to the issuance of a grading permit, the **Public Works Department and the** County Building Official shall approve a Storm Water Pollution Prevention Plan a (SWPPP) prepared by the applicant. The SWPPP shall comply with current San Francisco Bay Regional Water Quality Control Board guidelines and shall adopt acceptable best management practices (BMPs) for control of sediment	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Hydrology and Water Quality (continued)			
Impact 4.8-2 continued		and stabilization of erosion in the project area. The SWPPP shall include acceptable BMPs for the protection of water quality. **PWD shall ensure that the project site is annexed into Community Facilities District 14.**	
Land Use and Planning			
There would be no significant impacts to land use and planning.			
Noise			
Impact 4.10-1: Construction activities could generate a temporary increase in noise in the project vicinity.	S	Mitigation Measure 4.10-1: The DCD shall ensure that applicant adheres to the following mitigation measures in order to generate the least noise impacts **feasible** during construction: ▪ All construction activities shall be limited to the hours of 8:00 AM to 5:00 PM, Monday through Friday, and shall be prohibited on state and federal holidays, **except as provided below**; ▪ The applicant shall hold a pre-construction meeting with the job inspectors and the general contractor/onsite manager to confirm that all noise mitigation measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed prior to beginning construction; ▪ The applicant shall notify neighbors within 300 feet of the construction area, at least 30 days in advance ~~extreme noise generating~~ **excavation and grading** activities, about the estimated duration of the activity;	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Noise (continued)			
Impact 4.10-1 continued		▪ The applicant shall designate a construction noise coordinator who will be responsible for implementing the noise control measures and responding to complaints. This person's name and contact information shall be posted clearly around the project site and shall also be distributed to properties within 200 feet of the site boundaries. The construction noise coordinator shall be available during all times during construction activities and shall maintain a log of complaints. A copy of the log shall be provided to the DCD monthly on the 30th day of each month; ▪ The applicant shall require construction contractors to limit noise generating construction activities as required by the DCD. No construction activities shall be allowed **before 8 AM or after 5 PM, or** on weekends without prior authorization of the Zoning Administrator, and no ~~extreme noise generating~~ **excavation and grading** shall be allowed **after hours or** on weekends and holidays; ▪ The applicant shall require construction contractors to implement the following measures to reduce daytime noise due to construction activities: • Equipment and trucks used for construction shall utilize the best available noise control techniques **wherever feasible** (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds~~, wherever feasible~~).	

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Noise (continued)			
Impact 4.10-1 continued		• Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever **feasible** ~~possible~~ to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is **not feasible** ~~unavoidable~~,, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible. • Stationary noise sources shall be located as far from adjacent receptors as **feasible** ~~possible~~, and shall be muffled and enclosed within temporary sheds, insulation barriers, or other measures to the extent feasible. ▪ Prior to the start of construction, the applicant shall construct a temporary sound barrier along **those portions of** the northern and southern property lines **that do not, at the time of grading and construction, already have a wall that meets the following standards,** to provide the maximum protection **feasible** for the residential uses to the north and south. The barriers can be constructed out of wood or other materials as long as they have a minimum surface weight of approximately 2.5 pounds per - square foot. Possible materials include 1-1/8-inch-thick plywood or fully overlapping 1x redwood boards (1-1/2-inch thick total). The barriers would likely be 6 to 8 feet tall but this would be refined and approved by a qualified acoustician prior to the issuance of grading permits. Issues to consider when	

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Noise (continued)			
Impact 4.10-1 continued		determining the ultimate height, length, and location of the barriers are the actual construction practices, including equipment to be used and the location and duration of noisier activities. The topography will also need to be considered in the final determination of barrier heights and effectiveness.	
Impact 4.10-2: Construction and operational activities could temporarily expose persons or structures to excessive groundborne vibration.	S	Mitigation Measure 4.10-2: The DCD shall ensure that the applicant isolates the equipment in the mechanical well per the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Guidelines. ASHRAE is considered the industry standard for mechanical system design standards.	LTS
Population and Housing			
There would be no significant impacts to population and housing.			
Public Services			
There would be no significant impacts to public services.			
Traffic and Circulation			
Impact 4.13-1: The proposed reliance on a TDM program would increase the number of pedestrians and bicyclists along the Boulevard Way frontage of the project site, thereby necessitating a sidewalk along this frontage.	S	Mitigation Measure 4.13-1: If Project Variant A is ultimately selected and approved, the County Department of Conservation and Development and County Public Works Department shall verify that final plans incorporate a sidewalk on the Boulevard Way frontage similar to that incorporated in Project Variant B. Plans shall show the sidewalk along all project frontage and extending to Warren Road. Sidewalk plans shall conform to prevailing County standards.	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Traffic and Circulation (continued)			
Impact 4.13-1 continued		In addition, if Project Variant A is approved, prior to the approval of any building or grading permit, the County Department of Conservation and Development and County Public Works Department shall verify that final plans for the public right-of-way area show a north-south crosswalk at a location mutually acceptable to the aforementioned County departments and the applicant. The crosswalk shall conform to any pertinent state or County regulations regarding crosswalk location and safety. As appropriate, final plans for the crosswalk shall incorporate features to help reduce conflicts between vehicles and pedestrians. Such features may include but are not limited to signage advising motorists of the crosswalk, lighting at the crosswalk, and the use of contrasting color and/or reflective paint to improve nighttime visibility of the crosswalk area.	
Impact 4.13-2: Project Variant A would not allow for adequate stopping sight distance, thus creating a potential safety concern.	S	Mitigation Measure 4.13-2: If Project Variant A is ultimately selected and approved, the County Department of Conservation and Development and County Public Works Department shall verify that final plans reflect the inclusion of adequate sight distance to the west of the project driveway. This can be achieved by relocating the proposed perimeter wall from its current location to the same location as shown in the plan for Project Variant B (Figure 3-8) and keeping the area north of the wall free of potential visual obstructions (trees or other tall vegetation).	LTS

Environmental Impacts	Level of Significance Without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Utilities and Service Systems			
Impact 4.14-1: The proposed sanctuary building would generate an increase in demand for water supply over existing uses on the project site.	S	Mitigation Measure 4.14-1: In the event of multiple drought years, the applicant shall comply with EMBUD's **then-applicable** Drought Management Program ~~and reduce water usage by 20 percent~~. In the event of critical shortages (shortages of 25 percent or more), the applicant shall comply with reduction goals based on customer categories set by EBMUD.	LTS
Cumulative Impacts			
There would be no considerable contributions to cumulative impacts.			

Notes: LTS = Less Than Significant
S = Significant

Source: Circlepoint, 2011.

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Exhibit 2

Mitigation Monitoring Reporting Program

Table 4-1 Mitigation Monitoring and Reporting Program

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Aesthetics			
Impact 4.1-1: Either Project Variant would result in the potential for substantial nighttime lighting which could adversely affect nighttime views.	Mitigation Measure 4.1-1: The applicant shall submit a lighting plan and a photometric study which shall demonstrate, to the satisfaction of the Department of Conservation and Development, that no bare bulbs will be visible from offsite. The plan shall also demonstrate that no lighting will be directed across property lines, and all lighting visible from offsite – including spillover onto adjacent properties – will be compatible with offsite private and public right-of-way lighting in the vicinity. The plans shall reflect the effect of lighting both before and after proposed site landscaping achieves maturity. If needed, the plans may include recommendations for turning off lights at specific times to reduce effects to nighttime views.	Department of Conservation and Development and project applicant	Prior to issuance of grading or building permit or installation of outdoor lighting system, whichever occurs first
Air Quality			
Impact 4.2-1: Construction would result in emissions of fugitive dust.	Mitigation Measure 4.2-1: Prior to the approval of a grading plan, County DCD shall ensure that grading and demolition plans include the following measures for all phases of construction as recommended by BAAQMD to reduce the air quality impacts of particulate matter (PM_{10} and $PM_{2.5}$) associated with grading and new construction: ▪ All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered a minimum of two times per day; ▪ All haul trucks transporting soil, sand, or other loose material off-site shall be covered; ▪ All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. No dry power sweeping shall be performed (i.e., prohibited);	Department of Conservation and Development	Prior to the approval of a grading plan

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Air Quality (continued)			
Impact 4.2-1 continued	▪ All roadways, driveways, and sidewalks to be paved shall be completed as soon as feasible. Building pads shall be laid as soon as feasible after grading unless seeding or soil binders are used; ▪ All vehicle speeds on unpaved roads shall be limited 15 mph; ▪ Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes. Clear signage shall be provided for construction workers at all access points; ▪ All construction equipment and haul trucks shall be maintained and properly tuned in accordance with manufacturer's specifications. All construction equipment and haul trucks shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and ▪ A publicly visible sign shall be posted with the telephone number of the Construction Manager and BAAQMD to report dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD complaint line telephone number shall also be visible to ensure compliance with applicable regulations.		
Impact 4.2-2: Emissions of diesel exhaust during construction would exceed BAAQMD thresholds for NO_X.	Mitigation Measure 4.2-2: Emissions of NOx from construction activities shall be limited to less than 54 pounds per day. This performance standard would be achieved by limiting vehicle miles travelled (VMT) for standard hauling trucks to 1,872 VMT per day. Assuming 13 cubic-yard-trucks and delivery to the Acme landfill, , and assuming a round trip of 31.2 miles, this would mean that soil hauling would be capped at 60 round trips per day, which would extend the excavation schedule from an earlier projection by the applicant of 35 working days to 55 working days. If other sites at a different distance were identified to accept the fill, the schedule could be revised	Department of Conservation and Development	Approval of VMT calculations prior to excavation; VMT limitation during project construction

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Air Quality (continued)			
Impact 4.2-2 continued	accordingly to fit within the same VMT limitation. However, all hauling trucks must use a haul route that leaves the project site, heads east on Boulevard Way, and enters Highway 24 near Mt. Diablo and Boulevard Way.		
Impact 4.2-3: The Project Variant ultimately selected could create objectionable odors affecting a substantial number of people during construction.	Mitigation Measure 4.2-3: Prior to the approval of a grading permit, County DCD shall verify that grading plans include a requirement that limits the allowable idling time of diesel-powered construction equipment to two minutes or less	Department of Conservation and Development	Prior to the approval of a grading plan
Biological Resources			
Impact 4.3-1: Potential future purchase of the adjacent Odell property would trigger a County Fire Protection District requirement to widen the existing secondary road providing access to the project site from Warren Road. This would result in the removal of and/or damage to several existing trees.	Mitigation Measure 4.3-1: If the applicant purchases the Odell property, compliance with the CCCFPD condition to widen the secondary access drive to Warren Road shall be required. In compliance with Chapter 816-6.8002 of the Tree Protection and Preservation Ordinance, a permit shall be obtained for the removal of all protected trees. If the applicant purchases the Odell property after August 2012, a qualified arborist shall examine the property and the recommendations of the arborist reports dated June 22, 2009 and August 4, 2009, included as **Appendix G** to this EIR, to confirm and/or append to the conditions included in the earlier reports.	Department of Conservation and Development and project applicant	If the applicant purchase the Odell property
Impact 4.3-2: Demolition and tree removal activities could have an adverse effect on special-status species including roosting bats that are potentially nesting in trees and/or abandoned buildings found on the project site, as well as migratory birds and raptors that may nest in mature trees. .	Mitigation Measure 4.3-2a: Given the potential for occurrence of roosting bats on the project site, the Contra Costa County Department of Conservation and Development (DCD) shall require a qualified biologist to conduct pre-construction surveys for roosting bats prior to issuance of demolition permits. If roosting bats are detected, DCD shall require that a qualified biologist, in consultation with the California Department of Fish and Game (CDFG), shall exclude/evict the bats prior to removal of the occupied structure or tree. Abandoned structures or trees that are	Department of Conservation and Development	Prior to the issuance of demolition permits and throughout pre-construction and construction

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Biological Resources (continued)			
Impact 4.3-2 continued	proposed for removal shall be removed before ground-disturbing activities begin to avoid conflicts with potential nesting periods. Immediately prior to construction, DCD shall require another pre-construction survey to be conducted to detect presence and confirm absence of active nesting in the trees that will remain. During the pre-construction survey, the qualified biologist may enact other measures to protect roosting bats on the project site. These measures must be followed throughout the pre-construction and construction period.		
	Mitigation Measure 4.3-2b: Given the potential for occurrence of special-status bird species on the project site and the possibility for overlap of demolition and tree removal with the nesting season, DCD shall require a qualified biologist to conduct pre-construction surveys for nesting birds prior to issuance of demolition permits and no more than one week prior to tree removal. If an occupied bird's nest is detected, a buffer zone of 50 to 300 feet shall be implemented to protect adults and nestlings from construction disturbances. If occupied nests are detected, exclusion areas are required until young birds have fledged. During the pre-construction survey, the qualified biologist may enact other measures to protect raptors and birds on the project site. These measures must be followed throughout the pre-construction and construction period. Destruction of occupied nests would be in violation of the Migratory Bird Treaty Act (MBTA) and the CDFG Code.	Department of Conservation and Development	Prior to the issuance of demolition permits
Impact 4.3-3: Construction activities could disturb potential nesting habitat in trees that are not proposed for removal.	Implement Mitigation Measures 4.3-2a and 4.3-2b.	Department of Conservation and Development	Prior to the issuance of demolition permits

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Cultural Resources			
Impact 4.4-1: Demolition of existing structures and construction activities could inadvertently damage previously unidentified historical, archaeological, and paleontological resources on the project site.	Mitigation Measure 4.4-1: When demolition and site clearing activities are complete, a qualified archaeologist, hired by the applicant, shall reinspect the project site to ascertain whether clearance activities exposed any previously undetected archaeological resources. In the event that any cultural (historical, archeological, and/or paleontological) resources are encountered, the Contra Costa County Department of Conservation and Development (DCD) shall ensure that construction, excavation, and/or grading activities within 100 feet of the find are temporarily halted until a qualified archaeologist or paleontologist, hired by the applicant, can assess the significance of the find and provide proper management recommendations to be incorporated in to the Project Variant ultimately selected. Prehistoric cultural materials include, but is not limited to, shell midden deposits, hearth remains, stone and/or shell artifacts, and/or burials. Historic materials, including but not limited to, whole or fragmentary ceramic, glass or metal objects, wood, nails, brick, or other materials may occur on the project site in deposits such as old privies or dumps. If the site is found to contain significant cultural or paleontological resources (as determined by the CEQA Guidelines) by a qualified archaeologist or paleontologist, funding shall be provided by the applicant to identify, record, report, evaluate, and recover the resources as necessary. Construction within the area of the find shall not recommence until impacts to the cultural or paleontological resource are mitigated. Additionally, as required by Public Resources Code Section 5097.993, the applicant must inform project personnel that collection of any Native American artifact is prohibited by law.	Department of Conservation and Development	When demolition and site clearing activities are complete, and during grading.
Impact 4.4-2: Construction activities could inadvertently uncover human remains.	Mitigation Measure 4.4-2: In accordance with Public Resource Code Section 5097.98, should human remains be found on the site at any time during pre-construction or construction activities, the Contra Costa County Department of Conservation and Development (DCD)	Department of Conservation and Development	In the event that human remains are found on the project site

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Cultural Resources (continued)			
Impact 4.4-2 continued	shall ensure that no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains shall be disturbed until: ▪ The County Coroner in which the remains are discovered is contacted and determines that no investigation of the cause of death is required; and ▪ If the County Coroner determines the remains to be Native American then: (1) The coroner shall contact the Native American Heritage Commission within 24 hours; (2) The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased native American; and (3) The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98. The landowners or their authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance if the following conditions occur: ▪ The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission; ▪ The descendent identified fails to make a recommendation; or		

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Cultural Resources (continued)			
Impact 4.4-2 continued	▪ The landowners or their authorized representative reject the recommendation of the descendent, and the mediation by the NAHC fails to provide measures acceptable to the landowner.		
Geology and Soils			
Impact 4.5-1: Either Project Variant could expose people and structures to potential adverse effects from strong seismic ground shaking.	Mitigation Measure 4.5-1: Prior to the issuance of a building permit, the County Building Official shall verify that plans incorporate the following CBC seismic site categorization and design coefficients, in conformance with the most recent version of the California Building Code shown in the table below.:	County Building Official	Prior to the issuance of building permit

Categorization/Coefficient	Design Value
Site Class (Table 1613.5.2)	C
0.2 Second Spectral Response Acceleration, S_s (Figure 1613.5(3))	1.5g
1.0 Second Spectral Response Acceleration, S_1 (Figure 1613.5(4))	1.6g
Seismic Site Coefficient, F_a (Table 1613.5.3(1))	1.0
Seismic Site Coefficient, F_v (Table 1613.5.3(2))	1.3
Long-period Transition Period, T_l (Figure 22-6)[1]	1.0

[1] From ASCE/SEI 7-05 (2006)

Source: DCM Engineering, October 2008.

The County Building Official shall certify that a qualified geotechnical engineer has reviewed final plans and specifications for consistency with CBC and UBC design standards. The County Building Official shall verify that all pertinent recommendations of the geotechnical engineer are incorporated into final building plans.

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Impact 4.5-2: The project site is located on soil that could become unstable as a result of construction activities, and potentially result in instability on neighboring sites.	Mitigation Measure 4.5-2a: Where permitted by the owner or tenant in possession, the County Building Official shall direct the applicant or their contractor to complete the following actions: ▪ inspect existing structures/utilities to document any evidence of then-existing damage, cracking, distortion, weaknesses in structural elements, deterioration, corrosion, excessive stress, overloading, or use of the structure in a manner which may not have been intended by its design prior to issuance of any construction permits. The inspection shall include an assessment of the condition of the following structures and facilities: • structures on properties adjacent to the project site • Boulevard Way • potentially affected utilities within the project site, as determined by a qualified engineer All inspections and notations of pre-existing damages shall be thoroughly documented, to the extent permitted by the relevant owner or tenant in possession, prior to the issuance of a demolition or grading permit by photographs and mapping, and reference markings or measurement points shall be established on critical or previously damaged structures/utilities to assist in determining whether any damage or movement has occurred as a result of construction. Such inspections shall be completed before issuance of the grading permit and again, after construction of the building shell is substantially complete. To the extent required by Civil Code Section 832, the applicant shall be responsible to repair or compensate for damage caused by the project. The County Building Official shall, prior to issuance of an occupancy permit: (a) confirm that the applicant has undertaken a written obligation to repair or compensate for damage caused by the construction of the project as recommended by the architect of record, or has established procedures that assure such repairs will be made or such compensation will be paid;	County Building Official	Prior to the issuance of a grading permit

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Geology and Soils (continued)			
Impact 4.5-2 continued.	and (2) confirm that any such repairs or payment of compensation is planned to be completed within a time frame the Official deems reasonable under the circumstances. Where existing structures are in close proximity to the excavation, additional measures beyond pre-construction inspection, such as building underpinning, shall be required as determined by the geotechnical consultant.		
	Mitigation Measure 4.5-2b: Prior to the issuance of a grading permit, the County Geologist shall review the final plans to ensure that proposed excavation shoring and dewatering systems meet minimum performance requirements. These minimum performance requirements include: a. Protect personnel that enter excavations; b. Protect adjacent existing utilities, pavements, and structures; c. Installation should not cause settlement or heave of the ground surface nor produce construction vibrations that could damage adjacent utilities or structures; d. Prevent caving or lateral movement of excavation walls and associated loss of adjacent ground and adjacent ground surface settlement, even when subjected to construction vibration; e. Prevent heave and or piping (boiling) of the excavation bottom; and f. Where applicable, resist hydrostatic pressures and lateral loads for adjacent structural foundations, vehicular traffic, construction equipment and spoils.	County Geologist	Prior to the issuance of a grading permit
	Mitigation Measure 4.5-2c: Prior to the issuance of a grading permit, the County Building Official shall ensure that grading plans show a requirement that a qualified geotechnical engineer monitor and	Building Official and County Geologist	Prior to the issuance of grading permits

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Geology and Soils (continued)			
Impact 4.5-2 continued.	document soil and groundwater conditions on an ongoing basis during excavation, grading, and construction. The geotechnical engineer shall anticipate changes and modifications to shoring systems and sloping (on the west side) in response to changes in soil and groundwater conditions. All sheeting and shoring shall be evaluated for stability by the geotechnical consultant prior to entry by personnel. The County Building Official and County Geologist shall review and consider the recommendations of the geotechnical engineer and incorporate any or all recommendations into final grading plans.		
Impact 4.5-3: Either Project Variant would result in substantial soil erosion.	Incorporate Mitigation Measure 4.8-2.	The project applicant and the County Building Official	Prior to the issuance of a grading permit
Impact 4.5-4: Either Project Variant would be located on expansive soils that could create a risk to life and property.	Mitigation Measure 4.5-4a: Prior to the issuance of a grading permit, the County Building Official shall ensure that plans for building foundations have been reviewed by a qualified geotechnical engineer to ensure measures are included to reduce potential future structural damage to the religious facility from expansive soils. Such measures shall include but are not limited to minimum requirements for the expansion potential of fill material, soil compaction, and soil moisture content. The County Building Official and County Geologist review and approval shall ensure that all pertinent recommendations of the geotechnical engineer are incorporated into final grading plans.	County Building Official	Prior to the issuance of grading permits
	Mitigation Measure 4.5-4b: Prior to the issuance of a building permit, the County Building Official shall ensure that plans are revised as necessary to show that foundations for the new facility consist of a reinforced concrete floor slab or a mat slab, consistent with recommendations of the County Geologist.	County Building Official	Prior to the issuance of building permits

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Hazards and Hazardous Materials			
Impact 4.7-1: Demolition of existing structures on the site could result in the release of lead, asbestos, and other contaminants.	Mitigation Measure 4.7-1a: At least fifteen days prior to issuance of a demolition permit, a state certified contractor shall complete an asbestos and lead-based paint survey for all structures proposed for demolition that were constructed prior to 1980. The survey shall be submitted to the Department of Conservation and Development, Community Development Division for review and approval. If LBP or asbestos-containing materials are identified in the survey, they shall be removed from the site and properly disposed of in accordance with CAL/ OSHA requirements: ▪ Known or suspected asbestos-containing materials shall be abated by a certified asbestos abatement contractor in accordance with BAAQMD regulations and notification requirements. ▪ Intact lead-based paint found to be secure (not flaking, peeling or cracked) may be discarded along with demolition debris during the demolition of the structure. ▪ Loose and peeling paint shall be disposed of as state and/or federal hazardous waste if the concentration of lead exceeds applicable waste thresholds. ▪ Hazardous wastes shall be appropriately managed, labeled, transported, and disposed of by trained workers in accordance with local requirements. ▪ The demolition and removal of materials potentially containing lead-based paint would be required to follow the CAL/OSHA Lead in Construction Standard, Title 8, California Code of Regulations (CCR). Other hazardous materials associated with buildings, such as fluorescent lights and electrical switches, shall be disposed of in accordance with DTSC hazardous waste regulations.	Department of Conservation and Development and a state certified contractor	At least fifteen days prior to issuance of a demolition permit

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Hazards and Hazardous Materials (continued)			
Impact 4.7-1 continued	Mitigation Measure 4.7-1b: Prior to the issuance of grading or demolition permit, the County Building Official and Community Development Division shall review a Risk Management Plan prepared for the Project Variant ultimately selected by a qualified professional. The plan shall include, but is not limited to the following conditions: ▪ Should tanks, drums, free product, or other potential chemical hazards be encountered during excavation, the County, environmental consultant and the owner shall be consulted prior to proceeding. Excavated material shall be segregated and stockpiled in a designated area and covered in plastic. Stockpiles shall be maintained for profiling and disposal. A qualified environmental consultant shall take samples of each stockpile for analysis. Stockpiles and other hazardous wastes shall be appropriately managed, labeled, transported, and disposed of by trained workers in accordance with all applicable laws and regulations. ▪ The contractor shall include specific information related to chemical hazards that could be present during the excavation. This information shall include, but shall not be limited to, the proper use of personal protective equipment (PPE), worker air monitoring, and action levels for use of PPE and stop work. Workers engaged in the excavation of petroleum-affected soil shall be trained per OSHA standards for hazardous waste operations and emergency response.	County Building Official and Community Development Division	Prior to the issuance of grading or demolition permit

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Hydrology and Water Quality			
Impact 4.8-1: Improvements, primarily the introduction of a parking area for 74 cars, could affect the quality of stormwater flowing from the project site.	Mitigation Measure 4.8-1a: Prior to the approval of a building permit, the County Department of Conservation and Development shall ascertain that final landscaping plans for the Project Variant ultimately selected shall: ▪ Be designed to minimize irrigation and runoff and to minimize use of fertilizers and pesticides that can contribute to stormwater pollution. ▪ Specify plantings within planters and swales that are tolerant of the sandy loam soils and periodic inundation. ▪ Include pest-resistant plants. ▪ Include plantings appropriate to site soils, slopes, climate, sun, wind, rain, land use, air movement, ecological consistency and plant interactions. ▪ Note that all on-site storm drain inlets shall be marked with the words "No Dumping! Drains to Creek" or similar language	County Department of Conservation and Development	Prior to the approval of a building permit
	Mitigation Measure 4.8-1b: Prior to the approval of a building permit, the applicant shall submit a Final Storm Water Control Plan to the Public Works Department in general conformance with the Preliminary Drainage Report for review and approval. The Final Drainage Report and Storm Water Control Plan shall demonstrate use of GrassPave2 and pervious pavers or pervious concrete with comparable or better infiltration and storage capacity.	Project applicant and Public Works Department	Prior to the approval of a building permit
	Mitigation Measure 4.8-1c: Prior to the approval of a building permit, the applicant shall submit a Maintenance Program to the Public Works Department. The Maintenance Program shall include procedures for maintaining the pervious surfaces employed within the project site in the Operation and Maintenance Plan of the SWCP. The Maintenance Program shall include the following measures:	Project applicant and Public Works Department	Prior to the approval of a building permit

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Hydrology and Water Quality (continued)			
Impact 4.8-1 continued	▪ Landscaping grades shall follow a post-project Sediment Control Plan. Landscape areas shall be designed to drain away from pervious surfaces in the parking lot area wherever possible in order to curtail run-off from carrying silt onto the pervious pavements. The Sediment Control Plan would be included in the Storm Water Control Plan and grades directing water away from the parking lot area shall be shown on the Grading plan. ▪ The applicant shall engage an outside contractor experienced in maintenance of pervious pavers. The contractor will follow the procedures listed in the Operation and Maintenance Plan of the Storm Water Control Plan. ▪ Permeable paver surfaces will be kept clean of organic materials. Leaves and other organic material shall be swept and removed from the paver surfaces periodically when debris accumulates and weekly during the rainy season (October 15 to April 15), or as otherwise directed by the Public Works Department for any other wet times of the year. ▪ Periodic vacuuming should be used to clear out voids with conventional street sweepers or like equipment with vacuums and brushes, a minimum of two (2) times a year, but the actual required frequency shall be determined by conditions of the site. With an interlocking paver system, additional aggregate fill material will be added after cleaning, if needed to return aggregate fill material to its initial installation levels. ▪ The landowner shall be obligated to comply with the Operation and Maintenance Plan and Agreement. The landowner's maintenance obligations shall be reflected in such recorded documents as the County lawfully and routinely requires.		

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Hydrology and Water Quality (continued)			
Impact 4.8-2: During construction, excavated materials could contribute sediment to Las Trampas Creek that could adversely affect water quality.	Mitigation Measure 4.8-2: Prior to the issuance of a grading permit, the Public Works Department and the County Building Official shall approve a Storm Water Pollution Prevention Plan a (SWPPP) prepared by the applicant. The SWPPP shall comply with current San Francisco Bay Regional Water Quality Control Board guidelines and shall adopt acceptable best management practices (BMPs) for control of sediment and stabilization of erosion in the project area. The SWPPP shall include acceptable BMPs for the protection of water quality. PWD shall ensure that the project site is annexed into Community Facilities District 14.	The project applicant and the County Building Official	Prior to the issuance of a grading permit
Noise			
Impact 4.10-1: Construction activities could generate a temporary increase in noise in the project vicinity.	Mitigation Measure 4.10-1: The DCD shall ensure that applicant adheres to the following mitigation measures in order to generate the least noise impacts feasible during construction: ▪ All construction activities shall be limited to the hours of 8:00 AM to 5:00 PM, Monday through Friday, and shall be prohibited on state and federal holidays except as provided below; ▪ The applicant shall hold a pre-construction meeting with the job inspectors and the general contractor/onsite manager to confirm that all noise mitigation measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed prior to beginning construction; ▪ The applicant shall notify neighbors within 300 feet of the construction area, at least 30 days in advance of excavation and grading activities, about the estimated duration of the activity;	County Department of Conservation and Development	During project construction

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Noise (continued)			
Impact 4.10-1 continued	▪ The applicant shall designate a construction noise coordinator who will be responsible for implementing the noise control measures and responding to complaints. This person's name and contact information shall be posted clearly around the project site and shall also be distributed to properties within 200 feet of the site boundaries. The construction noise coordinator shall be available during all times during construction activities and shall maintain a log of complaints. A copy of the log shall be provided to the DCD monthly on the 30th day of each month; ▪ The applicant shall require construction contractors to limit noise generating construction activities as required by the DCD. No construction activities shall be allowed before 8 AM or after 5 PM, or on weekends without prior authorization of the Zoning Administrator, and no excavation and grading activities shall be allowed after hours or on weekends and holidays; ▪ The applicant shall require construction contractors to implement the following measures to reduce daytime noise due to construction activities: • Equipment and trucks used for construction shall utilize the best available noise control techniques wherever feasible (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds). • Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or		

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Noise (continued)			
Impact 4.10-1 continued	electrically powered wherever feasible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is not feasible, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible. • Stationary noise sources shall be located as far from adjacent receptors as feasible, and shall be muffled and enclosed within temporary sheds, insulation barriers, or other measures to the extent feasible. ▪ Prior to the start of construction, the applicant shall construct a temporary sound barrier along those portions of the northern and southern property lines that do not, at the time of grading and construction, already have a wall that meets the following standards, to provide the maximum protection feasible for the residential uses to the north and south. The barriers can be constructed out of wood or other materials as long as they have a minimum surface weight of approximately 2.5 pounds per square foot. Possible materials include 1-1/8-inch-thick plywood or fully overlapping 1x redwood boards (1-1/2-inch-thick total). The barriers would likely be 6 to 8 feet tall but this would be refined and approved by a qualified acoustician prior to the issuance of grading permits. Issues to consider when determining the ultimate height, length, and location of the barriers are the actual construction practices, including equipment to be used and the location and duration		

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Noise (continued)			
Impact 4.10-1 continued	of noisier activities. The topography will also need to be considered in the final determination of barrier heights and effectiveness.		
Impact 4.10-2: Construction and operational activities could temporarily expose persons or structures to excessive groundborne vibration.	Mitigation Measure 4.10-2: The DCD shall ensure that the applicant isolates the equipment in the mechanical well per the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Guidelines. ASHRAE is considered the industry standard for mechanical system design standards.	County Department of Conservation and Development	During project construction
Traffic and Circulation			
Impact 4.13-1: The proposed reliance on a TDM program would increase the number of pedestrians and bicyclists along the Boulevard Way frontage of the project site, thereby necessitating a sidewalk along this frontage.	Mitigation Measure 4.13-1: If Project Variant A is ultimately selected and approved, the County Department of Conservation and Development and County Public Works Department shall verify that final plans incorporate a sidewalk on the Boulevard Way frontage similar to that incorporated in Project Variant B. Plans shall show the sidewalk along all project frontage and extending to Warren Road. Sidewalk plans shall conform to prevailing County standards. In addition, if Project Variant A is approved, prior to the approval of any building or grading permit, the County Department of Conservation and Development and County Public Works Department shall verify that final plans for the public right-of-way area show a north-south crosswalk at a location mutually acceptable to the aforementioned County departments and the applicant. The crosswalk shall conform to any pertinent state or County regulations regarding crosswalk location and safety. As appropriate, final plans for the crosswalk shall incorporate features to help reduce conflicts between vehicles and pedestrians. Such features may include but are not limited to signage advising motorists of the crosswalk, lighting at the crosswalk, and the use of contrasting color and/or reflective paint to improve nighttime visibility of the crosswalk area.	County Department of Conservation and Development and County Public Works Department	If Project Variant A is ultimately selected and approved and prior to the approval of any building or grading permit

Environmental Impacts	Mitigation Measures	Responsible Agency	Timing
Traffic and Circulation (continued)			
Impact 4.13-2: Project Variant A would not allow for adequate stopping sight distance, thus creating a potential safety concern.	Mitigation Measure 4.13-2: If Project Variant A is ultimately selected and approved, the County Department of Conservation and Development and County Public Works Department shall verify that final plans reflect the inclusion of adequate sight distance to the west of the project driveway. This can be achieved by relocating the proposed perimeter wall from its current location to the same location as shown in the plan for Project Variant B (Figure 3-8) and keeping the area north of the wall free of potential visual obstructions (trees or other tall vegetation).	County Department of Conservation and Development and County Public Works Department	If Project Variant A is ultimately selected and approved and prior to the approval of any building or grading permit
Utilities and Service Systems			
Impact 4.14-1: The proposed sanctuary building would generate an increase in demand for water supply over existing uses on the project site.	Mitigation Measure 4.14-1: In the event of multiple drought years, the applicant shall comply with EMBUD's then-applicable Drought Management Program. In the event of critical shortages (shortages of 25 percent or more), the applicant shall comply with reduction goals based on customer categories set by EBMUD.	EBMUD and the project applicant	In the event of multiple drought years

Source: Circlepoint, 2011.

Exhibit B

Growth Management Standards

Land Use and Tree Permit Findings

Conditions of Approval

FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILES LP08-2034 and MS09-0008, SUFISM REORIENTED (Applicant and Owner).

A. General Plan Growth Management Element Performance Standards

1. Traffic: The County's Growth Management Plan (as part of voter approved Measure C) establishes that no traffic study is required when a project would add fewer than 100 vehicle trips during the peak hour of adjacent street traffic. However, should a project be expected to generate more than 100 peak hour trips a full transportation impact analysis would be required. The project sponsor submitted a Transportation Management Plan (TDM) for the reduction of parking spaces indicating the trip contribution would not exceed the CCTA threshold. As a result a traffic analysis was prepared for an understanding of traffic impacts in the neighborhood and effectiveness of the TDM program. The finding of the traffic study was that all intersections along Boulevard Way would continue to operate at acceptable conditions of (Level of Service) LOS B or better with small increases in daily volume during the AM and PM peak commute hours with project volumes but would continue to function within the capacity of the roadways.

2. Water: The project site is located within the service area of the East Bay Municipal Utilities District. Potential significant impacts mainly would result due to the "New Sanctuary" to generate an increase in demand for water supply over existing uses. The potential impacts would be mitigated to less-than-significant levels through implementation of the mitigation measure 4.14-1 described in the Draft EIR. All infrastructure and service to be reviewed and approved by the District.

3. Sanitary Sewer: The project site is served by the Contra Costa County Central Sanitary District. The project applicant intends to install and/or upgrade the existing infrastructure for the new facility. The project sponsor will be required to obtain the necessary permits from the District prior to issuance of any building permits from the County Building Inspection Division.

4. Fire Protection: The project site is within the service area of the Contra Costa County Consolidated Fire Protection District. The District has commented on the project in reference to the widening of a secondary access drive from Warren Road, hydrant locations, turnarounds, and paving systems for the facility. The project sponsor shall comply with all Fire District requirements for the proposed development.

5. Public Protection: The performance standard is 155 square feet of Sheriff's station area and support facilities for every 1,000 members of the population. Implementation of the project would not create new housing opportunities or permanent new jobs, so no population growth is expected. Therefore, the facility would not result in an impact to the demand on public protection from the proposed use.

6. Parks and Recreation: Implementation of the project would not create new housing opportunities, so no population growth is expected, therefore no impact to existing parks

and recreation facilities. The completed landscaped grounds proposed for the sanctuary is an additional source for a park setting within the neighborhood.

7. Flood Control and Drainage: The site is located within Flood Zone X, which is not within the 100-year flood plain. The proposed project has been reviewed by the Public Works Department and shall be required to comply with their requirements for C.3 and drainage. Compliance with standard conditions of approval and the hydrology and water quality mitigation measures described in the Draft EIR would ensure the onsite and offsite drainage is adequate.

B. Land Use Permit Findings:

1. The proposed project as conditioned will not be detrimental to the health, safety and general welfare of the County.

   Project Finding: The conditions of approval and mitigation measures will adequately mitigate and minimize all known health, safety, and general welfare impacts. These include implementation of the control measures to minimize construction related air pollutant emissions; pre- construction -survey protection measures for animal species; protection of archaeological and paleontological resources. All potentially significant impacts will be mitigated for air quality, aesthetics, biological, cultural, geologic and soils, hazards and hazardous material hydrology and water quality, noise, traffic and circulation, and utilities and service systems. Based on above, the Sufism Reoriented "New Sanctuary" will not be detrimental to the health, safety, and general welfare of the County.

2. The proposed project as conditioned will not adversely affect the orderly development of the property within the County.

   Project Finding: The proposed project will not adversely affect the orderly development in the area. The project site is located in the (SH) Single family residential High Density General Plan designation and the (R-10) Single Family Residential, 10,000 square foot minimum parcel sizes as designated by the County Zoning Code. The project is a secondary land use that is permitted within the SH designation upon the issuance of a land use permit. The proposed project is within the boundaries of existing developed parcels and will consolidate the existing parcels for construction. Implementation of the project would not adversely affect the orderly development of the property within the County.

3. The proposed project as conditioned will not adversely affect the preservation of the property values and protection of the tax base within the County.

   Project Finding: Property values and the protection of the tax base within the County will not be adversely impacted by allowing the proposed project to be constructed on the existing parcels. The facility is a use that is compatible with the surrounding residential development with the granting of a land use permit. The project will help preserve the property value of the project site as a church facility without having a detrimental impact

on other uses on site and within the community. The project will not change the current zoning or general plan land use designation of the site. Typically Religious facilities do not adversely affect the preservation of property values and tax base related to surrounding properties. There is no evidence that implementation of the project would adversely affect the preservation of property values and tax base related to surrounding properties.

4. The proposed project as conditioned will not adversely affect the policy and goals as set by the General Plan.

   Project Finding: The project site is designated (SH) Single family residential high density under the County's General Plan Land Use designations. The purpose of the (SH) designation is to allow for residential development as a primary use and secondary uses such as home occupations, small residential care and childcare facilities, churches and other similar places of worship. The General Plan states that the designation is compatible with the R-10 zoning district. The R-10 zoning district allows religious facilities with a use permit. Hence, Sufism Reoriented sanctuary is a compatible use in the single family residential zoning designation.

5. The proposed project as conditioned will not create a nuisance and/or enforcement problem within the neighborhood or community.

   Project Finding: The project's conditions of approval and mitigation measures require reporting on the Transportation Demand program, a off-site parking agreement along with monitoring of the project by the Department of Conservation and Development and several conditions of approval will be in place to further ensure the proposed project would not create a nuisance and/or enforcement problem within the neighborhood. In addition, the project must comply with the building and zoning codes, which are designed to avoid the creation of nuisances. Based on the above, and because the proposal is a compatible use for the area and the General Plan, there is no substantial evidence that implementation of the project would create a nuisance or enforcement problem.

6. The proposed project as conditioned will not encourage marginal development within the neighborhood.

   Project Finding: Sufism Reoriented operated at 1300 Boulevard Way for the past 20 years. This project has not encouraged marginal development. The proposed use permit for the facility would be privately owned and maintained. Therefore, there is no substantial evidence that the project will result in marginal development in the neighborhood.

7. That special conditions or unique characteristics of the subject property and its location or surroundings are established.

   Project Finding: The applicant had indicated other parcels in the area are not available for the project or are not contiguous. Several hundred members of Sufism Reoriented

reside within one mile of the locations. In addition, the Murshida parsonage currently exists on this property. Hence, the proposed location is ideally suited for this facility. All parcels associated with this project are held by the project sponsor. The combination of above scenarios is already established and is also a unique characteristic of the area.

C. Minor Subdivision Findings

The advisory agency shall not approve a tentative map unless it shall find that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the applicable general and specific plans required by law. When approving the tentative map for a minor subdivision, the advisory agency shall make findings as required concerning the fulfillment of construction requirements.

This Project if approved merges the existing adjacent parcels into one parcel, rather than subdividing an existing parcel into additional parcels. The merger is consistent with the General Plan, as the General Plan does not prohibit the resulting parcel size. Construction requirements are detailed in the attached conditions of approval. The application meets the requirements for a merger. The parcels are under common ownership, and the resulting parcel size conforms to General Plan and Zoning requirements.

D. Criteria for Review of the Tree Permit

1. **Required Factors for Granting Permit**. The County Planning Commission is satisfied that the following factors as provided by County Code Section 816-6.8010 for granting a tree permit have been satisfied as marked:

   a. ___ The arborist report indicates that the subject tree is in poor health and cannot be saved.

   b. ___ The tree is a public nuisance and is causing damage to public utilities or streets and sidewalks that cannot be mitigated by some other means.

   c. ___ The tree is in danger of falling and cannot be saved by some other means.

   d. ___ The tree is damaging existing private improvements on the lot such as a building foundation, walls, patios, decks, roofs, retaining walls, etc.

   e. ___ The tree is a species known to be highly combustible and is determined to be a fire hazard.

   f. ___ The proposed tree species or the form of the tree does not merit saving.

g. _X_ Reasonable development of the property would require the alteration or removal of the trees and this development could not be reasonably accommodated on another area of the lot.

h. ___ The tree is a species known to develop weaknesses that affect the health of the tree or the safety of people and property. These species characteristics include but are not limited to short-lived, weak wooded and subject to limb breakage, shallow rooted and subject to toppling.

i. _X_ Where the arborist or forester report has been required, and the Director of the Department of Conservation and Development is satisfied that the issuance of a permit will not negatively affect the sustainability of the resource.

j. ___ None of the above factors apply.

2. **Required Factors for Denying a Tree Permit.** The County Planning Commission is satisfied that the following factors as provided by County Code Section 816-6.8010 for denying (or modifying) a tree permit application have been satisfied as marked:

a. ___ The applicant seeks permission for the alteration or removal of a healthy tree that can be avoided by reasonable redesign of the site plan prior to project approval (for non-discretionary permits).

b. ___ It is reasonably likely that alteration or removal of a healthy tree will cause problems with drainage, erosion control, land suitability, windscreen, visual screening, and/or privacy and said problems cannot be mitigated as part of the proposed removal of the tree.

c. ___ The tree to be removed is a member of a group of trees in which each tree is dependent upon the others for survival.

d. ___ The value of the tree to the neighborhood in terms of visual effect, wind screening, privacy and neighboring vegetation is greater than the hardship to the owner.

e. ___ If the permit involves trenching or grading and there are other reasonable alternatives including an alternate route, use of retaining walls, use of pier and grade beam foundations and/or relocating site improvements.

f. ___ Any other reasonable and relevant factors specified by the Director of the Department of Conservation and Development.

g. _X_ None of the above factors apply.

CONDITIONS OF APPROVAL FOR COUNTY FILES #LP08-2034 AND #MS09-0008; SUFISM REORIENTED (APPLICANT AND OWNERS).

General/Administrative

1. ____ ____ This approval is to allow development of the Sufism Reoriented "New Sanctuary" project based on the following revised exhibits and documents:

   A. Land Use Permit application received on July 3, 2008 and revised supporting material received on July 31, 2008 and Minor Subdivision application received June 15, 2009 by the Community Development Division.

   B. Draft Environmental Impact Report and Appendices dated March 2011, as supplemented and revised by the Final Environmental Impact Report and Appendices (reports) dated September 2011.

   C. Mitigation Monitoring Reporting Program dated September 2011.

   D. Updated Transportation Demand Management Plan submitted in March 2009.

   E. Revised site plans, elevations, floor plans, sections, and topographic map submitted on July 1, 2009.

   F. Vesting Tentative Parcel Map dated June 15, 2010.

Indemnity/Hold Harmless Agreement

2. ____ ____ Upon approval of this Land Use Permit, the Applicant agrees to defend, indemnify, and hold harmless Contra Costa County and its agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, and employees to attack, set aside, void or annul this approval. The project sponsor also agrees to defend, indemnify, and hold harmless Contra Costa County and its agents, officers, and employees from any and all liability caused by negligent or wrongful acts of the project sponsor, its agents, or employees arising out of the issuance or exercise of this Land Use Permit or the interpretation of any of its provisions, and to pay all claims, damages, judgments, legal costs, adjuster fees, and attorney fees incurred by the County or its agents, officers, and employees related thereto. The project sponsor shall be entitled to select its own legal counsel in the defense of all such actions. The project sponsor shall submit a letter on company letterhead verifying acknowledgment and acceptance of this condition of approval.

Fees

Payment of Outstanding Application Processing Fees

3. ____ ____ This application is subject to an initial application deposit of $2,700 for the land use permit and $4,800 for the minor subdivision, which was paid with the application submittal, plus time, and material costs if the application review expenses exceed

100% of the initial deposit. **Any additional costs due must be paid within 60 days of the permit effective date or prior to use of the permit, whichever occurs first.** The project sponsor may obtain current costs by contacting the project planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance.

Payment of CEQA Notice of Determination Filing Fee

4. ____ ____ **Within two (2) business days of project approval,** the Project Sponsor shall pay the California Department of Fish & Game (CDFG) CEQA filing fee of $2,839.25. Payment of this fee is mandated by Assembly Bill 3158, which became effective on January 1, 1991. Pursuant to Fish & Game Code Section 711.4(c)(3), the project will not be operative, vested, or final, and any local permits issued for the project will be invalid until the fee is paid. If the fee is not paid by the date specified, then the 30-day statutory time limit to file a legal challenge against the approval will automatically extend to 180 days.

Payment of Mitigation Monitoring Fees

5. ____ ____ If the County elects to hire a third-party consultant to assist in monitoring the environmental mitigation measures set forth in the Final EIR and this permit, then the project sponsor shall be responsible for payment of all fees associated with the consultant's contract.

Permit Compliance

Application for Condition of Approval Compliance Verification

6. ____ ____ **Prior to commencing construction-related activities, issuance of grading permits or issuance of building permits, whichever occurs first**, the project spnsor shall submit an application for Condition of Approval Compliance Verification. The initial deposit for a project of this size is $5,000, which is subject to staff time and materials costs. Should staff costs exceed the deposit, additional payment will be required. Submittals for this application shall include a checklist describing how each condition of approval has been or will be satisfied and applicable proof that each condition has been satisfied (i.e. appropriate documentation, plans, photographs, etc.). This application will remain active throughout the life of the project and additional submittals will be required to ensure compliance with each phase of the project (demolition, grading, building, reclamation, etc.).

Transportation Demand Management Program (TDM)

7. ____ ____ The TDM program shall be monitored periodically, a Final TDM Plan, and a TDM Program Monitoring Report (TDM PMR) shall be submitted to DCD for review by the County Zoning Administrator, or designee. Reporting requirements for the TDM PMR are established as follows:

<u>TDM PMR Reporting:</u> (Transportation Demand Management-Program Monitoring Report)

The first report shall be submitted to DCD no later than **3 months after the date of the issuance of Building Inspection final;**

After the initial report submittal, subsequent reports are to be submitted to DCD every **6 months;**

The frequency of TDM reporting to the Department of Conservation and Development (DCD) may be reduced administratively by the County Zoning Administrator, or designee, if over time it is demonstrated that the TDM program is performing successfully on a consistent basis. Requests for reporting modifications shall not be made sooner than 1 year after final build-out.

<u>The contents of the TDM PMR shall include, but not be limited to:</u>

Parking demand/on-site lot occupancy counts for no less than 3 Fridays, or any peak demand period during a non-special event (which ever has greater attendance), within the 6 month monitoring period;

Parking demand/on-site lot occupancy counts for the March special event and at least one rehearsal occurring February through March;

Walking and carpool pledge list (Updated TDM Plan – DCE, Attachment 1, Walking Program Participants) to be updated to reflect most accurate level of membership participation in these alternative transportation modes. The updated list shall be signed and dated by property owner/project applicant;

In the event the Zoning Administrator determines that the TDM program is not consistently successful in reducing parking demand, or the program is not enforced or reported, the County may consider revocation of the land use permit.

<u>Off-site Parking Agreement</u>

8. ____ ____ The Project Sponsor shall maintain a written parking agreement with The Meher Schools for use of the parking lots for overflow parking for evening and weekend events held at the subject site. If the site becomes unavailable, the project sponsor shall notify Department of Conservation and Development and provide another off-site location within two miles of the site, for the parking of no fewer than 54 vehicles.

9. ____ ____ The Project sponsor will provide for off-site pedestrian safety improvements along the pedestrian routes to the project site. These are necessary because the TDM Program in COA #7 cannot be safely accomplished unless the pedestrian routes to the project site are made safe. The pedestrian safety improvements will be made at

locations near the project site, as determined by the Contra Costa County Public Works Department in roadway improvements.

Additional Requirements

10. ____ ____ No loudspeakers or amplified music shall be permitted outside the enclosed building.

11. ____ ____ All on-site storage of excavated soil shall be covered and watered at least once per day or if necessary twice per day.

Signage

12. ____ ____ No signs shall be permitted with the exception of a sign not exceeding 12 square feet in area for purposes of identification and announcement of church services. The design, color and location of the sign and any size modification shall be subject to Zoning Administrator review and approval. No interior illumination shall be allowed. Signage shall be a monument style.

Submittal of Grading Plans

13. ____ ____ Prior to issuance of grading permits, the Project sponsor shall submit grading plans for review and approval by the County Zoning Administrator. The grading plans shall be compliant with the requirements of the County Code and shall incorporate all applicable mitigation measures identified in the Final EIR. The grading plans shall be accompanied with a $750 deposit.

14. ____ ____ Haul routes shall be generally limited to those areas of the site which are proposed to be graded to avoid unnecessary disruption.

15. ____ ____ The transporting of all debris material from the construction site shall be covered when in transition from project site to Landfill.

16. ____ ____ This use permit is approved for a religious facility comprising of members and invited guests. The events at the facility may include night classes, annual celebrations, devotional gatherings, taverns, chorus rehearsals and other ancillary activities.

Events

17. ____ ____ The facility shall not be leased or rented for special events. The dome lights shall be turned off at 11pm.

18. ____ ____ The granting of this use permit does not allow Temporary Events, as defined in the Temporary Events Ordinance (County Code Chapter 82-44), except such events as are allowed subsequently by issuance of a temporary event permit pursuant to that Ordinance.

Parking

19. ____ ____ Prior to issuance of building permits, the Project Sponsor shall record a statement to run with the deeds to the property acknowledging the approved Final TDM program and on site parking reduction to 74 parking spaces in lieu of 125 spaces is mandatory. Handicapped spaces shall be appropriately identified. The deed disclosure shall be subject to review and approval of the Zoning Administrator.

Site Inspections for Compliance

20. ____ ____ The Project sponsor shall allow staff of the Contra Costa County Department of Conservation & Development, California Department of Fish & Game, and any other responsible agency to conduct site inspections during construction and operation of the project in order to ensure compliance with approved permits, plans, and conditions of approval. Inspections shall be conducted at the discretion of said agencies. Discovery of noncompliance may be cause for commencement of proceedings to revoke this Land Use Permit, and for payment of applicable bonds.

Grading Bond

21. ____ ____ Prior to the issuance of a grading or building permit, a grading bond shall be required for the work necessary to carry out the recommendations of the soils engineer, reviewed and approved by the Building Inspection Division and Zoning Administrator. Sufficient subsurface information shall be provided to estimate the cost of the required soil improvements.

Performance Bond Amount: The amount of bond shall be based upon the number of cubic yards of material in excavation or fill, whichever is greater, plus the cost of all drainage and other protective devices or work necessary to eliminate geological hazards. That portion of the bond valuation based on the volume of material in excavation or fill shall be computed as set forth:

- Ten thousand cubic yards (7646 cubic meters) or less, one hundred (100) percent of the estimated cost of grading work; Over ten thousand cubic yards, one (100) hundred percent of the cost of the first ten thousand cubic yards, plus fifty percent of that portion in excess of ten thousand cubic yards.

- When the rough grading has been completed in conformance with the requirements of this code, the County Building Official may at his discretion consent to a proportionate reduction of the bond to an amount estimated to be adequate to insure completion of the grading work, site development, or planting remaining to be performed. The cost referred in this section shall be estimated by the County Building Official.

Performance bond- Conditions: Every bond shall include the conditions that the principal shall comply with all the provisions of Article 716-4.12 of the County Code, applicable laws and regulations and all terms and conditions of this permit. No extension of time under the permit shall release the surety upon the bond.

Performance bond- Term: The term of each bond shall begin on the date of its posting and shall end on the satisfactory completion of the terms and conditions of the permit as evidenced by a certificate of completion, a copy of which will be sent to any surety on request.

Performance bond- Notice of default: Whenever the County Building Official finds that a default has occurred in the performance of any term or condition of any permit, he or she shall give written notice thereof to the principal and surety on the bond, stating the work to be done to achieve a safe and satisfactory condition, its estimated cost, and the period of time deemed reasonable and necessary to complete the work. If a cash bond has been posted and the notice of default has been given to the principal and if the principal does not comply within the specified time limit, the building official may use the deposited cash to have the required work done, by contract or other means to the discretion of the County Building Official.

If the County Building Official finds that a default has occurred in the performance of any term or condition of the permit, the surety, County Building Official, or any person employed on behalf of either shall have the right to go on the site to complete the required work or make it safe.

Restitution for Approved Tree Removal

22. ____ ____ Required Restitution for Approved Tree Removal - The following measures are intended to provide restitution for the trees that have been approved for removal.

A. Tree Restitution Planting/Irrigation Plan - *Prior to issuance of a grading permit, building permit, or occupancy*, the applicant shall submit a tree planting and irrigation plan prepared by a licensed arborist or landscape architect for the review and approval of the Zoning Administrator. The plan shall provide for the planting of at least 165 trees, minimum 24-gallons in size either on the owners property or within the area of the right of way easements with approval of the respective County agency. (Also, note below requirement that plans include a provision for other tree plantings for purposes of contingency restitution in the event that trees to be replanted are nonetheless damaged.) The plan shall be accompanied by an estimate prepared by a licensed landscape architect or arborist of the materials and labor costs to complete the improvements on the plan.

B. Required Security to Assure the Completion of Plan Improvements - *Prior to issuance of a grading permit, building permit, or occupancy*, the applicant shall submit a security (e.g., bond, cash deposit) that is acceptable to the Zoning Administrator. The bond shall include the amount of the approved cost estimate, *plus* a 20% inflation surcharge. Until evidence is submitted that the applicant has satisfactorily installed the required improvements, the County may hold the security for up to three years following the exercise of this permit.

C. Initial Fee Deposit for Processing a Security - The County ordinance requires that the applicant pay fees for all time and material costs of staff for processing a landscape improvement security (Code S-060B). At time of submittal of the security, the applicant shall pay an initial deposit of $100.

D. The landscaping and irrigation plan shall include select plants that will have foliage year-round that are endemic to the vicinity of the subject property. The plan shall comply with the state's Model Water Efficient Landscape Ordinance, if the County's Ordinance has been adopted, and verification of compliance shall accompany the plans.

Merging of Parcels

23. _____ _____ Prior to the issuance of a grading or building permit , the Project Sponsor shall provide documentation to the Public Works Department and Zoning Administrator, for the review and approval of the Zoning Administrator, the separate parcels have been merged and recorded.

Monitoring of Groundwater

24. _____ _____ A. Prior to requesting a building permit for the Sanctuary, the Project Sponsor shall submit a comprehensive plan for monitoring of groundwater levels. That plan shall be subject to review by the Peer Review Geologist and review/ approval of the Zoning Administrator. The purpose of the monitoring plan is to ensure that fluctuations in the elevation of the water table are consistent with the criteria provided by the geotechnical engineers. If the water level begins to rise after the construction period, monitoring will allow early recognition of the changing water levels. That in turn would provide an opportunity to identify the source of the water (e.g. leaking utility pipes) and take corrective action.

B. The plan shall include (a) a map showing the location of monitoring stations, (b) provide details on the equipment and approaches to be used to measure water levels, (c) provide standards for the frequency of water level readings, (d) provide thresholds for notifying the geotechnical engineers of the situation, and (e) identify the responsible parties/ staffing positions for compliance with the monitoring requirement.

C. The monitoring data shall be submitted to the Zoning Administrator and Public Works Department annually by July 1st. Monitoring shall go on for a period of at least 5 years beyond the certificate of occupancy. It may be extended if there is evidence of water levels that rise above elevation + 222½ ft . (i.e. bathtub foundation)

D. After the construction period, it is anticipated that no groundwater will be pumped. If ultimately there is a need for pumping ground-water, no

groundwater may outfall into storm drainage facilities without first obtaining the approval of the Public Works Department. Prior to making a request to the Department for approval the Project Sponsor would need to provide data on the duration and maximum rate of pumping, along with water quality data and any other technical data that may be required by the Public Works Department.

Mitigation Measures for Impacts to Aesthetic Resources

25. _____ _____ **Mitigation Measure 4.1-1.** The Project Sponsor shall submit a lighting plan and a photometric study which shall demonstrate, to the satisfaction of the Zoning Administrator, that no bare bulbs will be visible from offsite. The plan shall also demonstrate that no lighting will be directed across property lines, and all lighting visible from offsite – including spillover onto adjacent properties – will be compatible with offsite private and public right-of-way lighting in the vicinity. The plans shall reflect the effect of lighting both before and after proposed site landscaping achieves maturity. If needed, the plans may include recommendations for turning off lights at specific times to reduce effects to nighttime views.

Mitigation Measures for Impacts to Air Quality

26. _____ _____ **Mitigation Measure 4.2-1.** Prior to the approval of a grading plan, County DCD shall ensure that grading and demolition plans include the following measures for all phases of construction as recommended by BAAQMD to reduce the air quality impacts of particulate matter (PM10 and PM2.5) associated with grading and new construction:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered a minimum of two times per day;
- All haul trucks transporting soil, sand, or other loose material offsite shall be covered;
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. No dry power sweeping shall be performed (i.e., prohibited);
- All vehicle speeds on unpaved roads shall be limited to 15 mph;
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as feasible. Building pads shall be laid as soon as feasible after grading unless seeding or soil binders are used;
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes. Clear signage shall be provided for construction workers at all access points;

- All construction equipment and haul trucks shall be maintained and properly tuned in accordance with manufacturer's specifications. All construction equipment and haul trucks shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and

- A publicly visible sign shall be posted with the telephone number of the Construction Manager and BAAQMD to report dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD complaint line telephone number shall also be visible to ensure compliance with applicable regulations.

27. _____ _____ **Mitigation Measure 4.2-2.** Emissions of NOx from construction activities shall be limited to less than 54 pounds per day. This performance standard would be achieved by limiting vehicle miles traveled (VMT) for standard hauling trucks to 1,872 VMT per day. Assuming 13 cubic-yard-trucks and delivery to the Acme landfill, and assuming a round trip of 31.2 miles, this would mean that soil hauling would be capped at 60 round trips per day, which would extend the excavation schedule from an earlier projection by the project sponsor of 35 working days to 55 working days. If other sites at a different distance were identified to accept the fill, the schedule could be revised accordingly to fit within the same VMT limitation. However, all hauling trucks must use a haul route that leaves the project site, heads east on Boulevard Way, and enters Highway 24 near Mt. Diablo and Boulevard Way.

28. _____ _____ **Mitigation Measure 4.2-3** Prior to the approval of a grading permit, County DCD shall verify that grading plans include a requirement that limits the allowable idling time of diesel-powered construction equipment to two minutes or less.

Mitigation Measures for Impacts to Biological Resources

29. _____ _____ **Mitigation Measure 4.3-1:** If the project sponsor purchases the Odell property, compliance with the CCCFPD condition to widen the secondary access drive to Warren Road shall be required. In compliance with Chapter 816-6.8002 of the Tree Protection and Preservation Ordinance, a permit shall be obtained for the removal of all protected trees. If the project sponsor purchases the Odell property after August 2012, a qualified arborist shall examine the property and the recommendations of the arborist reports dated June 22, 2009 and August 4, 2009, included as Appendix G to this EIR, to confirm and/or append to the conditions included in the earlier reports.

Mitigation for Impacts to Roosting Bats

30. _____ _____ **Mitigation Measure 4.3-2a:** Given the potential for occurrence of roosting bats on the project site, the Contra Costa County Department of Conservation and Development (DCD) shall require a qualified biologist to conduct pre-construction surveys for roosting bats prior to issuance of demolition permits.

If roosting bats are detected, DCD shall require that a qualified biologist, in consultation with the California Department of Fish and Game (CDFG), shall exclude/evict the bats prior to removal of the occupied structure or tree. Abandoned structures or trees that are proposed for removal shall be removed before ground-disturbing activities begin to avoid conflicts with potential nesting periods. Immediately prior to construction, DCD shall require another pre-construction survey to be conducted to detect presence and confirm absence of active nesting in the trees that will remain.

During the pre-construction survey, the qualified biologist may enact other measures to protect roosting bats on the project site. These measures must be followed throughout the pre-construction and construction period.

31. _____ _____ **Mitigation Measure 4.3-2b.** Given the potential for occurrence of special-status bird species on the project site and the possibility for overlap of demolition and tree removal with the nesting season, DCD shall require a qualified biologist to conduct pre-construction surveys for nesting birds prior to issuance of demolition permits and no more than one week prior to tree removal. If an occupied bird's nest is detected, a buffer zone of 50 to 300 feet shall be implemented to protect adults and nestlings from construction disturbances. If occupied nests are detected, exclusion areas are required until young birds have fledged.

During the pre-construction survey, the qualified biologist may enact other measures to protect raptors and birds on the project site. These measures must be followed throughout the pre-construction and construction period. Destruction of occupied nests would be in violation of the Migratory Bird Treaty Act (MBTA) and the CDFG Code.

Mitigation Measures for Impacts to Cultural Resources

32. _____ _____ **Mitigation Measure 4.4-1a.** When demolition and site clearing activities are complete, a qualified archaeologist, hired by the project sponsor, shall reinspect the project site to ascertain whether clearance activities exposed any previously undetected archaeological resources. In the event that any buried cultural (historical, archeological, and/or paleontological) resources are encountered, the Contra Costa County Department of Conservation and Development (DCD) shall ensure that construction, excavation, and/or grading activities within 100 feet of the find are temporarily halted until a qualified archaeologist or paleontologist, hired by the project sponsor, can assess the significance of the find and provide proper management recommendations to be incorporated in to the Project Variant ultimately selected. Prehistoric cultural materials include, but is not limited to, shell midden deposits, hearth remains, stone and/or shell artifacts, and/or burials. Historic materials, including but not limited to, whole or fragmentary ceramic, glass or metal objects, wood, nails, brick, or other materials may occur on the project site in deposits such as old privies or dumps. If the site is found to contain significant cultural or paleontological resources (as determined by the CEQA Guidelines) by a

qualified archaeologist or paleontologist, funding shall be provided by the project sponsor to identify, record, report, evaluate, and recover the resources as necessary. Construction within the area of the find shall not recommence until impacts to the cultural or paleontological resource are mitigated. Additionally, as required by Public Resources Code Section 5097.993, the project sponsor must inform project personnel that collection of any Native American artifact is prohibited by law.

33. ____ ____ **Mitigation Measure 4.4-2.** In accordance with Public Resource Code Section 5097.98, should human remains be found on the site at any time during pre-construction or construction activities, the Contra Costa County Department of Conservation and Development (DCD) shall ensure that no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains shall be disturbed until:

- The County Coroner in which the remains are discovered is contacted and determines that no investigation of the cause of death is required; and

- If the County Coroner determines the remains to be Native American then:

  1. The coroner shall contact the Native American Heritage Commission within 24 hours;

  2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased native American; and

  3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.

The landowners or their authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance if the following conditions occur:

- The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission;

- The descendent identified fails to make a recommendation; or

- The landowners or their authorized representative reject the recommendation of the descendent, and the mediation by the NAHC fails to provide measures acceptable to the landowner.

Mitigation Measures for Impacts Related to Geology and Soils

34. _____ _____ **Mitigation Measure 4.5-1.** Prior to the issuance of a building permit, the County Building Official shall verify that plans incorporate the following CBC seismic site categorization and design coefficients, in conformance with the most recent version of the California Building Code as shown in the table below:

Categorization/Coefficient	Design Value
Site Class (Table 1613.5.2)	C
0.2 Second Spectral Response Acceleration, Ss (Figure 1613.5(3))	1.5g
1.0 Second Spectral Response Acceleration, S1 (Figure 1613.5(4))	1.6g
Seismic Site Coefficient, Fa (Table 1613.5.3(1))	1.0
Seismic Site Coefficient, Fv (Table 1613.5.3(2))	1.3
Long-period Transition Period, Tl (Figure 22-6)1	1.0

1From ASCE/SEI 7-05 (2006)
Source: DCM Engineering, October 2008.

The County Building Official shall certify that a qualified geotechnical engineer has reviewed final plans and specifications for consistency with CBC and UBC design standards. The County Building Official shall verify that all pertinent recommendations of the geotechnical engineer are incorporated into final building plans.

35. _____ _____ **Mitigation Measure 4.5-2a.** Where permitted by the owner or tenant in possession, the County Building Official shall direct the project sponsor or their contractor to complete the following actions:

- inspect existing structures/utilities to document any evidence of then existing damage, cracking, distortion, weaknesses in structural elements, deterioration, corrosion, excessive stress, overloading, or use of the structure in a manner which may not have been intended by its design prior to issuance of any construction permits. The inspection shall include an assessment of the condition of the following structures and facilities:
- structures on properties adjacent to the project site
- Boulevard Way
- potentially affected utilities within the project site, as determined by a qualified engineer

All inspections and notations of pre-existing damages shall be thoroughly documented, to the extent permitted by the relevant owner or tenant in possession, prior to the issuance of a demolition or grading permit by photographs and mapping, and reference markings or measurement points shall be established on critical or previously damaged structures/utilities to assist in determining whether any damage or movement has occurred as a result of construction.

Such inspections shall be completed before issuance of the grading permit and again, after construction of the building shell is substantially complete. To the extent required by Civil Code Section 832, the applicant shall be responsible to repair or compensate for damage caused by the project. The County Building Official shall, prior to issuance of an occupancy permit: (a) confirm that the project sponsor has undertaken a written obligation to repair or compensate for damage caused by the construction of the project as recommended by the architect of record, or has established procedures that assure such repairs will be made or such compensation will be paid; and (2) confirm that any such repairs or payment of compensation is planned to be completed within a time frame the Official deems reasonable under the circumstances.

Where existing structures are in close proximity to the excavation, additional measures beyond pre-construction inspection, such as building underpinning, shall be required as determined by the geotechnical consultant.

36. ____ ____ **Mitigation Measure 4.5-2b.** Prior to the issuance of a grading permit, the County Geologist shall review the final plans to ensure that proposed excavation shoring and dewatering systems meet minimum performance requirements. These minimum performance requirements include:

- Protect personnel that enter excavations;
- Protect adjacent existing utilities, pavements, and structures;
- Installation should not cause settlement or heave of the ground surface nor produce construction vibrations that could damage adjacent utilities or structures;
- Prevent caving or lateral movement of excavation walls and associated loss of adjacent ground and adjacent ground surface settlement, even when subjected to construction vibration;
- Prevent heave and or piping (boiling) of the excavation bottom; and
- Where applicable, resist hydrostatic pressures and lateral loads for adjacent structural foundations, vehicular traffic, construction equipment and spoils.

37. ____ ____ **Mitigation Measure 4.5-2c**. Prior to the issuance of a grading permit, the County Building Official shall ensure that grading plans show a requirement that a qualified geotechnical engineer monitor and document soil and groundwater conditions on an ongoing basis during excavation, grading, and construction. The geotechnical engineer shall anticipate changes and modifications to shoring systems and sloping (on the west side) in response to changes in soil and groundwater conditions. All sheeting and shoring shall be evaluated for stability by the geotechnical consultant prior to entry by personnel. The County Building Official and County Geologist shall review and consider the recommendations of the geotechnical engineer and incorporate any or all recommendations into final grading plans.

38. ____ ____ **Mitigation Measure 4.5-4a.** Prior to the issuance of a grading permit, the County Building Official shall ensure that plans for building foundations have been reviewed by a qualified geotechnical engineer to ensure measures are included to

reduce potential future structural damage to the religious facility from expansive soils. Such measures shall include but are not limited to minimum requirements for the expansion potential of fill material, soil compaction, and soil moisture content. The County Building Official and County Geologist review and approval shall ensure that all pertinent recommendations of the geotechnical engineer are incorporated into final grading plans.

39. _____ _____ **Mitigation Measure 4.5-4b.** Prior to the issuance of a building permit, the County Building Official shall ensure that plans are revised as necessary to show that foundations for the new facility consist of a reinforced concrete floor slab or a mat slab, consistent with recommendations of the County Geologist.

Mitigation Measures for Impacts Related to Hazards and Hazardous Materials

40. _____ _____ **Mitigation Measure 4.7-1a.** At least fifteen days prior to issuance of a demolition permit, a state certified contractor shall complete an asbestos and lead-based paint survey for all structures proposed for demolition that were constructed prior to 1980. The survey shall be submitted to the Department of Conservation and Development, Community Development Division for review and approval. If LBP or asbestos-containing materials are identified in the survey, they shall be removed from the site and properly disposed of in accordance with CAL/ OSHA requirements:

- Known or suspected asbestos-containing materials shall be abated by a certified asbestos abatement contractor in accordance with BAAQMD regulations and notification requirements.
- Intact lead-based paint found to be secure (not flaking, peeling or cracked) may be discarded along with demolition debris during the demolition of the structure.
- Loose and peeling paint shall be disposed of as state and/or federal hazardous waste if the concentration of lead exceeds applicable waste thresholds.
- Hazardous wastes shall be appropriately managed, labeled, transported, and disposed of by trained workers in accordance with local requirements.
- The demolition and removal of materials potentially containing lead-based paint would be required to follow the CAL/OSHA Lead in Construction Standard, Title 8, California Code of Regulations (CCR).
- Other hazardous materials associated with buildings, such as fluorescent lights and electrical switches, shall be disposed of in accordance with DTSC hazardous waste regulations.

41. _____ _____ **Mitigation Measure 4.7.1b.** Prior to the issuance of grading or demolition permit, the County Building Official and Community Development Division shall review a Risk Management Plan prepared for the Project Variant ultimately selected by a qualified professional. The plan shall include, but is not limited to the following conditions:

- Should tanks, drums, free product, or other potential chemical hazards be encountered during excavation, the County, environmental consultant and the owner shall be consulted prior to proceeding. Excavated material shall be segregated and stockpiled in a designated area and covered in plastic. Stockpiles

shall be maintained for profiling and disposal. A qualified environmental consultant shall take samples of each stockpile for analysis. Stockpiles and other hazardous wastes shall be appropriately managed, labeled, transported, and disposed of by trained workers in accordance with all applicable laws and regulations.

- The contractor shall include specific information related to chemical hazards that could be present during the excavation. This information shall include, but shall not be limited to, the proper use of personal protective equipment (PPE), worker air monitoring, and action levels for use of PPE and stop work. Workers engaged in the excavation of petroleum-affected soil shall be trained per OSHA standards for hazardous waste operations and emergency response.

Mitigation Measures for Impacts Related to Hydrology and Water Quality

42. ____ ____ **Mitigation Measure 4.8-1a.** Prior to the approval of a building permit, the County Department of Conservation and Development shall ascertain that final landscaping plans for the Project Variant ultimately selected shall:
    - Be designed to minimize irrigation and runoff and to minimize use of fertilizers and pesticides that can contribute to stormwater pollution.
    - Specify plantings within planters and swales that are tolerant of the sandy loam soils and periodic inundation.
    - Include pest-resistant plants.
    - Include plantings appropriate to site soils, slopes, climate, sun, wind, rain, land use, air movement, ecological consistency and plant interactions.
    - Note that all on-site storm drain inlets shall be marked with the words "No Dumping! Drains to Creek" or similar language.

43. ____ ____ **Mitigation Measure 4.8-1b.** Prior to the approval of a building permit, the project sponsor shall submit a Final Storm Water Control Plan to the Public Works Department in general conformance with the Preliminary Drainage Report for review and approval. The Final Drainage Report and Storm Water Control Plan shall demonstrate use of GrassPave2 and pervious pavers or pervious concrete with comparable or better infiltration and storage capacity.

44. ____ ____ **Mitigation Measure 4.8-1c**. Prior to the approval of a building permit, the project sponsor shall submit a Maintenance Program to the Public Works Department. The Maintenance Program shall include procedures for maintaining the pervious surfaces employed within the project site in the Operation and Maintenance Plan of the SWCP. The Maintenance Program shall include the following measures:
    - Landscaping grades shall follow a post-project Sediment Control Plan. Landscape areas shall be designed to drain away from pervious surfaces in the parking lot area wherever possible in order to curtail run-off from carrying silt onto the pervious pavements. The Sediment Control Plan would be included in the Storm Water Control Plan and grades directing water away from the parking lot area shall be shown on the Grading plan.

- The project sponsor shall engage an outside contractor experienced in maintenance of pervious pavers. The contractor will follow the procedures listed in the Operation and Maintenance Plan of the Storm Water Control Plan.
- Permeable paver surfaces will be kept clean of organic materials. Leaves and other organic material shall be swept and removed from the paver surfaces periodically when debris accumulates and weekly during the rainy season (October 15 to April 15), or as otherwise directed by the Public Works Department for any other wet times of the year.
- Periodic vacuuming should be used to clear out voids with conventional street sweepers or like equipment with vacuums and brushes, a minimum of two (2) times a year, but the actual required frequency shall be determined by conditions of the site. With an interlocking paver system, additional aggregate fill material will be added after cleaning, if needed to return aggregate fill material to its initial installation levels.
- The landowner shall be obligated to comply with the Operation and Maintenance Plan and Agreement. The landowner's maintenance obligations shall be reflected in such recorded documents as the County lawfully and routinely requires.

45. _____ _____ **Mitigation Measure 4.8-2**. Prior to the issuance of a grading permit, the County Building Official shall approve a Storm Water Pollution Prevention Plan a (SWPPP) prepared by the applicant. The SWPPP shall comply with current San Francisco Bay Regional Water Quality Control Board guidelines and shall adopt acceptable best management practices (BMPs) for control of sediment and stabilization of erosion in the project area. The SWPPP shall include acceptable BMPs for the protection of water quality.

<u>Mitigation Measure for Impacts Related to Noise</u>

46. _____ _____ **Mitigation Measure 4.10-1.** The DCD shall ensure that project sponsor adheres to the following mitigation measures in order to generate the least noise impacts feasible during construction:

- All construction activities shall be limited to the hours of 8:00 AM to 5:00 PM, Monday through Friday, and shall be prohibited on state and federal holidays, except as provided below;
- The project sponsor shall hold a pre-construction meeting with the job inspectors and the general contractor/onsite manager to confirm that all noise mitigation measures and practices (including construction hours, neighborhood notification, posted signs, etc.) are completed prior to beginning
- construction;
- The project sponsor shall notify neighbors within 300 feet of the construction area, at least 30 days in advance of excavation and grading activities, about the estimated duration of the activity;

- The project sponsor shall designate a construction noise coordinator who will be responsible for implementing the noise control measures and responding to complaints. This person's name and contact information shall be posted clearly around the project site and shall also be distributed to properties within 200 feet of the site boundaries. The construction noise coordinator shall be available during all times during construction activities and shall maintain a log of complaints. A copy of the log shall be provided to the DCD monthly on the 30th day of each month;
- The project sponsor shall require construction contractors to limit noise generating construction activities as required by the DCD. No construction activities shall be allowed **before 8 AM or after 5 PM**, or on weekends without prior authorization of the Zoning Administrator, and excavation and grading activities shall be allowed after hours or on weekends and holidays;
- The project sponsor shall require construction contractors to implement the following measures to reduce daytime noise due to construction activities:

  1. Equipment and trucks used for construction shall utilize the best available noise control techniques wherever feasible (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds).

  2. Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever feasible possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is not feasible, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible, and this could achieve a reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.

  3. Stationary noise sources shall be located as far from adjacent receptors as feasible possible, and shall be muffled and enclosed within temporary sheds, insulation barriers, or other measures to the extent feasible.

- Prior to the start of construction, the project sponsor shall construct a temporary sound barrier along those portions of the northern and southern property lines that do not, at the time of grading and construction, already have a wall that meets the following standards, to provide the maximum protection feasible for the residential uses to the north and south. The barriers can be constructed out of wood or other materials as long as they have a minimum surface weight of approximately 2.5 pounds per - square foot. Possible materials include 1-1/8-inch-thick plywood or fully overlapping 1x redwood boards (1-1/2-inch thick total). The barriers would likely be 6 to 8 feet tall but this would be refined and approved by a qualified acoustician prior to the issuance of grading permits. Issues to consider when determining the ultimate height, length, and location of

the barriers are the actual construction practices, including equipment to be used and the location and duration of noisier activities. The topography will also need to be considered in the final determination of barrier heights and effectiveness.

47. ____ ____ **Mitigation Measure 4.10-2** The DCD shall ensure that the project sponsor isolates the equipment in the mechanical well per the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Guidelines. ASHRAE is considered the industry standard for mechanical system design standards.

Mitigation Measure for Traffic and Circulation

48. ____ ____ **Mitigation Measure 4.13-1.** If Project Variant A is ultimately selected and approved, the County Department of Conservation and Development and County Public Works Department shall verify that final plans incorporate a sidewalk on the Boulevard Way frontage similar to that incorporated in Project Variant B. Plans shall show the sidewalk along all project frontage and extending to Warren Road. Sidewalk plans shall conform to prevailing County standards. In addition, if Project Variant A is approved, prior to the approval of any building or grading permit, the County Department of Conservation and Development and County Public Works Department shall verify that final plans for the public right-of-way area show a north-south crosswalk at a location mutually acceptable to the aforementioned County departments and the project sponsor. The crosswalk shall conform to any pertinent state or County regulations regarding crosswalk location and safety. As appropriate, final plans for the crosswalk shall incorporate features to help reduce conflicts between vehicles and pedestrians. Such features may include but are not limited to signage advising motorists of the crosswalk, lighting at the crosswalk, and the use of contrasting color and/or reflective paint to improve nighttime visibility of the crosswalk area.

49. ____ ____ **Mitigation Measure 4.13-2** If Project Variant A is ultimately selected and approved, the County Department of Conservation and Development and County Public Works Department shall verify that final plans reflect the inclusion of adequate sight distance to the west of the project driveway. This can be achieved by relocating the proposed perimeter wall from its current location to the same location as shown in the plan for Project Variant B (Figure 3-8) and keeping the area north of the wall free of potential visual obstructions (trees or other tall vegetation).

Mitigation Measure for Utilities and Service Systems

50. ____ ____ **Mitigation Measure 4.14-1**. In the event of multiple drought years, the project sponsor shall comply with EMBUD's then-applicable Drought Management Program and reduce water usage by 20 percent. In the event of critical shortages (shortages of 25 percent or more), the project sponsor shall comply with reduction goals based on customer categories set by EBMUD.

Construction of Sound Barriers

51. ____ ____ Prior to the Zoning Administrator approval of the temporary sound barriers located on the north and south property lines, a brief report shall be submitted by an approved qualified acoustician indicating how the noise reduction is achieved in mitigation measure 4.10-1.

Litter Control and Recycling

52. ____ ____ The Project sponsor shall maintain the project site and surrounding areas in an orderly fashion. Litter and debris shall be contained in appropriate receptacles and shall be disposed promptly. All construction materials and construction-related debris shall be removed following cessation of construction activity.

53. ____ ____ To the extent possible, demolition debris and construction waste shall be diverted from the waste stream. Prior to commencing demolition or construction, the Project sponsor shall consult with Department of Conservation & Development – Conservation Programs Section staff to identify opportunities for debris/waste diversion.

Geologic/Soils Report

54. ____ ____ The project sponsor shall record a statement to run with deeds to property acknowledging the approved report by title, author (firm), and date, calling attention to approved recommendations and noting that the report is available from the seller.

Setbacks

55. ____ ____ The building shall comply with the building setbacks of the R-10 Zoning District, including the portion of the building located underground.

Construction Trailers

56. ____ ____ The Project sponsor must remove construction trailers from the project site within 30 days following completion of construction activities.

CONDITIONS OF APPROVAL ENFORCED BY THE PUBLIC WORKS DEPARTMENT

Unless otherwise stated, the Project sponsor must comply with the following conditions of approval prior to obtaining building permits or initiation of the use authorized by this Land Use Permit County File # LP082034 and Minor Subdivision # MS09-0008

General Requirements

57. ____ ____ Improvement plans prepared by a registered Civil Engineer shall be submitted, as necessary, to the Public Works Department, Engineering Services Division, along

with review and inspection fees, and security for all improvements required by the Ordinance Code for the conditions of approval of this land use permit. These plans shall include any necessary traffic signage and striping plans, for review by the Transportation Engineering Division of the Public Works Department.

Roadway Improvements (Boulevard Way)

58. ____ ____ The Project Sponsor shall construct a 5-foot wide concrete sidewalk, curb and gutter, necessary longitudinal and transverse drainage, re-striping, street lighting (as necessary), pavement widening and transitions along the frontage of Boulevard Way. The Project Sponsor shall construct face of curb 17-feet from the existing striped centerline of Boulevard Way, providing a paved half-width consisting of a 12-foot wide travel lane and a 5-foot wide paved shoulder. Parking in the shoulder shall not be permitted. Striping or other pavement delineation shall be installed to clearly identify the shoulder along the Boulevard Way frontage.

59. ____ ____ The Project Sponsor shall extend sidewalk and pavement conformance from the southwestern limits of the project frontage to the Warren Road intersection. A curb ramp, meeting minimum County standards, shall be constructed at the terminus of the sidewalk extension at the northeastern corner of the Warren Road and Boulevard Way intersection.

60. ____ ____ The Project Sponsor shall construct a street-type connection with minimum 20-foot radius curb returns in lieu of a standard driveway depression at the intersection of the main on-site driveway and Boulevard Way. A standard driveway ramp may be used for the utility/emergency access driveway proposed at the eastern end of the property limits.

61. ____ ____ Any vehicular entrance gate shall be a minimum of 20 feet from the edge of pavement to allow vehicles to queue without obstructing through traffic. Any proposed gate and the associated improvements shall be outside the public right of way.

62. ____ ____ The Project Sponsor shall enter into a landscape maintenance agreement for any landscape improvements proposed within public right-of-way.

Construction Traffic

63. ____ ____ Prior to the start of construction-related activities, the project sponsor shall prepare a Traffic Control Plan (TCP), including a haul route, for the review and approval of the Public Works Department.

64. ____ ____ The Project sponsor shall perform a pre-construction survey of the roadways to be used as part of the haul route.

65. _____ _____ The project owner shall restore any public roads, easements, and/or rights-of-way that have been damaged due to project-related construction activities to the pre-project conditions.

Access to Adjoining Property:

Proof of Access

66. _____ _____ The Project Sponsor shall furnish proof to the Public Works Department of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements.

Encroachment Permit

67. _____ _____ The Project Sponsor shall obtain an encroachment permit from the County's Application and Permit Center, as necessary, for construction of any improvements within the Boulevard Way or other public road rights of way.

Sight Distance

68. _____ _____ The Project Sponsor shall provide sight distance along the curve and at the intersection of the on-site driveway(s) and Boulevard Way for a design speed of 35 miles per hour pursuant to Figure 3-8 in the Final EIR. The project sponsor shall trim vegetation, as necessary, to provide sight distance at the intersection. Any new landscaping, fencing, retaining walls, or other obstructions proposed at the intersections shall be setback to ensure that the sight lines are clear.

Parcel Map

69. _____ _____ The Project Sponsor shall record a parcel map to merge the separate parcels.

Right of Way Dedications

70. _____ _____ The Project Sponsor shall dedicate on the parcel map or convey by a separate instrument, the right of way necessary to accommodate the required frontage improvements. The right of way shall be a minimum 10 feet back from the improved face of curb except east of the entrance driveway the applicant may dedicate a public utility easement for areas beyond the sidewalk. The sidewalk, bus pullout, and curb ramps must be contained within the public right of way.

Annexation to Lighting District

71. _____ _____ The Project Sponsor shall annex to the Community Facilities District formed for Countywide Street Light Financing (CFD 2010-1).

Utilities/ Undergrounding

72. ____ ____ All new utility distribution facilities shall be installed underground. Existing utility poles located along Boulevard Way shall be relocated to accommodate the required frontage improvements.

Drainage Improvements

Collect and Convey

73. ____ ____ The Project Sponsor shall collect and convey all storm water entering and/or originating on this property without diversion to a different watershed and within an adequate storm drainage facility, to a natural watercourse having definable bed and banks, or to an existing adequate public storm drainage facility which conveys the storm waters to a natural watercourse, in accordance with Division 914 of the Ordinance Code.

74. ____ ____ Prior to issuance of building permits or approval of the parcel map, the Project Sponsor shall submit to the Public Works Department for review, an updated drainage study and analysis that details how stormwater runoff is collected and discharged into the area wide storm drain systems. The drainage study and analysis must confirm that post-project drainage flows do not exceed pre-project flows for the 10-year storm event.

75. ____ ____ The Project Sponsor shall replace the existing 12-inch diameter culvert crossing Warren Road with an 18-inch diameter pipe.

Miscellaneous Drainage Requirements

76. ____ ____ The Project Sponsor proposes to utilize pervious paving systems for the parking lot to reduce the stormwater runoff and maintain the post-project design flows below the pre-project levels. Since certain types of pervious paving systems become silted in and clogged over time, the applicant shall develop a long-term maintenance plan to guarantee the infiltration performance of these systems.

Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) Permit

77. ____ ____ Improvement Plans shall be submitted to the Public Works Department to verify compliance with Provision C.3 of the National Pollutant Discharge Elimination System (NPDES) Permit and the County's Stormwater Management and Discharge Control Ordinance (§1014).

78. ____ ____ A final Storm Water Control Plan (SWCP) shall be submitted to and approved by the Public Works Department for consistency with Provision C.3 prior to issuance of building permits. All time and materials costs for review and preparation of the SWCP shall be borne by the project sponsor.

79. _____ _____ Storm water management facilities shall be subject to inspection by Public Works Department staff; all time and materials costs for inspection of stormwater management facilities shall be borne by the applicant.

80. _____ _____ A final Storm Water Control Operation and Maintenance Plan (O+M Plan) shall be submitted to and approved by the Public Works Department for consistency with Provision C.3 prior to final building permit inspection.

81. _____ _____ The property owner(s) shall enter into a standard Stormwater Management Facility Operation and Maintenance Agreement with Contra Costa County, in which the property owner(s) shall accept responsibility for operation and maintenance of the stormwater facilities and grant access to relevant public agencies for inspection of stormwater management facilities. Such an agreement shall be fully executed and recorded prior to obtaining building permits.

82. _____ _____ The property owner(s) shall annex the subject property into Community Facilities District (CFD) No. 2007-1 (Stormwater Management Facilities), which funds responsibilities of Contra Costa County under its NPDES Permit to oversee the ongoing operation and maintenance of stormwater facilities by property owners. Annexation to CFD 2007-1shall be completed prior to obtaining building permits.

83. _____ _____ Any proposed water quality features that are designed to retain water for longer than 72 hours shall be subject to the review of the Contra Costa Mosquito & Vector Control District.

<u>National Pollutant Discharge Elimination System</u>

84. _____ _____ The Project Sponsor shall comply with all rules, regulations, and procedures of the National Pollutant Discharge Elimination Systems (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board and the San Francisco Bay Regional Water Quality Control Board.

Compliance shall include developing long-term best management practices (BMP's) for the reduction or elimination of storm water pollutants. The project design shall incorporate, wherever feasible, the following long-term BMP's in accordance with the Contra Costa County Clean Water Program for the site's storm water drainage:

- Minimize the amount of directly connected impervious surface area.
- Place approved markers ("No Dumping, Drains to Creek")on all storm drains.
- Construct concrete driveway weakened plane joints at angles to assist in directing runoff to landscaped/pervious areas prior to entering the street curb and gutter.
- Shallow roadside and on-site grassy swales.
- The owner shall sweep the paved portion of the site quarterly, at least once a year with a vacuum type sweeper. Verification (invoices, etc.) of the sweeping

shall be provided to the County Clean Water Program Administrative Assistant at 255 Glacier Drive, Martinez CA 94553 (925) 313-2238

- Trash bins shall be sealed to prevent leakage, OR, shall be located within a covered enclosure.
- Project Sponsor shall incorporate the use of pavers and/or pervious pavement on-site to reduce the amount of directly connected impervious surface area.
- Other alternatives, equivalent to the above, as approved by the Public Works Department.

Area of Benefit Fee Ordinance

85. ____ ____ The Project Sponsor shall comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the South Walnut Creek Area of Benefit, as adopted by the Board of Supervisors. This fee shall be paid prior to the issuance of a building permit.

86. ____ ____ The applicant shall comply with all mitigation measures recommended in the Final EIR, and with the Mitigation Monitoring and Reporting Program for Project Variant B.

ADVISORY NOTES

A. **NOTICE OF 90-DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.**

This notice is intended to advise the project sponsor that pursuant to Government Code Section 66000, et seq., the project sponsor has the opportunity to protest fees, dedications, reservations, and/or exactions required as part of this project approval. The opportunity to protest is limited to a 90-day period after the project is approved.

The ninety (90)-day period in which you may protest the amount of any fee or the imposition of any dedication, reservation, or other exaction required by this approved permit, begins on the date this permit was approved. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and delivered to the Community Development Department within 90 days of the approval date of this permit.

B. Project must comply with the requirements of the Contra Costa County Department of Conservation & Development – Building Inspection Division. The Building Inspection Division will require three complete sets of plans that are approved by the Community Development Division.

C. Project must comply with the requirements of the California Department of Fish & Game. It is the Project Sponsor's responsibility to notify CDFG (P.O. Box 47, Yountville, California 94599) of any activities that may affect any fish and wildlife resources, per the Fish and Game Code.

D. Comply with the requirements of the Central Contra Costa Sanitary District,

E. Comply with the requirements of the East Bay Municipal Utility District,

F. Project must comply with the requirements of the County Health Services Department, Hazardous Material Division.

G. Project must comply with the requirements of the Bay Area Air Quality Management District.

H. Project must comply with the requirements of the Regional Water Quality Control Board.

I. Project must comply with the requirements of the Contra Costa County Fire Protection District.

lcc 10/3/11
G:\Current Planning\curr-plan\Staff Reports\LP08-2034_COA.doc

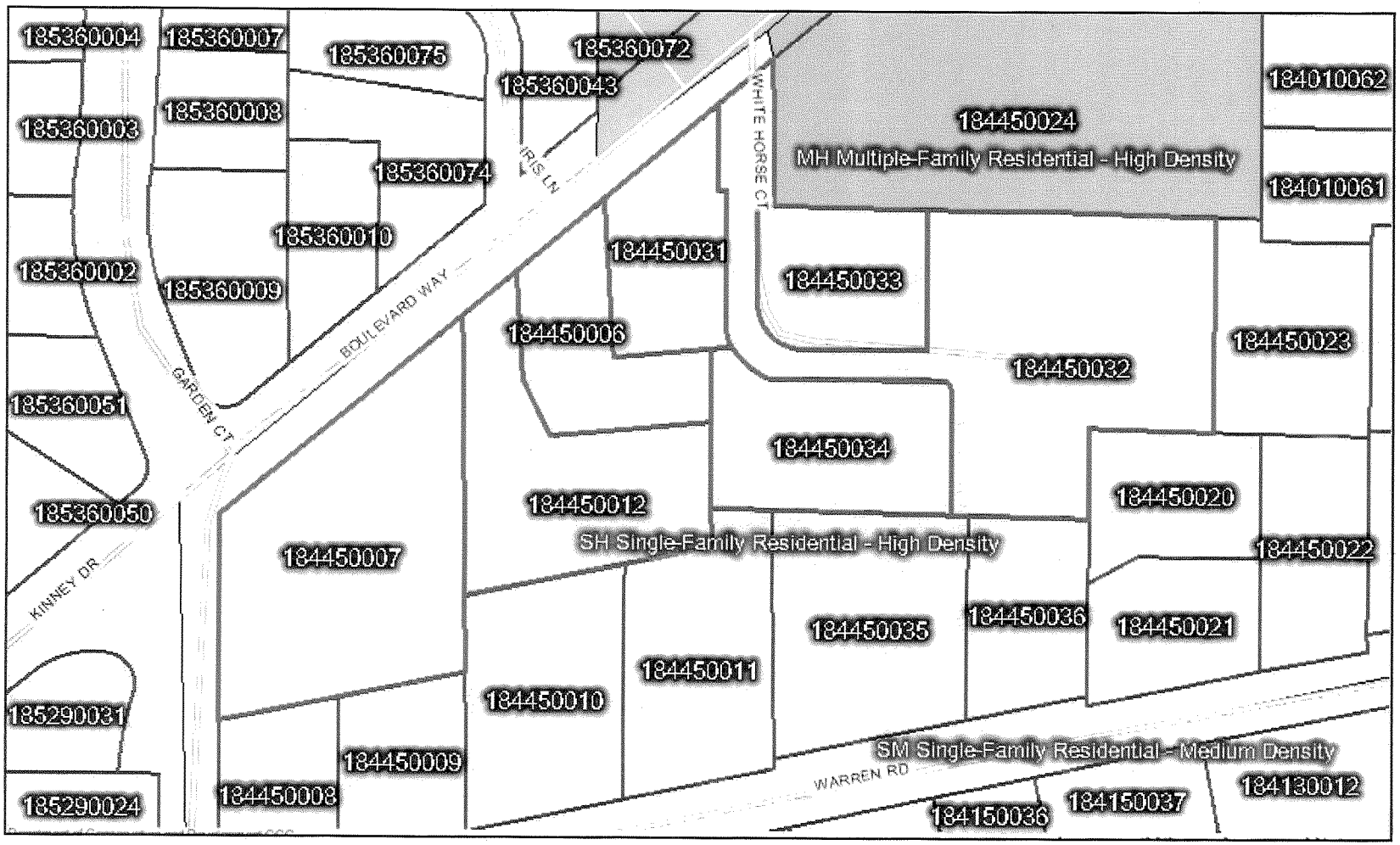
Exhibit C

General Plan

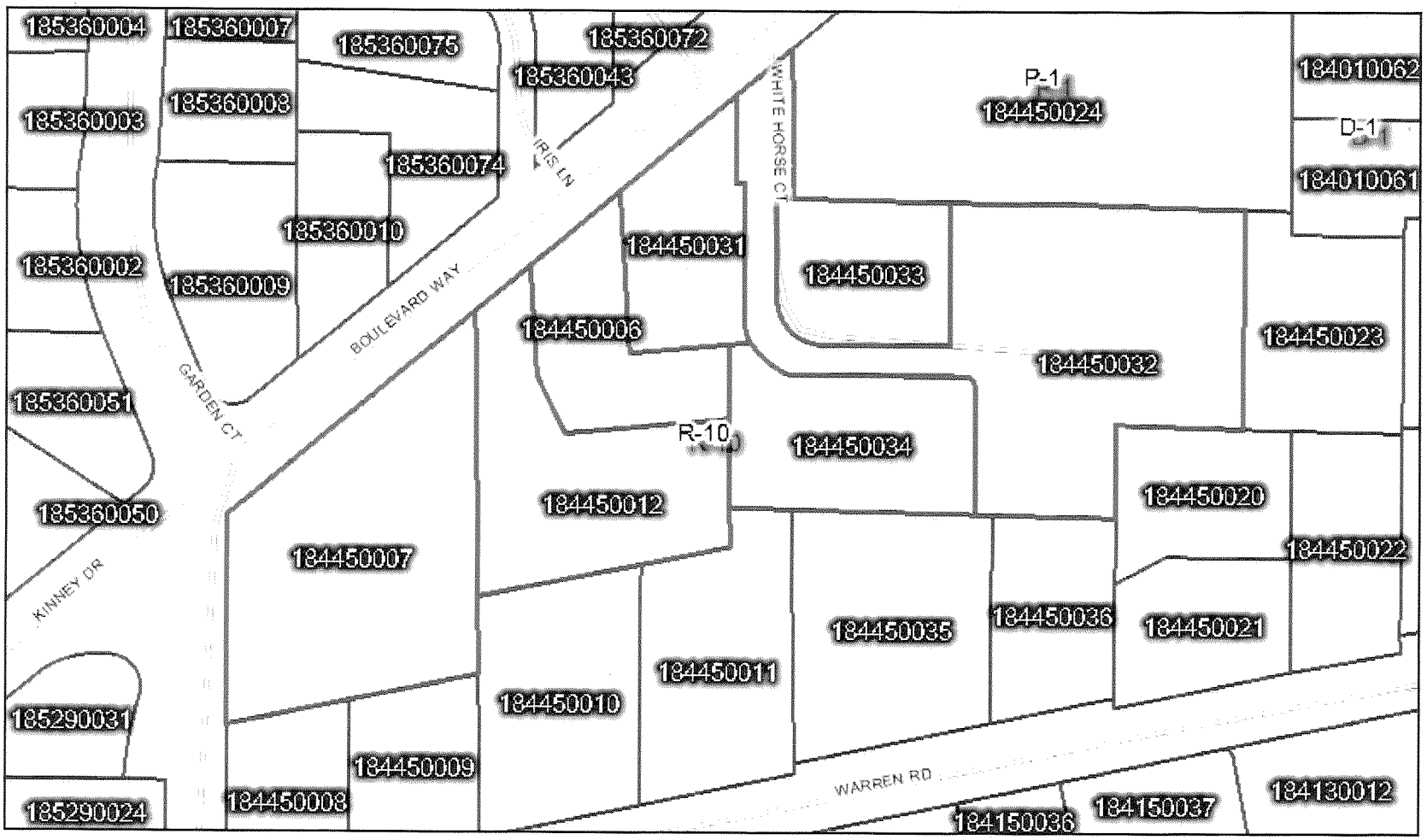
Zoning

Maps

Project Drawings



General Plan Map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IRIS LN
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D-1
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BOULEVARD WAY
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GARDEN CT
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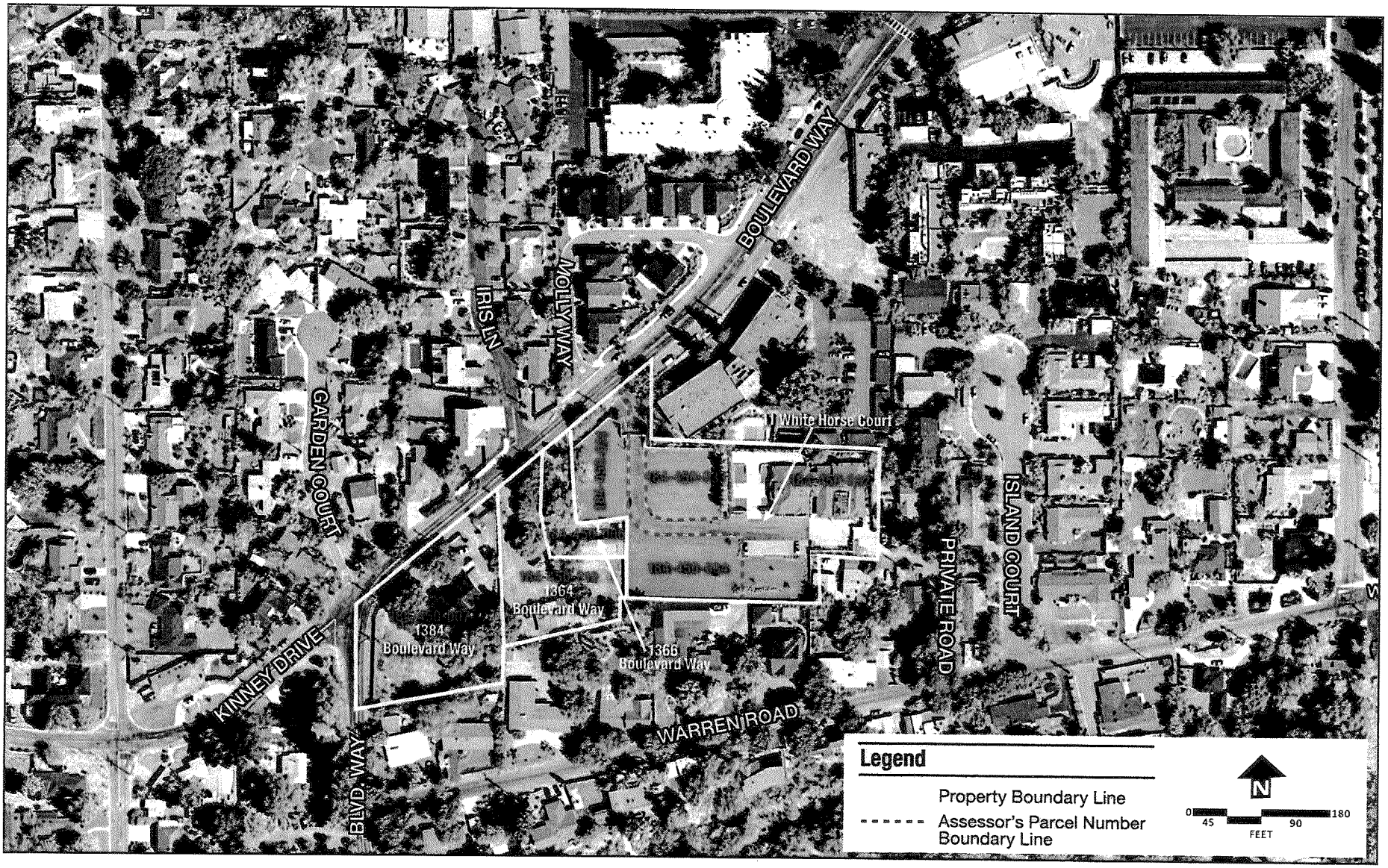
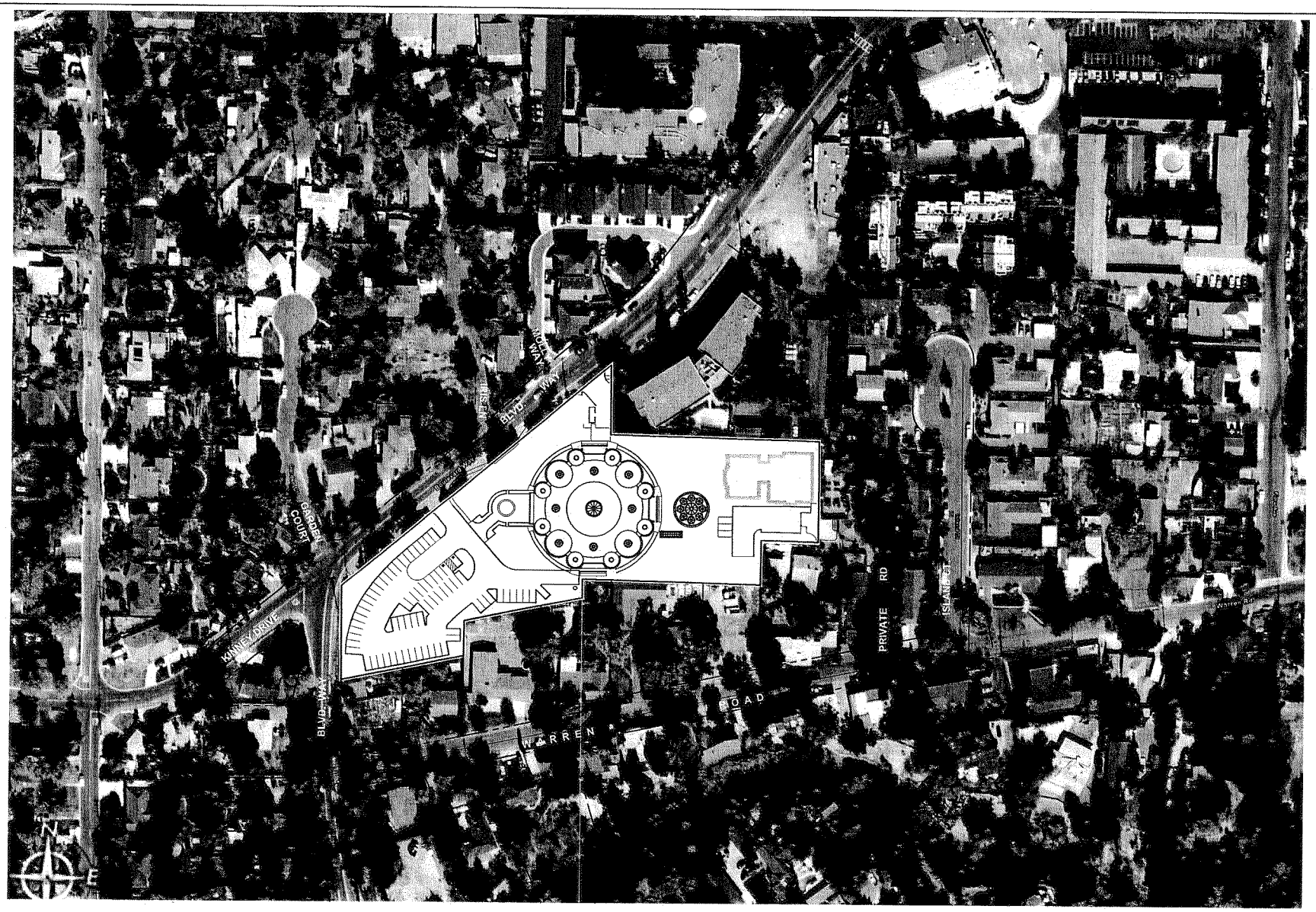
Zoning Map



Existing Assessor's Parcel Numbers and Addresses



60' 30' 0' 60'
SCALE 1"= 60'

SANCTUARY FOR SUFISM REORIENTED

Owner
Sufism Reoriented
1300 Boulevard Way
Walnut Creek, CA 94595
P 202.669.3261
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Revisions

No.	Issued	Date
1	PLANNING DEPARTMENT	05/12/08

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stamp

drawn by MC	plotted 05/12/08
checked by RC	date 05/12/08
scale 1"=30'-0"	approved RCW

drawing title

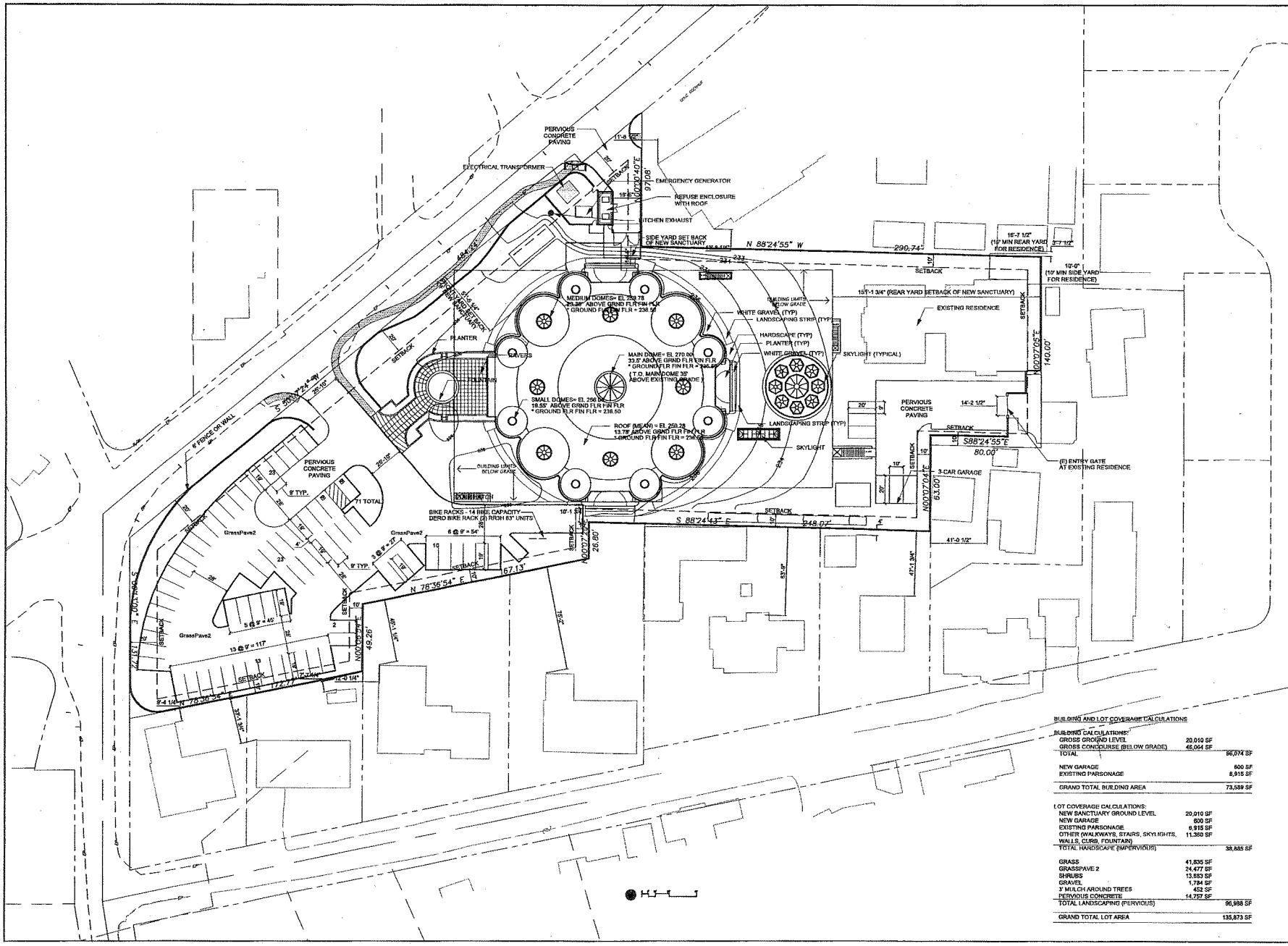
SITE AERIAL PHOTO

'SANCTUARY FOR SUFISM REORIENTED'
CONTRA COSTA COUNTY
CALIFORNIA

project no. 2008#1.0 8335
revision no.

drawing no.

P1.2



BUILDING AND LOT COVERAGE CALCULATIONS

BUILDING CALCULATIONS:

GROSS GROUND LEVEL	20,010 SF	
GROSS CONCOURSE (BELOW GRADE)	46,064 SF	
TOTAL		66,074 SF
NEW GARAGE		600 SF
EXISTING PARSONAGE		6,915 SF
GRAND TOTAL BUILDING AREA		73,589 SF

LOT COVERAGE CALCULATIONS:

NEW SANCTUARY GROUND LEVEL	20,010 SF	
NEW GARAGE	600 SF	
EXISTING PARSONAGE	6,915 SF	
OTHER (WALKWAYS, STAIRS, SKYLIGHTS, WALLS, CURB, FOUNTAIN)	11,360 SF	
TOTAL HARDSCAPE (IMPERVIOUS)		38,885 SF
GRASS	41,835 SF	
GRASSPAVE 2	24,477 SF	
SHRUBS	13,653 SF	
GRAVEL	1,784 SF	
3' MULCH AROUND TREES	452 SF	
PERVIOUS CONCRETE	14,757 SF	
TOTAL LANDSCAPING (PERVIOUS)		96,988 SF
GRAND TOTAL LOT AREA		135,873 SF

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drawn by EF	plotted 05/12/08
checked by EF	date 05/12/08
scale 1"=30'-0"	approved CS

drawing title

SITE AND ROOF PLAN

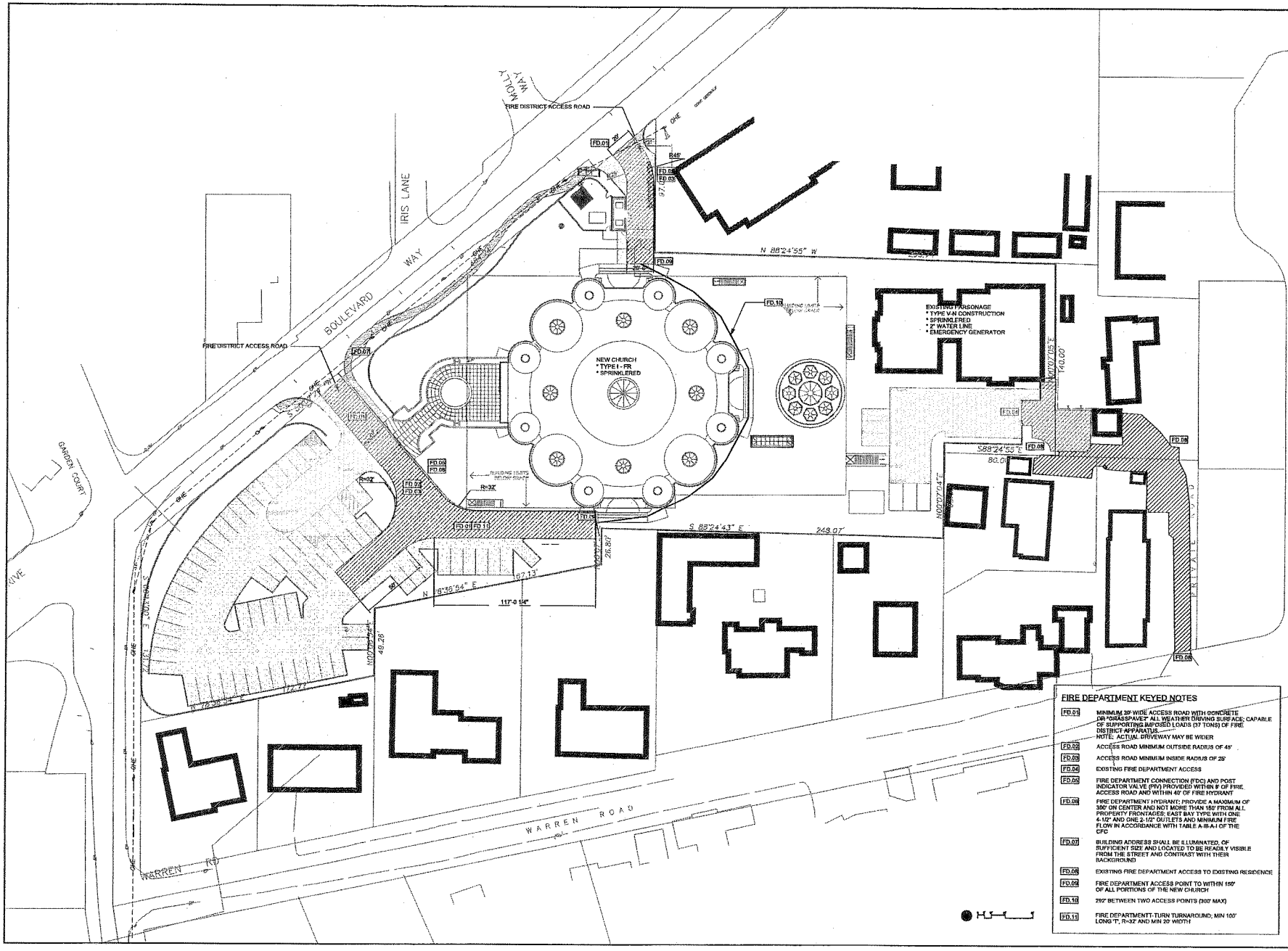
'SANCTUARY FOR SUFISM REORIENTED'

CONTRA COSTA COUNTY
CALIFORNIA

project no. 2010.00 8335	revision no.

drawing no.

P3.0



FIRE DEPARTMENT KEYED NOTES

FD.01	MINIMUM 20' WIDE ACCESS ROAD WITH CONCRETE OR "GRASSPAVE" ALL WEATHER DRIVING SURFACE; CAPABLE OF SUPPORTING IMPOSED LOADS (37 TONS) OF FIRE DISTRICT APPARATUS. NOTE: ACTUAL DRIVEWAY MAY BE WIDER
FD.02	ACCESS ROAD MINIMUM OUTSIDE RADIUS OF 45'
FD.03	ACCESS ROAD MINIMUM INSIDE RADIUS OF 25'
FD.04	EXISTING FIRE DEPARTMENT ACCESS
FD.05	FIRE DEPARTMENT CONNECTION (FDC) AND POST INDICATOR VALVE (PIV) PROVIDED WITHIN 8' OF FIRE ACCESS ROAD AND WITHIN 40' OF FIRE HYDRANT
FD.06	FIRE DEPARTMENT HYDRANT; PROVIDE A MAXIMUM OF 300' ON CENTER AND NOT MORE THAN 150' FROM ALL PROPERTY FRONTAGES; EAST BAY TYPE WITH ONE 4-1/2" AND ONE 2-1/2" OUTLETS AND MINIMUM FIRE FLOW IN ACCORDANCE WITH TABLE A-III-A-I OF THE CFC
FD.07	BUILDING ADDRESS SHALL BE ILLUMINATED, OF SUFFICIENT SIZE AND LOCATED TO BE READILY VISIBLE FROM THE STREET AND CONTRAST WITH THEIR BACKGROUND
FD.08	EXISTING FIRE DEPARTMENT ACCESS TO EXISTING RESIDENCE
FD.09	FIRE DEPARTMENT ACCESS POINT TO WITHIN 150' OF ALL PORTIONS OF THE NEW CHURCH
FD.10	292' BETWEEN TWO ACCESS POINTS (300' MAX)
FD.11	FIRE DEPARTMENT T-TURN TURNAROUND, MIN 100' LONG "T", R=32' AND MIN 20' WIDTH

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stamp

drawn by EF	plotted 05/12/08
checked by EF	date 05/04/08
scale 1"=30'-0"	approved CS

drawing title

FIRE ACCESS PLAN

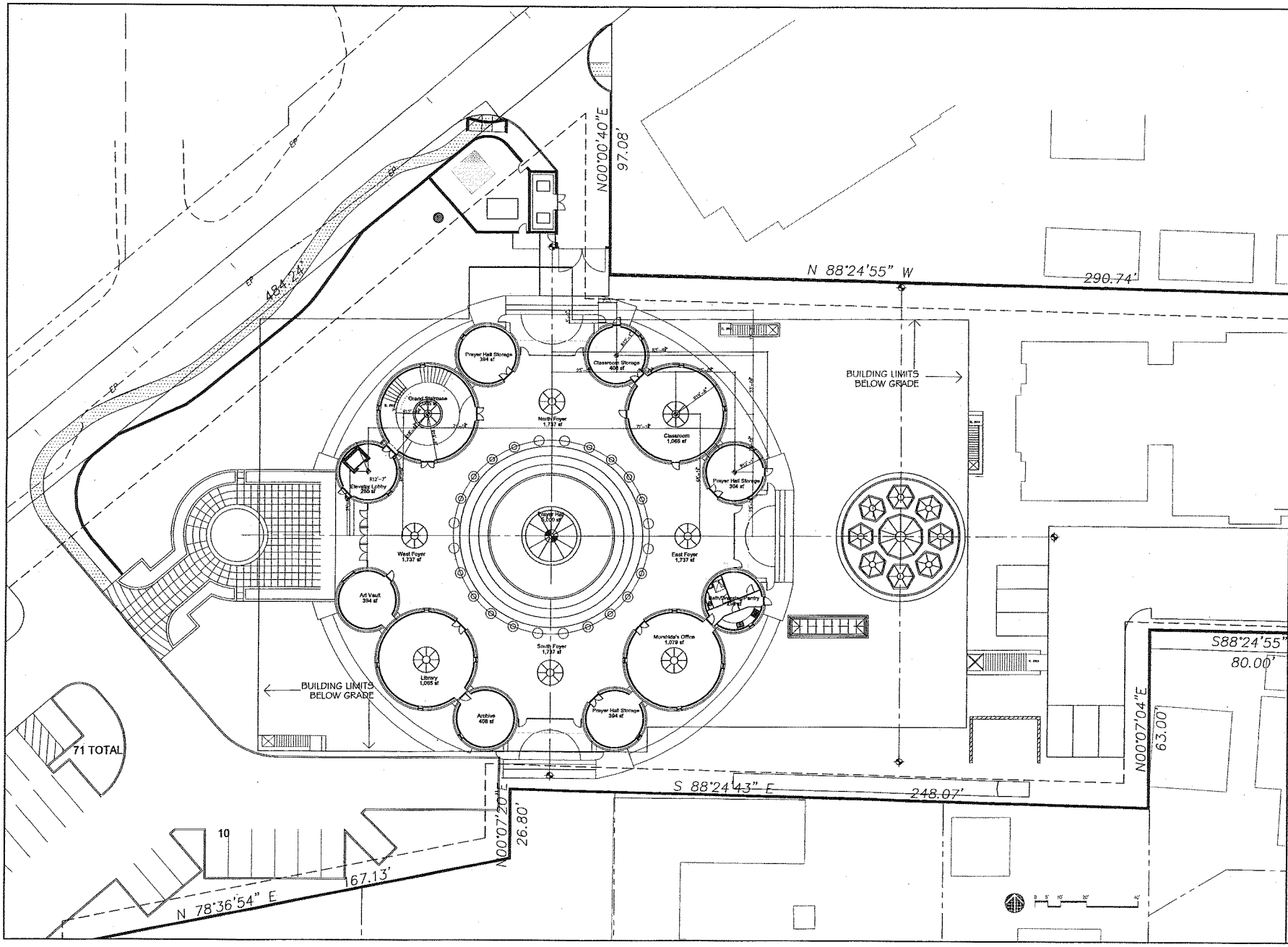
'SANCTUARY FOR SUFISM REORIENTED'

CONTRA COSTA COUNTY
CALIFORNIA

project no. 28010.00 8335	revision no.

drawing no.

P3.1B



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stamp

drawn by EF	plotted 05/12/08
checked by EF	date 06/04/08
scale 1/16" = 1'-0"	approved CS

drawing title

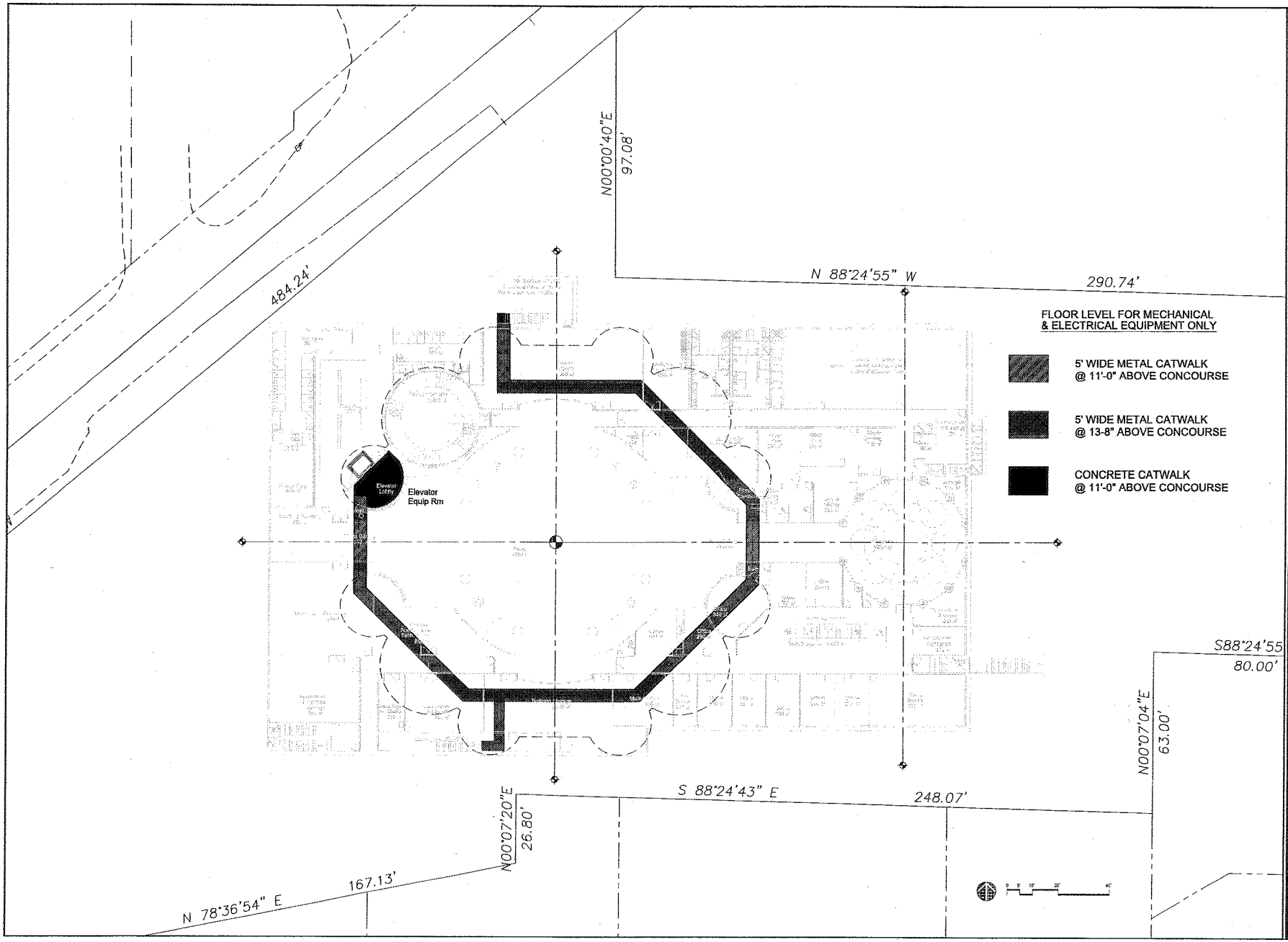
GROUND FLOOR PLAN

'SANCTUARY FOR SUFISM REORIENTED'
CONTRA COSTA COUNTY
CALIFORNIA

project no. 26010.00 8335
revision no.

drawing no.

P3.2A



SANCTUARY FOR SUFISM REORIENTED

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F 925.938.1137

Revisions

No.	Issued	Date
1	PLANNING DEPARTMENT	05/12/08

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stamp

drawn by	plotted
EF	05/12/08
checked by	date
EF	05/12/08
scale	approved
1/16" = 1'-0"	CS

drawing title

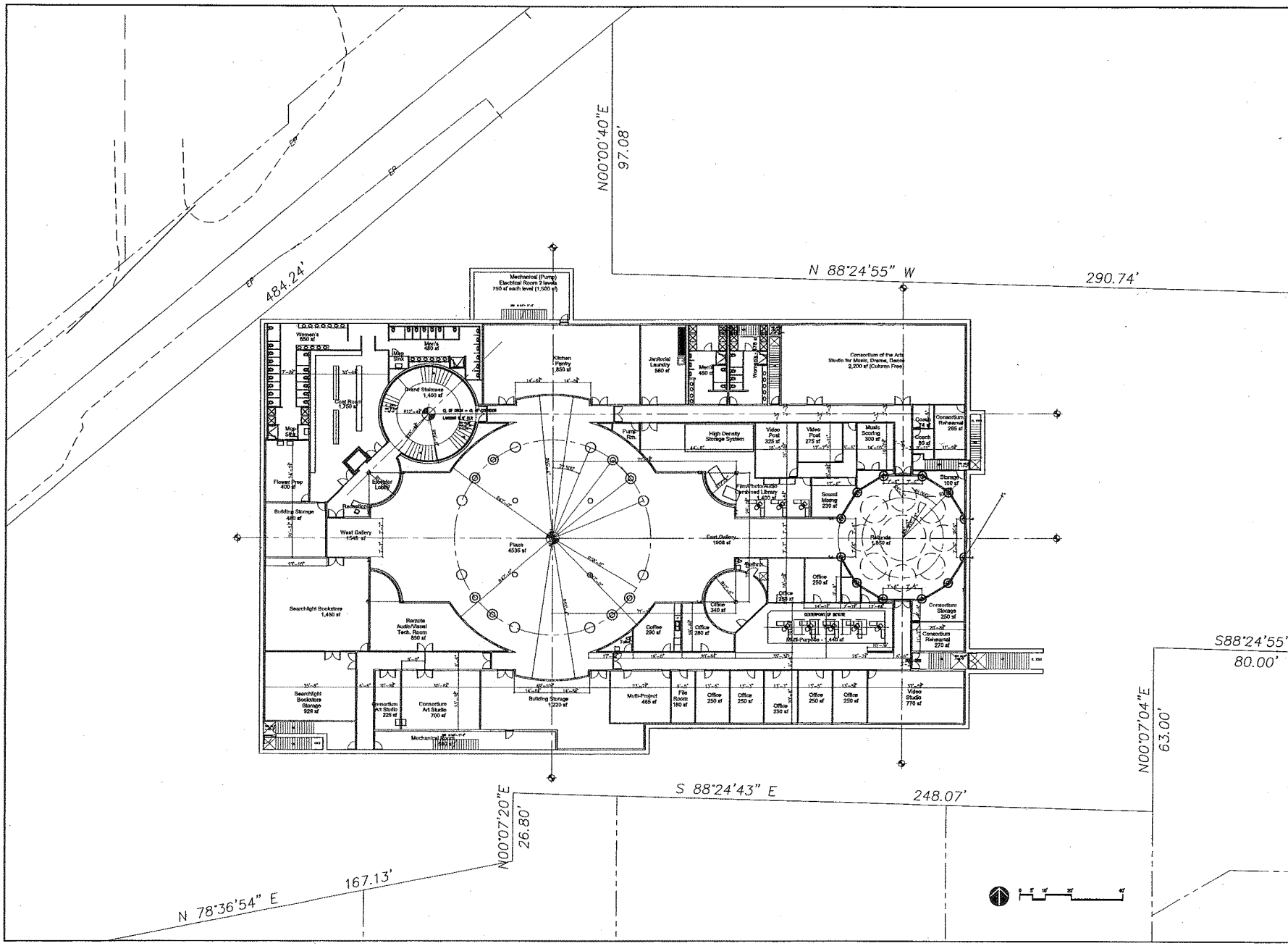
INTERSTITIAL FLOOR PLAN

'SANCTUARY FOR SUFISM REORIENTED'
CONTRA COSTA COUNTY
CALIFORNIA

project no. 28010.00 **8335** revision no.

drawing no.

P3.2B



SANCTUARY FOR SUFISM REORIENTED

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Revisions

No.	Issued	Date
1	CLIENT REVIEW	05/22/08

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stamp

drawn by EF	plotted 05/22/08
checked by EF	date 05/22/08
scale 1/16" = 1'-0"	approved CS

drawing title

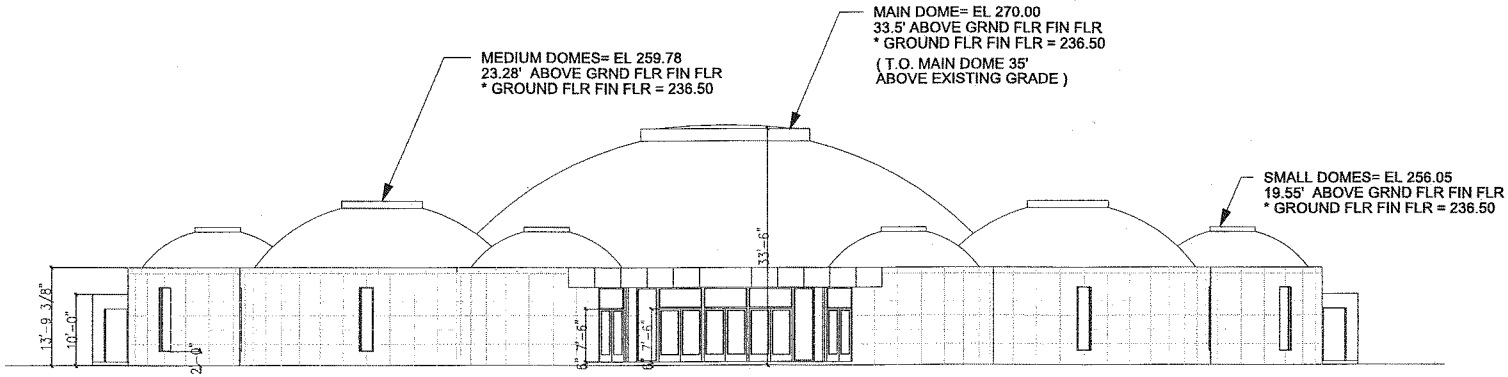
CONCOURSE FLOOR PLAN

'SANCTUARY FOR SUFISM REORIENTED'
CONTRA COSTA COUNTY
CALIFORNIA

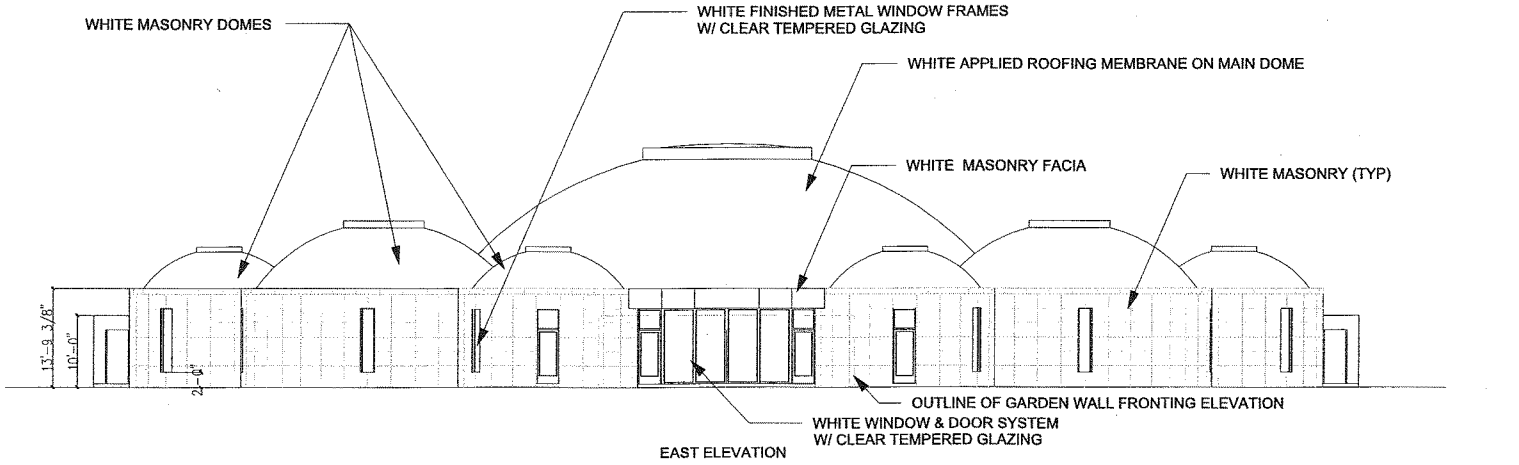
project no. 26010.00 **8335** revision no. 1

drawing no.

P3-2C



WEST ELEVATION



EAST ELEVATION

0 5' 10' 20' 40'

SANCTUARY FOR SUFISM REORIENTED

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Revisions

No.	Issued	Date
1	PLANNING DEPARTMENT	05/12/08

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stamp

drawn by EF	plotted 05/12/08
checked by EF	date 06/04/08
scale 1/8" = 1'-0"	approved CS

drawing title

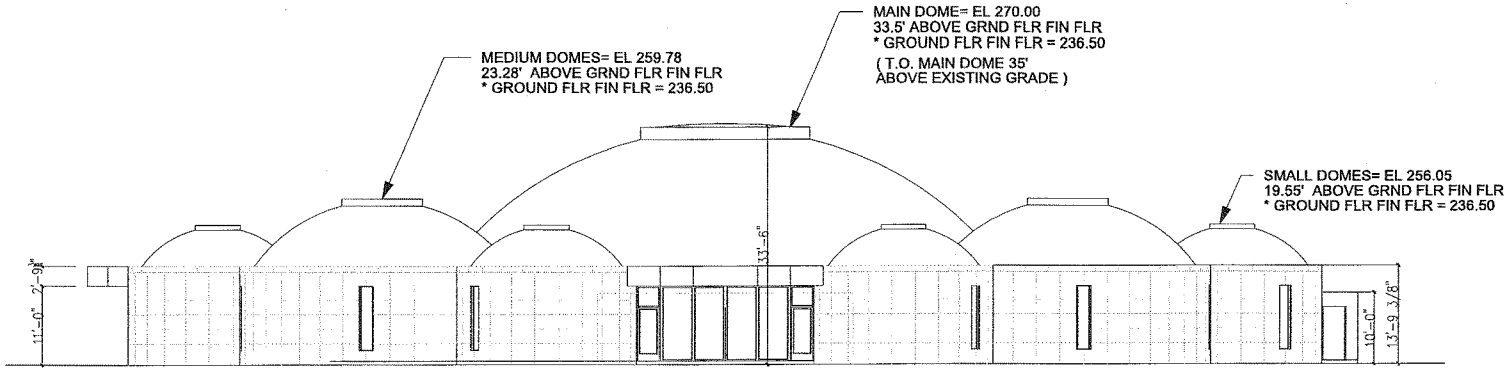
BUILDING ELEVATIONS

'SANCTUARY FOR SUFISM REORIENTED'
CONTRA COSTA COUNTY
CALIFORNIA

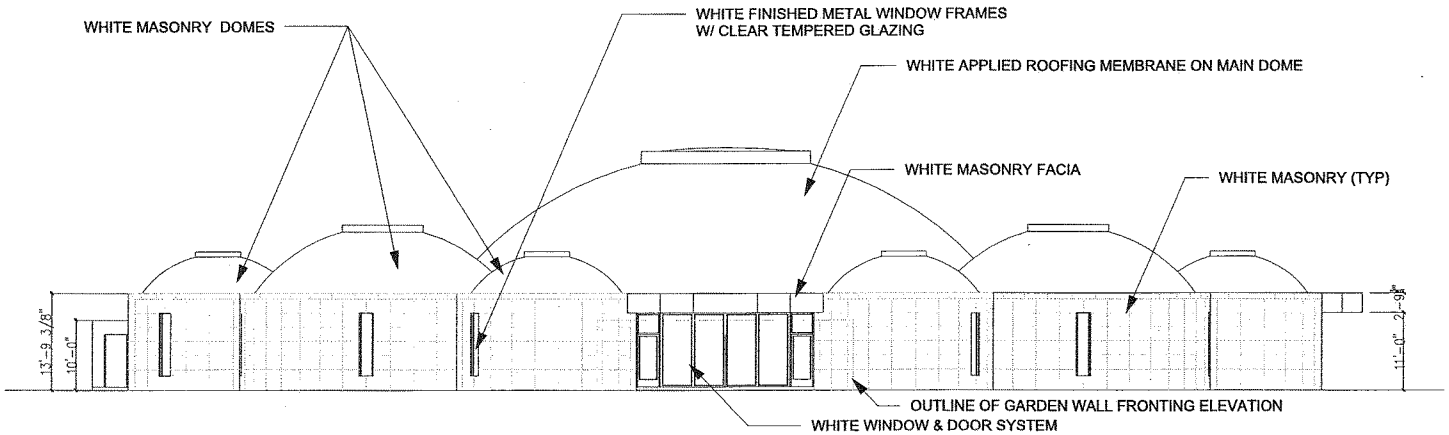
project no. 28010.00 **8335**	revision no.

drawing no.

P3.3A



SOUTH ELEVATION



NORTH ELEVATION

0 5' 10' 20' 40'

SANCTUARY FOR SUFISM REORIENTED

Owner
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1300 Boulevard Way
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Revisions

No.	Issued	Date
1	PLANNING DEPARTMENT	05/12/08

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stamp

drawn by EF	plotted 05/12/08
checked by EF	date 05/12/08
scale 1/8" = 1'-0"	approved CS

drawing title

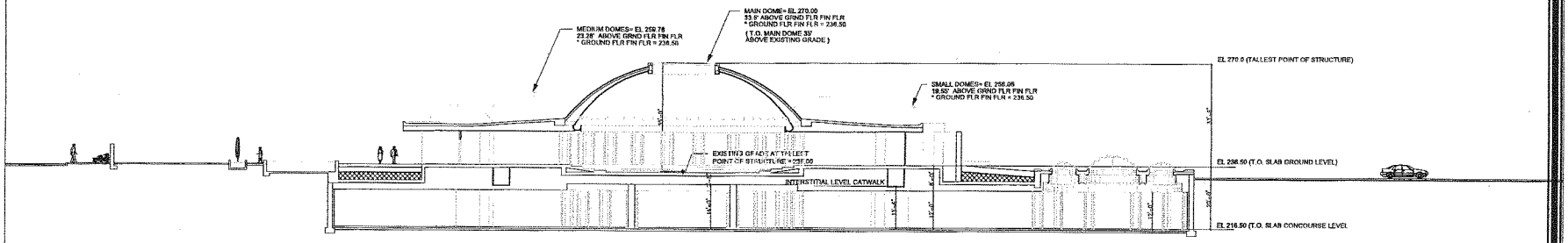
BUILDING ELEVATIONS

'SANCTUARY FOR SUFISM REORIENTED'
CONTRA COSTA COUNTY
CALIFORNIA

project no. 28010.00 8335	revision no.

drawing no.

P3.3B



EAST-WEST SECTION

SANCTUARY FOR SUFISM REORIENTED

Owner
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Revisions

No.	Issued	Date
1	PLANNIND DEPARTMENT	05/12/08

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stamp

drawn by EF	plotted 05/12/08
checked by EF	date 05/12/08
scale 1/16" = 1'-0"	approved CS

drawing title

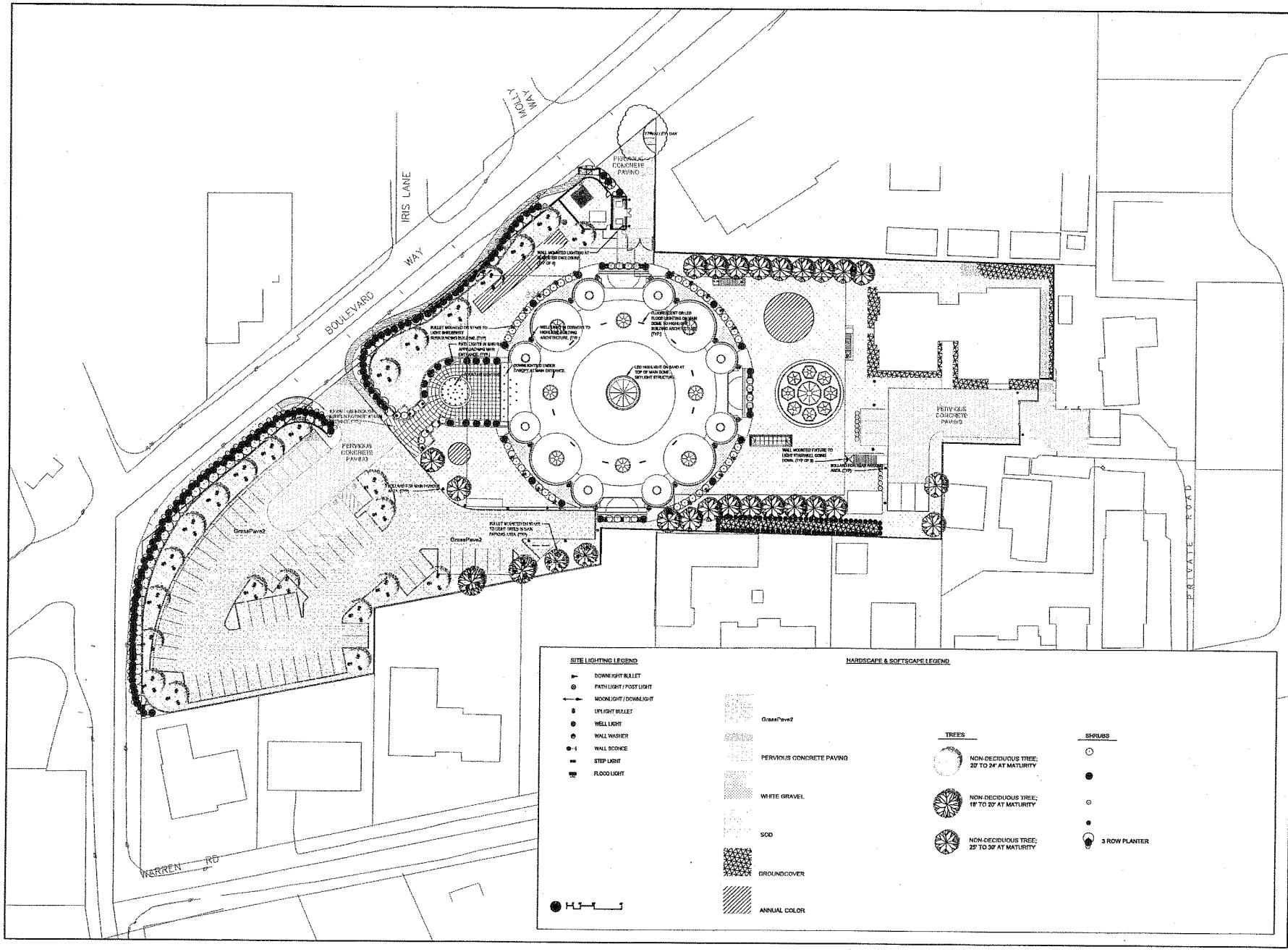
EAST-WEST SITE SECTION

'SANCTUARY FOR SUFISM REORIENTED'
CONTRA COSTA COUNTY
CALIFORNIA

project no. 25210.00 8335	revision no.

drawing no.

P3.3C



SANCTUARY FOR SUFISM REORIENTED

Owner
Sufism Reorientated
1300 Boulevard Way
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Revisions

No	Issued	Date
1	PLANNING DEPARTMENT	05/12/08

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stamp

drawn by EF	plotted 05/12/08
checked by EF	date 05/12/08
scale 1"=30'-0"	approved CS

drawing title

LANDSCAPE PLAN

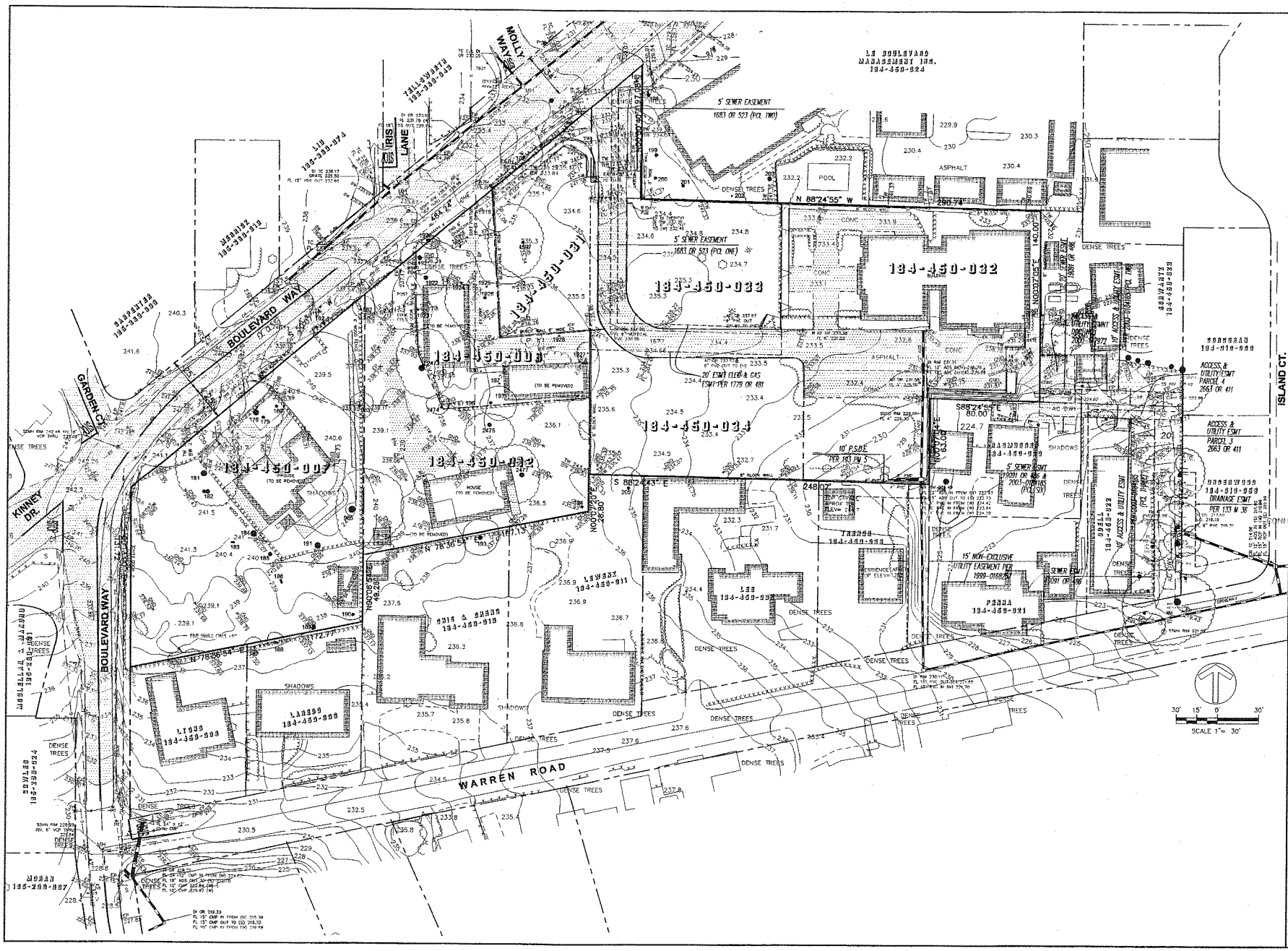
'SANCTUARY FOR SUFISM REORIENTED'

CONTRA COSTA COUNTY
CALIFORNIA

project no. 26010.00 8335	revision no.

drawing no.

P3.1A


BOULEVARD WAY
WARREN ROAD
ISLAND CT.
GARDEN CT.
KINNEY DR.
MOLLY WAY
IRIS LANE
134-450-033
134-450-032
134-450-034
134-450-007
134-450-031
134-450-008
134-450-009
134-450-003
134-450-999
134-450-911
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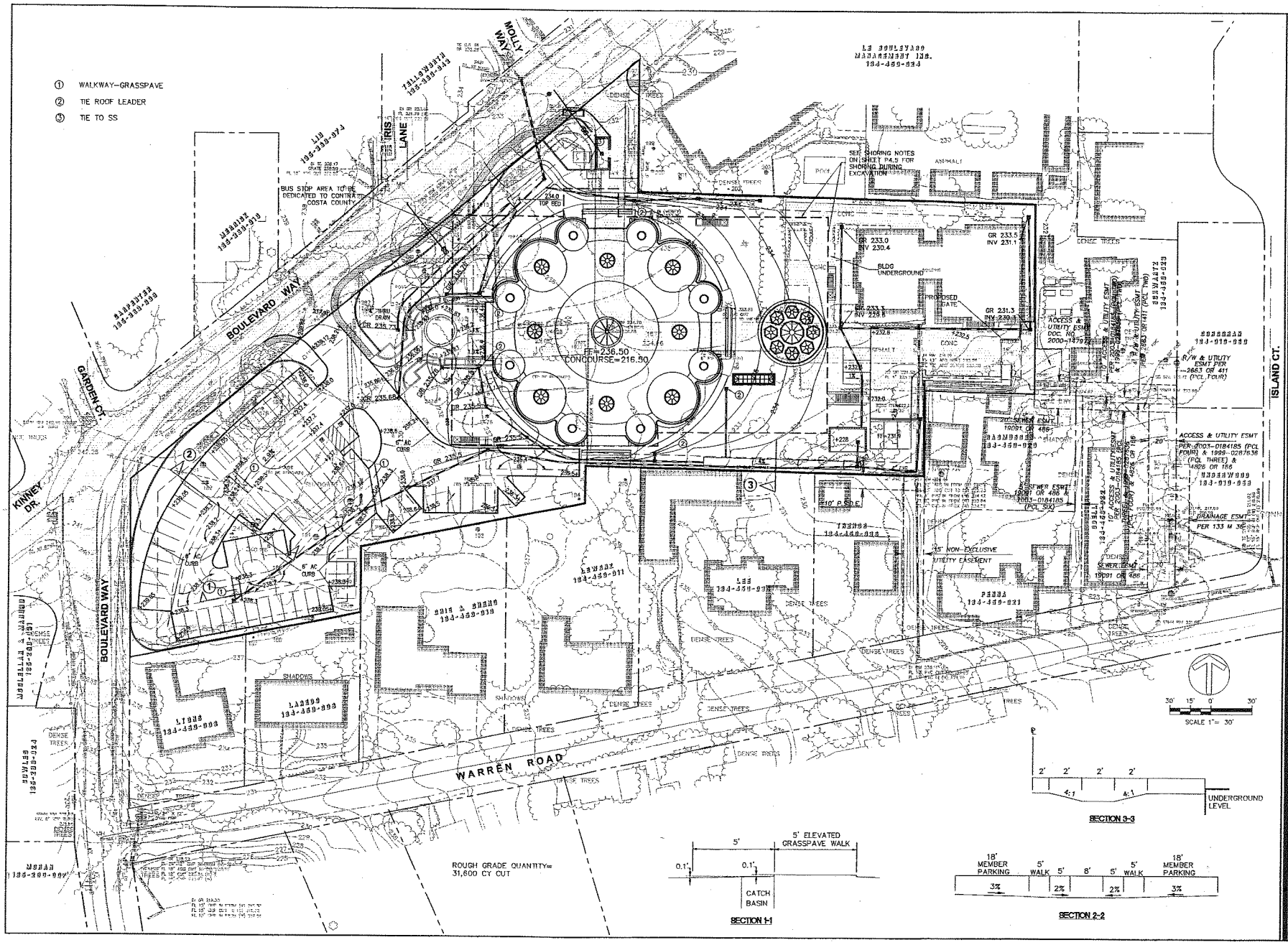

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Revisions		
No	Issued	Date
1	PLANNING DEPARTMENT	05/12/08

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stamp

drawn by MG	plotted 05/12/08
checked by RC	date 05/12/08
scale 1"=30'-0"	approved ROW

drawing title

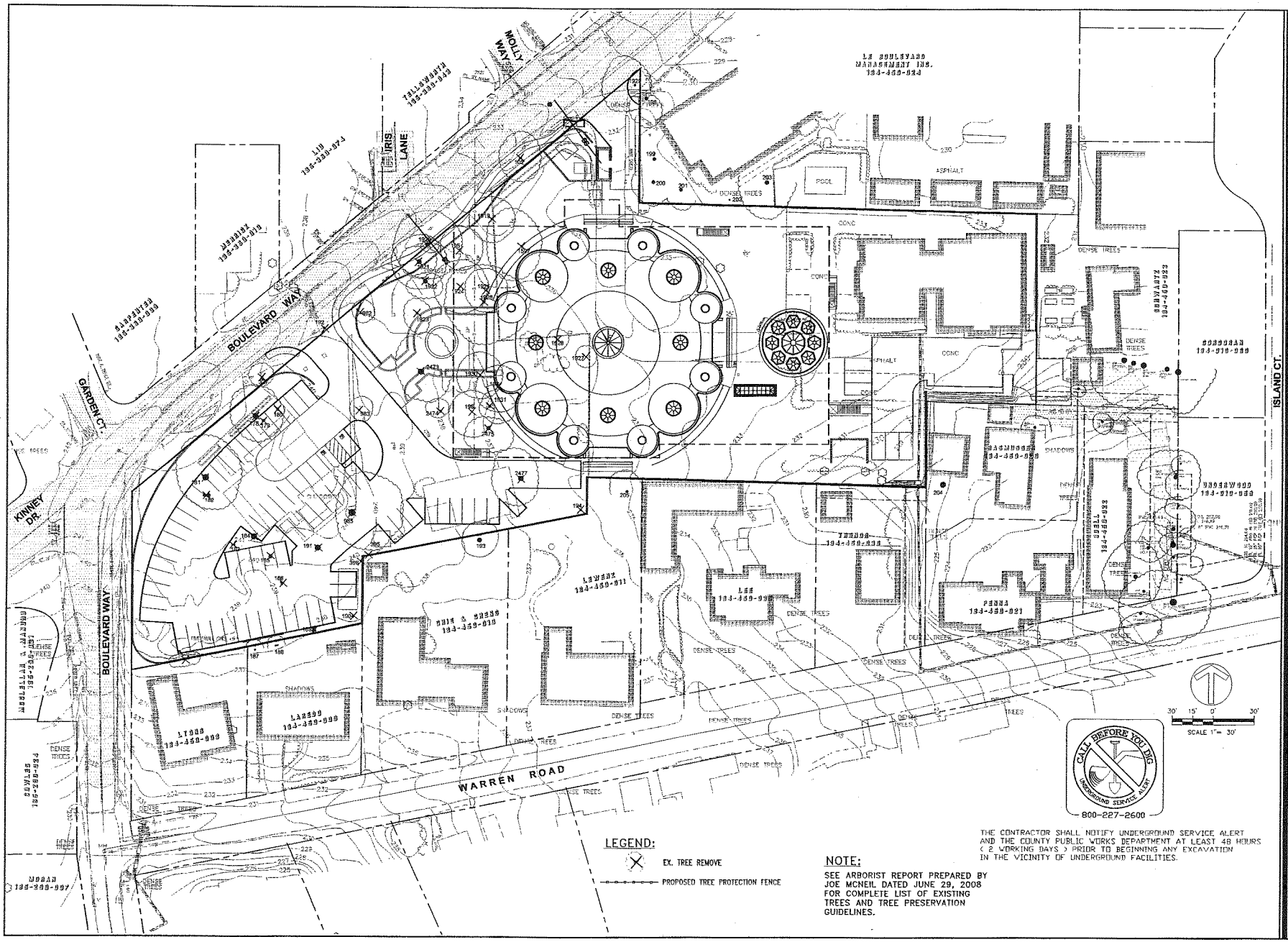
GRADING and UTILITY PLAN

'SANCTUARY FOR SUFISM REORIENTED'
CONTRA COSTA COUNTY
CALIFORNIA

project no. 205081.0 **8335** revision no.

drawing no.

P4.0



LEGEND:

EX. TREE REMOVE

PROPOSED TREE PROTECTION FENCE

NOTE:

SEE ARBORIST REPORT PREPARED BY JOE MCNEIL DATED JUNE 29, 2008 FOR COMPLETE LIST OF EXISTING TREES AND TREE PRESERVATION GUIDELINES.

THE CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT AND THE COUNTY PUBLIC WORKS DEPARTMENT AT LEAST 48 HOURS (2 WORKING DAYS) PRIOR TO BEGINNING ANY EXCAVATION IN THE VICINITY OF UNDERGROUND FACILITIES.

SANCTUARY FOR SUFISM REORIENTED

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Revisions		
No	Issued	Date
1	PLANNING DEPARTMENT	05/12/08

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drawn by MC	plotted 05/12/08
checked by RC	date 05/12/08
scale 1"=30'-0"	approved RCW

drawing title

TREE PRESERVATION PLAN

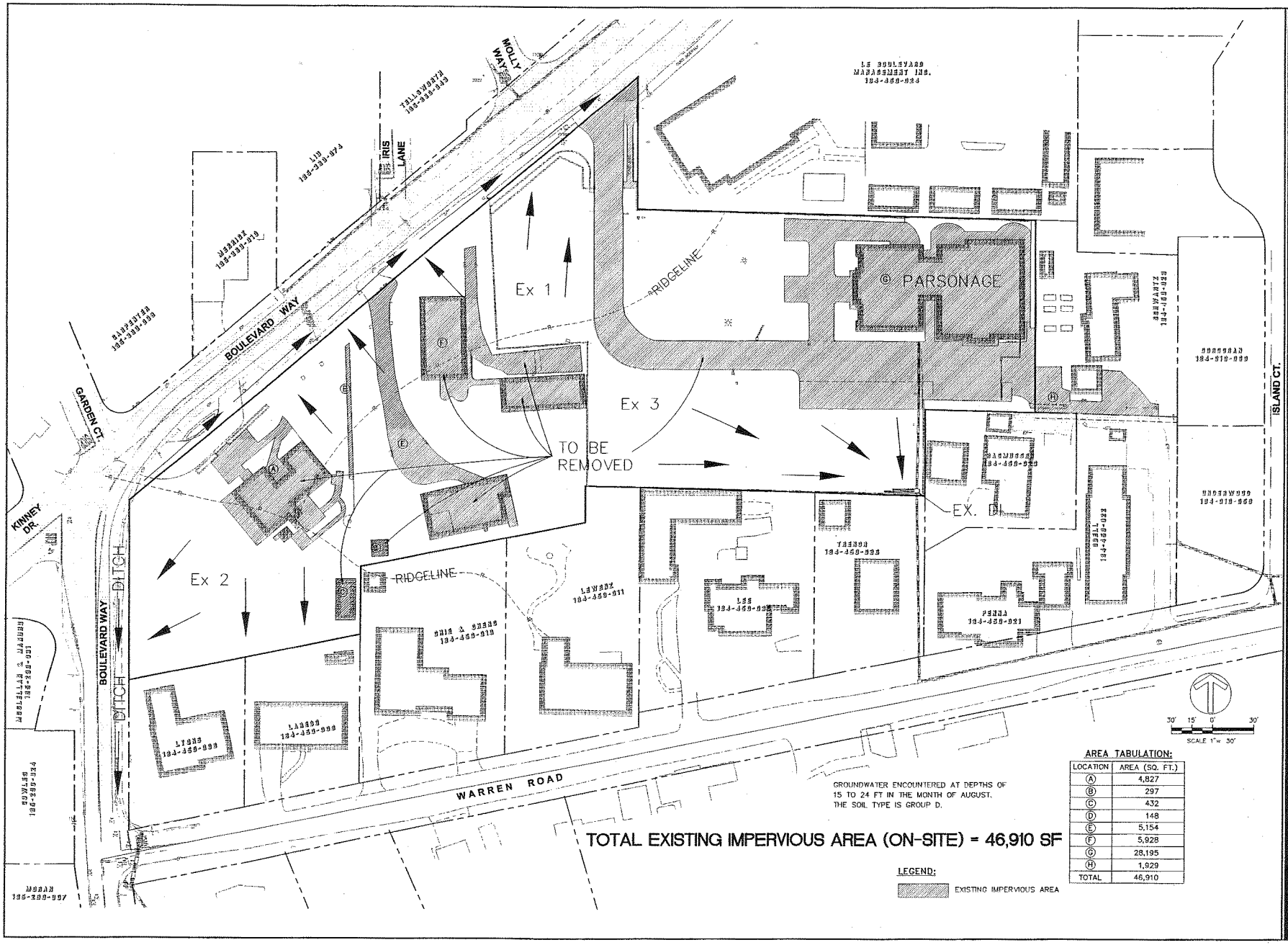
'SANCTUARY FOR SUFISM REORIENTED'

CONTRA COSTA COUNTY
CALIFORNIA

project no. 200801.0 8335 | revision no.

drawing no.

P4.1



GROUNDWATER ENCOUNTERED AT DEPTHS OF 15 TO 24 FT IN THE MONTH OF AUGUST. THE SOIL TYPE IS GROUP D.

TOTAL EXISTING IMPERVIOUS AREA (ON-SITE) = 46,910 SF

LEGEND:

EXISTING IMPERVIOUS AREA

AREA TABULATION:

LOCATION	AREA (SQ. FT.)
A	4,827
B	297
C	432
D	148
E	5,154
F	5,928
G	28,195
H	1,929
TOTAL	46,910

SANCTUARY FOR SUFISM REORIENTED

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Revisions

No.	Issued	Date
1	PLANNING DEPARTMENT	05/12/08

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checked by RC	date 05/12/08
scale 1"=30'-0"	approved RCW

drawing title

EXISTING IMPERVIOUS AREAS

'SANCTUARY FOR SUFISM REORIENTED'

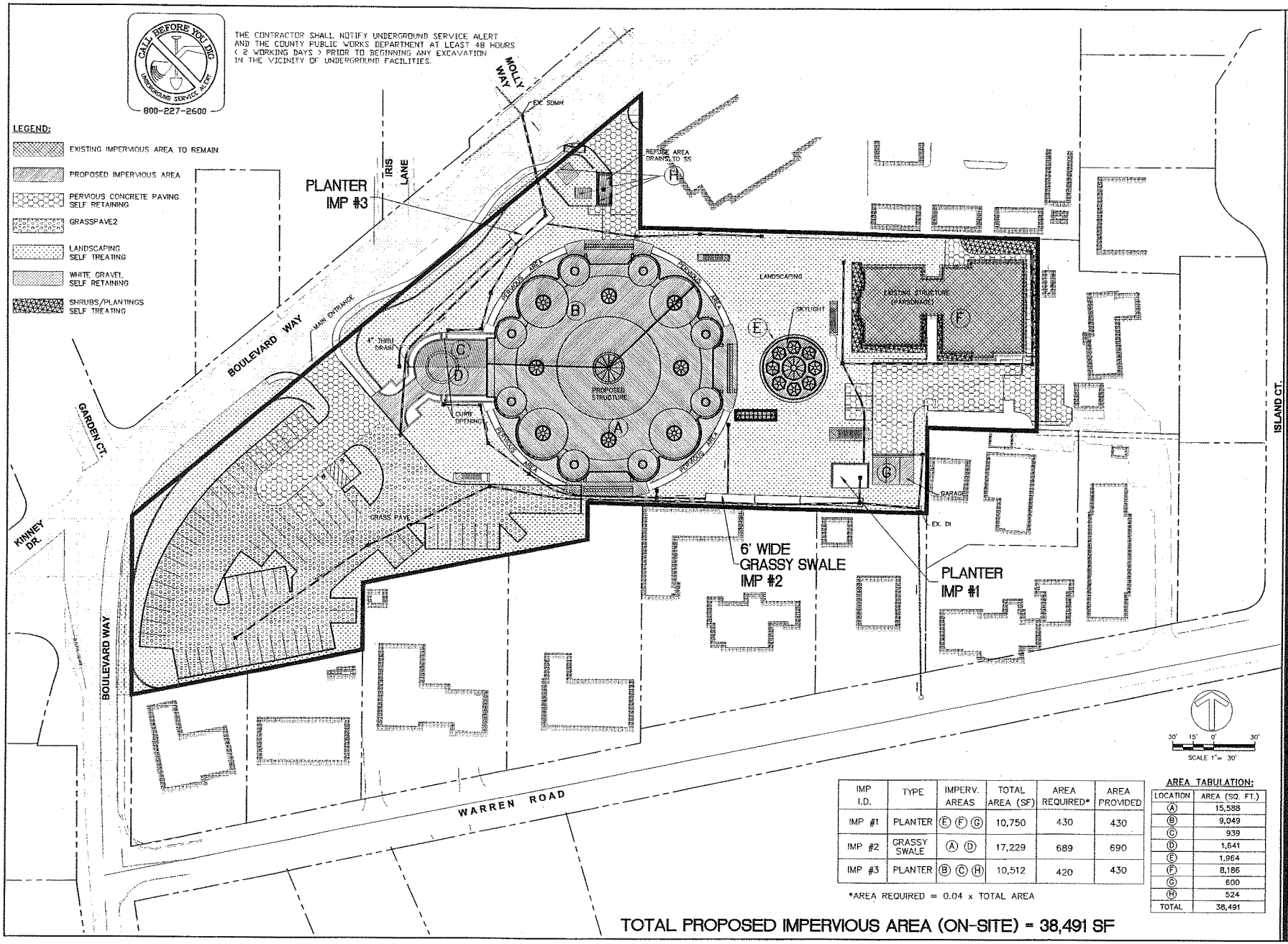
CONTRA COSTA COUNTY CALIFORNIA

project no. 2006018.0 8335

revision no.

drawing no.

P4.3



IMP I.D.	TYPE	IMPERV. AREAS	TOTAL AREA (SF)	AREA REQUIRED*	AREA PROVIDED
IMP #1	PLANTER	E F G	10,750	430	430
IMP #2	GRASSY SWALE	A D	17,229	689	690
IMP #3	PLANTER	B C H	10,512	420	430

*AREA REQUIRED = 0.04 x TOTAL AREA

AREA TABULATION:

LOCATION	AREA (SQ. FT.)
A	15,588
B	9,049
C	939
D	1,641
E	1,964
F	8,186
G	600
H	524
TOTAL	38,491

TOTAL PROPOSED IMPERVIOUS AREA (ON-SITE) = 38,491 SF

SANCTUARY FOR SUFISM REORIENTED

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Revisions

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stamp

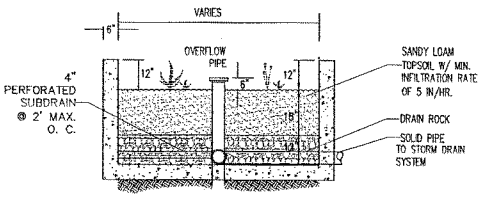
drawn by MC | plotted 05/12/08
checked by RC | date 05/12/08
scale 1"=30'-0" | approved RDW

drawing title
PROPOSED IMPERVIOUS AREAS

'SANCTUARY FOR SUFISM REORIENTED'
CONTRA COSTA COUNTY CALIFORNIA

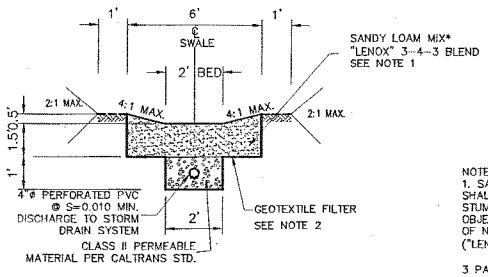
project no. 2050810 8335 | revision no.

drawing no.
P4.4



TYPICAL FLOW-THROUGH PLANTER

NOT TO SCALE



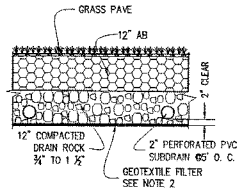
GRASSY SWALE SECTION

NOT TO SCALE

NOTES:
1. SANDY LOAM MIX SHALL BE FREE OF STONES, STUMPS, ROOTS, OR SIMILAR OBJECTS, AND ALSO FREE OF NOXIOUS WEEDS. ("LENOX" 3-4-3 BLEND):

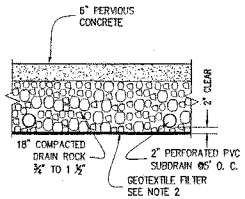
3 PARTS (30%) SCREENED SAND
4 PARTS (40%) WASHED SAND
3 PARTS (30%) COMPOST

2. GEOTEXTILE FILTER SHALL BE PERMALON FILTER PLY X-150 OR APPROVED EQUAL.
REEF INDUSTRIES, INC.
P.O. BOX 750245
HOUSTON, TX 77275-0245
TEL 1-800-231-2417



GRASSPAVE

NOT TO SCALE



PERVIOUS CONCRETE

NOT TO SCALE

SHORING NOTES:

1. A GEOTECHNICAL REPORT HAS BEEN PREPARED FOR THE PROJECT BY DCM ENGINEERING, DATED 8/22/07.

2. THE CONTRACTOR IS RESPONSIBLE FOR THE DESIGN, CONSTRUCTION, MONITORING, AND REMOVAL (WHERE PERMITTED) OF ALL EXCAVATION SHORING.

3. ALL EXCAVATION SHORING MUST COMPLY WITH THE PERFORMANCE CRITERIA AND SPECIFIC DESIGN RECOMMENDATIONS GIVEN IN THE GEOTECHNICAL REPORT.

4. THE CONTRACTOR SHALL PROVIDE A SUBMITTAL FOR OWNER REVIEW OF THE SPECIFIC SHORING DESIGN. THE SHORING DESIGN MUST BE PREPARED BY AND STAMPED BY A CALIFORNIA REGISTERED CIVIL ENGINEER PRACTICING IN DESIGN OF TEMPORARY EXCAVATION SHORING.

5. ALL EXCAVATION SHORING MUST BE MONITORED FOR MOVEMENT/DEFLECTION BY THE CONTRACTOR ON A REGULAR BASIS, AND NOT LESS THAN: ONCE PER DAY DURING EXCAVATION, ONCE PER DAY FOR 14 DAYS FOLLOWING COMPLETION OF EXCAVATION, AND ONCE PER WEEK THEREAFTER UNTIL STRUCTURAL BACKFILLING IS COMPLETE. CONTRACTOR SHALL SUBMIT A SHORING MOVEMENT/DEFLECTION PLAN FOR OWNER REVIEW AND SHALL SUBMIT TABULATED MEASUREMENTS DAILY AND WEEKLY AS MEASUREMENTS ARE MADE.

SANCTUARY FOR SUFISM REORIENTED

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Revisions

No.	Issued	Date
1	PLANNING DEPARTMENT	05/12/08

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stamp

drawn by MC	plotted 05/12/08
checked by RC	date 05/12/08
scale 1"=30'-0"	approved RCW

drawing title

SECTIONS AND DETAILS

'SANCTUARY FOR SUFISM REORIENTED'
CONTRA COSTA COUNTY
CALIFORNIA

project no. 205081.0 **8335** revision no.

drawing no.

P4.5

Exhibit D

Notice of Preparation, Completion and Extension

Department of
Conservation &
Development

Community Development Division

County Administration Building
651 Pine Street
North Wing, Fourth Floor
Martinez, CA 94553-1229

Phone: (925) 335-1229

Contra
Costa
County

Catherine O. Kutsuris
Director

Aruna Bhat
Deputy Director
Community Development Division

FILED
MAR 09 2010
S.L. WEIR, COUNTY CLERK
CONTRA COSTA COUNTY
BY _____ DEPUTY

March 9, 2010

NOTICE OF PREPARATION
NOTICE OF SCOPING SESSION

FOR AN ENVIRONMENTAL IMPACT REPORT
FOR THE PROPOSED SUFISM REORIENTED SANCTUARY PROJECT
(County Files: # LP08-2034 and #MS09-0008)

TO: ALL INTERESTED AGENCIES, ORGANIZATIONS AND INDIVIDUALS

I. PROPOSED PROJECT

The Sufism Reoriented Church is proposing to construct a new sanctuary on approximately 3.12 acres. The sanctuary would permanently replace the organization's current facility at 1300 Boulevard Way. The proposed design would locate approximately two-thirds of its total floor area (46,064 square feet) underground, including space for administrative offices, a multi media library, rehearsal and video studios for choral music, art studio, a kitchen, a bookstore, and a multi purpose room. The prayer hall, a classroom, and ancillary facilities (totaling 20,000 square feet in area) would be located above ground.

In addition, the project includes a request for parking reduction based on a Transportation Demand Management Program that includes the promotion of carpool, shuttle service, pedestrian and secure bicycle parking. The project includes the removal of approximately 43 trees, and the planting of at least 165 new trees. The project will require a land use permit under the Contra Costa County R-10 Single Family Residential District, Sections 84-8.404 and 84-4.404 (3) and a minor subdivision with a vesting tentative map for the merging of seven lots into one parcel to create the approximate 3.12 acre site.

The site currently contains a parsonage building at 11 White Horse Court plus three single family residences along Boulevard Way. The applicant, Sufism Reoriented, owns all of these buildings. The applicant proposes to retain the parsonage building at 11 White Horse Court and demolish the three residences along Boulevard Way.

Height

The sanctuary would be located partially underground. The facility will have the appearance of a single story building. The portion of the building which is visible above grade will range from approximately 20 to 34 feet in height from the ground to the top of the proposed domes.

Construction and Grading

Approximately two-thirds (46,064 square feet) of the building is proposed to be constructed underground therefore extensive soil excavation will be required. An estimated 3,510 truck loads of soil are expected to be exported from the project site (approximately 34,350 cubic yards). The project will not require pile driving. It is anticipated that excavation will take approximately 5 to 6 weeks and approximately 1 year to complete the entire project as proposed.

Environmental Impacts

The County has not determined the probable environmental impacts at this time. The Environmental Impact Report will evaluate all issues with a short discussion on Agricultural, Mineral and Recreational impacts. The County intends to use the amended California Environmental Quality Act (CEQA) guidelines in response to Senate Bill 97.

II. LOCATION OF PROJECT

The proposed new sanctuary is located within the (Saranap) Walnut Creek area of the County. Seven abutting parcels form the project site. To the north and east are single family residential uses, apartment buildings, condominiums and commercial and retail stores. To the south and west the site is surrounded by single family residential uses. The sites are 11 White Horse Ct., 1354, 1360, 1364, 1366 and 1384 Boulevard Way. {General Plan: Single Family High Density (SH); Zoning: Single Family Residential, 10,000 square foot minimum parcels (R-10); Census Tract: 3410; Assessor Parcel Numbers: 184-450-006, 007, 012, 031, 032, 033, 034}

III. PUBLIC COMMENTS

The Contra Costa County Department of Conservation and Development is the Lead Agency for the preparation of the Environmental Impact Report for this project. All responsible agencies, interested agencies and individuals are invited to submit comments, which address environmental concerns resulting from the implementation of the proposed project.

Responses to this Notice of Preparation must be received by the Contra Costa County Community Development Division by 5:00 p.m., Thursday, April 8, 2010.

Responses should be sent to:

Contra Costa County Community Development Division
Attention: Lashun Cross
651 Pine Street, 4th Floor - North Wing
Martinez, California 94553

Facsimile (925) 335-1350
Email: Lashun.Cross@dcd.cccounty.us

IV. SCOPING SESSION

A Scoping Session will be held on **Monday, March 22, 2010 at 3:30 p.m., in Room 107 of the McBrien Administration Building, 651 Pine Street, Martinez, California**. Interested agencies and individuals may submit oral and written comments, which pertain to environmental concerns resulting from implementation of the proposed project.

V. SUPPORTING DOCUMENTS

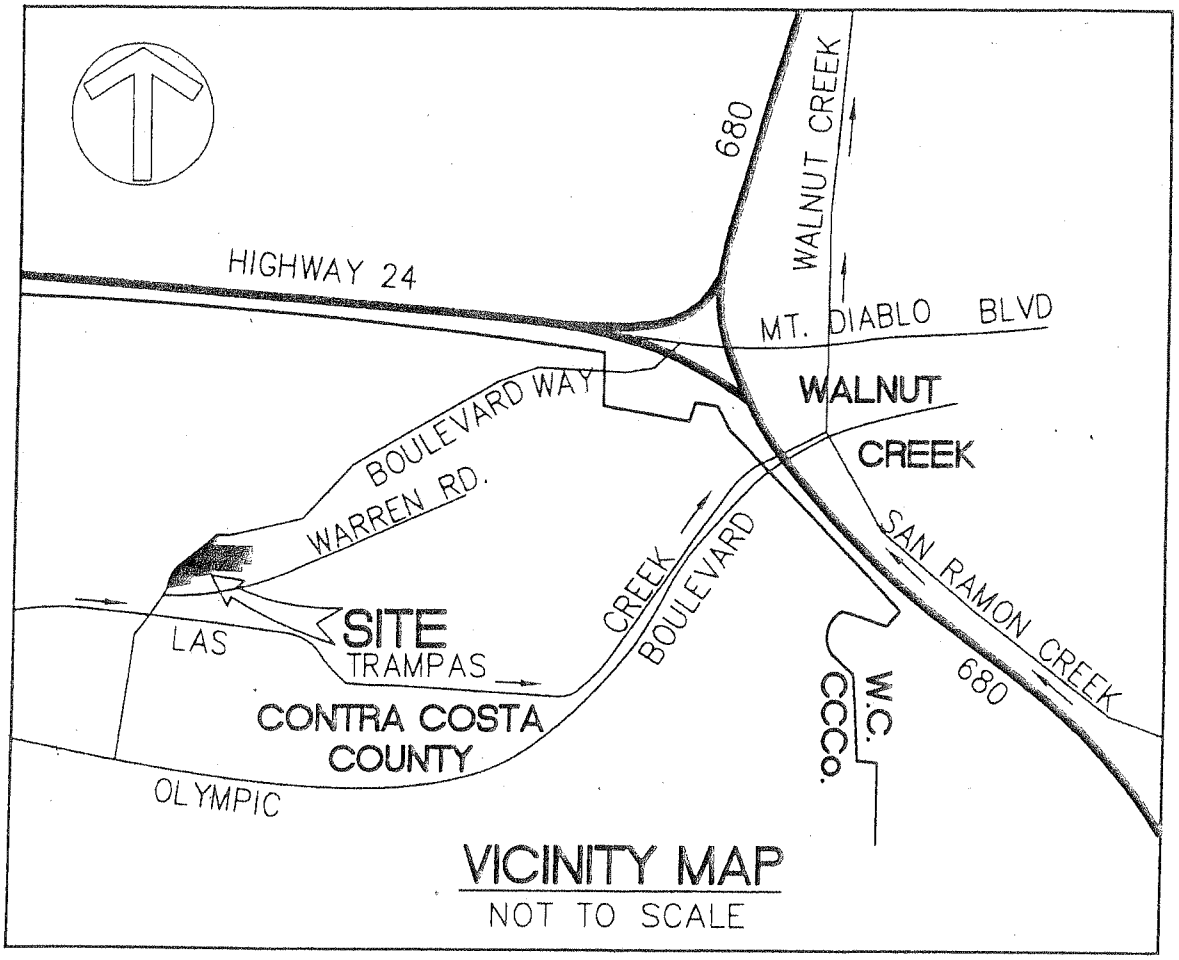
The Land Use Permit Application and Minor Subdivision and supporting documents are available for viewing at the Contra Costa County Department of Conservation and Development. If you wish to obtain a copy of any supporting document related to this project, you may contact Lashun Cross of the Community Development Division at (925) 335-1229.

Signature: Lashun Cross

Title: Senior Planner
Contra Costa County
Department of Conservation and Development
Community Development Division
651 Pine Street, 4th Floor North Wing
Martinez, CA 94553-1229

Attachment: Site Location Map

County Clerk: 2 originals



VICINITY MAP

NOT TO SCALE

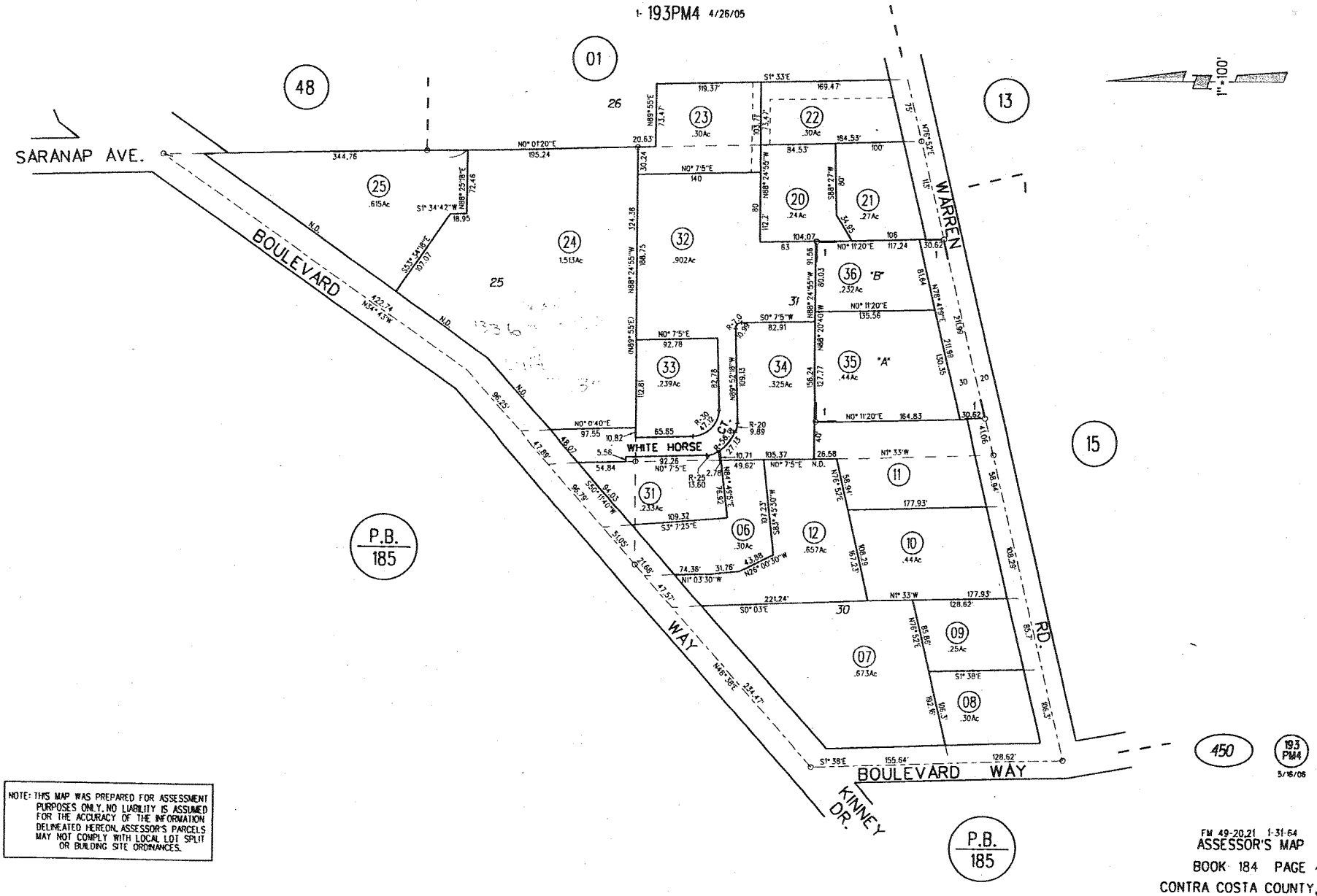
300' 150' 0' 300'

SCALE 1"= 300'

FLORALAND TRACT MB 10-241

1- 193PM4 4/26/05

N-13



NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION DELINEATED HEREON. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT SPLIT OR BUILDING SITE ORDINANCES.

FM 49-20,21 1-31-64

ASSESSOR'S MAP

BOOK 184 PAGE 45

CONTRA COSTA COUNTY, CALIF.

Department of
Conservation &
Development

Community Development Division

County Administration Building
651 Pine Street
North Wing, Fourth Floor
Martinez, CA 94553-1229

Phone: 925-335-1210

Contra
Costa
County

Catherine O. Kutsuris
Director

Aruna Bhat
Deputy Director
Community Development Division

March 29, 2011

FILED
MAR 29 2011
S.L. WEIR, COUNTY CLERK
CONTRA COSTA COUNTY
BY _____ DEPUTY

Notice of Completion and Availability of

Draft Environmental Impact Report

State Clearinghouse #2010032038

PROPOSED 66,074 SQUARE FOOT SANCTUARY PROJECT IN CONTRA COSTA COUNTY

County File #s LP082034 and MS090008

Notice is hereby given pursuant to the California Environmental Quality Act (CEQA) that a document entitled "**New Sanctuary for Sufism Reoriented Project, Environmental Impact Report**" (hereafter referenced as "Draft EIR") has been prepared for the proposed 66,074 square foot Sufism Reoriented religious facility within the Saranap neighborhood of the unincorporated Walnut Creek area of Contra Costa County.

The Sufism Reoriented Church is proposing to construct a new sanctuary on 3.12 acres. The sanctuary would permanently replace the organization's current facility at 1300 Boulevard Way. The proposed design would locate approximately two-thirds of its total floor area (46,074 square feet) underground, including space for administrative offices, a multi media library, rehearsal and video studios for choral music, art studio, a kitchen, a bookstore, and a multi purpose room. The prayer hall, a classroom, and ancillary facilities (totaling 20,000 square feet in area) would be located above ground.

In addition, the project includes a request for parking reduction based on a Transportation Demand Management Program that includes the promotion of carpool, shuttle service, pedestrian and secure bicycle parking. The project includes the removal of approximately 43 trees, and the planting of at least 165 new trees. The project will require a land use permit under the Contra Costa County R-10 Single Family Residential District, Sections 84-8.404 and 84-4.404 (3) and a minor subdivision with a vesting tentative map for the merging of seven lots into one parcel to create the approximate 3.12 acre site.

Approximately two-thirds (46,074 square feet) of the building is proposed to be constructed underground therefore extensive soil excavation will be required. An estimated 3,310 truck loads of soil are expected to be exported from the project site (approximately 43,000 cubic yards). The project will not require pile driving. It is anticipated that excavation will take approximately 6 weeks and approximately 16 to 18 months to complete the entire project as proposed.

The proposed new sanctuary is located within the (Saranap) Walnut Creek area of the County. Seven abutting parcels form the project site. The sites are 11 White Horse Ct., 1354, 1360, 1364, 1366 and 1384 Boulevard Way. {General Plan: Single Family High Density (SH); Zoning: Single Family Residential, 10,000 square foot minimum parcels (R-10); Census Tract: 3410; Assessor Parcel Numbers: 184-450-006, 007, 012, 031, 032, 033, 034}

ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT: Potentially significant impacts were identified in the following environmental topic areas:

- Air Quality
- Geology and Soils
- Noise
- Traffic and Circulation
- Cumulative Impacts

All potentially significant impacts can be mitigated to less than significant levels.

PUBLIC REVIEW & COMMENT PERIOD: There will be a forty-five (45) day review and comment period for the Draft EIR, which begins on the date listed at the top of this notice. **Comments on the adequacy of the Draft EIR must be submitted by 5:00 p.m. on Friday, May 13, 2011.** Comments must be in writing and submitted to the following address:

Attn: Ms.Lashun Cross, Senior Planner
Contra Costa County Department of Conservation and Development
651 Pine Street, 4th Floor- North Wing
Martinez, CA 94553

For accuracy of record, the County File Numbers, LP082034 and MS090008 should be included on all correspondence.

During the 45-day review period, the County Zoning Administrator will hold a public hearing to provide additional opportunity for public comment on the Draft EIR. The date and time of the Zoning Administrator hearing is as follows:

Monday, April 18, 2011, at 3:30 p.m.
Room 107, McBrien Admin. Building
651 Pine Street, Martinez, CA 94553

REPORT AVAILABILITY: Copies of the Draft EIR are available for review and purchase at the offices of the Contra Costa County Department of Conservation and Development, Community Development Division at the address listed above. The Draft EIR is available for purchase in both hard copy format {$20.00 [add $10.00 if mailing is required]} and CD format {$2.00 [add $1.25 if mailing is required]}. The Draft EIR is also available for viewing on the Department website at http://www.cocoplans.org

In addition to copies of the Draft EIR, supplemental information including maps and other material related to the project and the preparation of the Draft EIR are available for public review at the offices of the Department of Conservation and Development, Community Development Division.

The Draft EIR is also available for review at the following additional locations:

Office of Supervisor Gayle B. Uilkema, District II
McBrien Administration Building
651 Pine Street
Room 108-A
Martinez, CA 94553

Contra Costa County Library-Pleasant Hill, Main Branch
1750 Oak Park Boulevard
Pleasant Hill, CA 94523

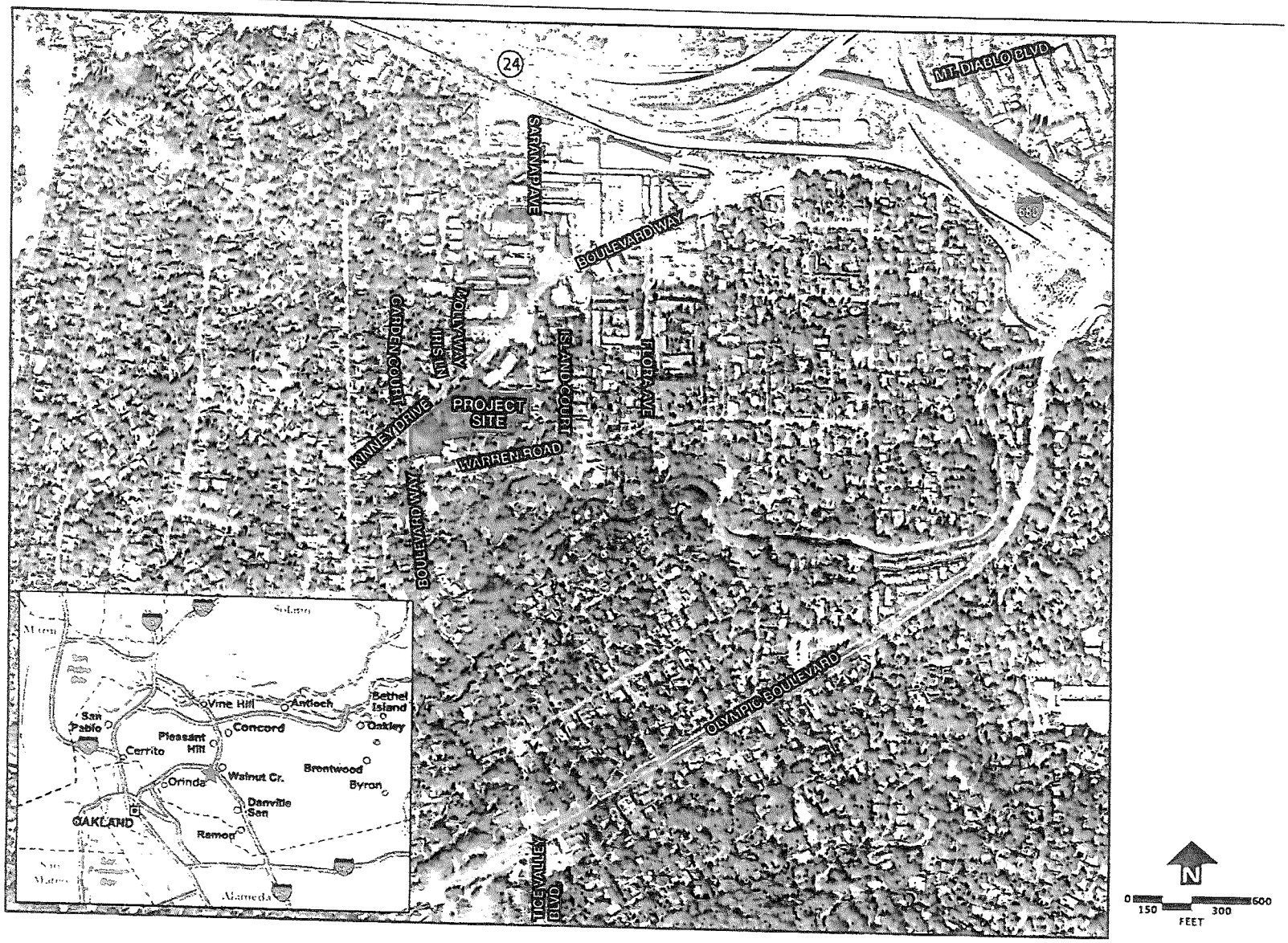
Contra Costa County Library- Walnut Creek
1644 N. Broadway
Walnut Creek, CA 94595

Contra Costa County Library- Lafayette
952 Moraga Road
Lafayette, CA 94549

Martinez Library
740 Court Street
Martinez, CA 94553

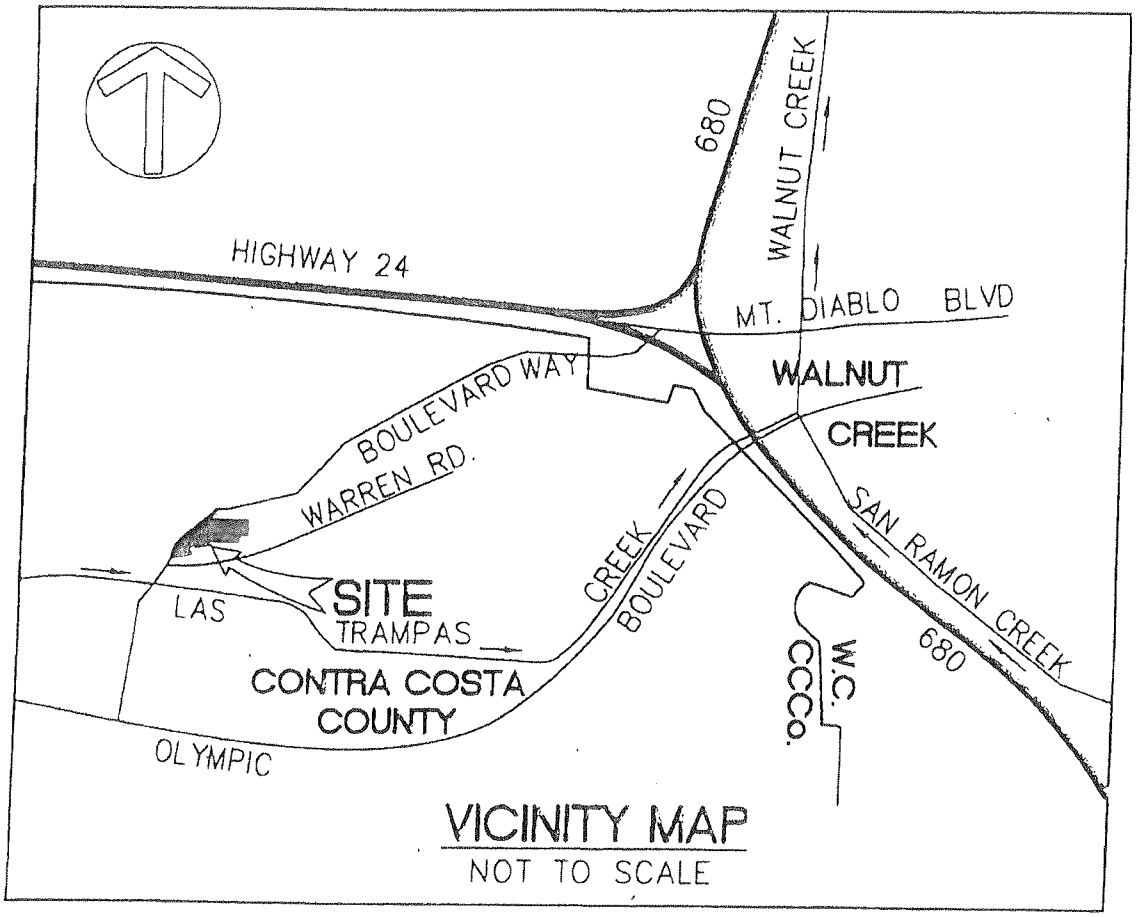
ADDITIONAL INFORMATION: For additional information on the Draft EIR, please contact Ms. Lashun Cross of the Contra Costa County Department of Conservation and Development by email at lashun.cross@dcd.cccounty.us , by telephone at 925-335-1229 or by fax at 925-335-1250.

NOTICE ISSUED MARCH 29, 2011



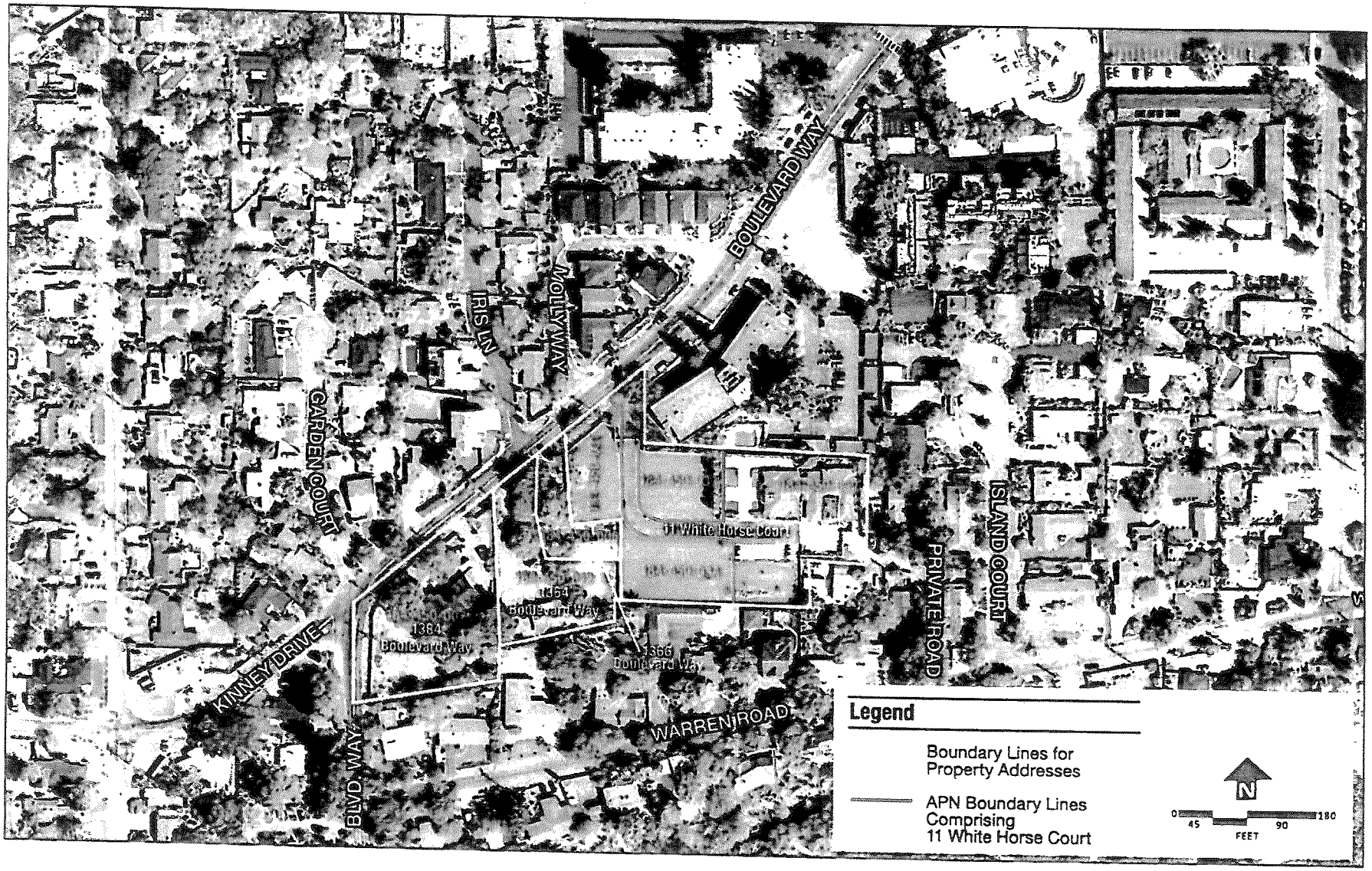
Source: Google Earth, 2010.

Project Location



VICINITY MAP

NOT TO SCALE



Existing Assessor's Parcel Numbers and Addresses

Department of Conservation & Development

Community Development Division

County Administration Building
651 Pine Street
North Wing, Fourth Floor
Martinez, CA 94553-1229
Phone: 925-335-1210

Contra Costa County

Catherine O. Kutsuris
Director

Aruna Bhat
Deputy Director
Community Development Division

April 26, 2011

FILED
APR 26 2011
S.L. WEIR, COUNTY CLERK
CONTRA COSTA COUNTY
BY _____ DEPUTY

REVISED NOTICE
EXTENSION OF TIME TO MAY 27, 2011

Notice of Completion and Availability of
Draft Environmental Impact Report
State Clearinghouse #2010032038

PROPOSED 66,074 SQUARE FOOT SANCTUARY PROJECT IN CONTRA COSTA COUNTY

County File #s LP082034 and MS090008

Notice is hereby given pursuant to the California Environmental Quality Act (CEQA) that a document entitled "**New Sanctuary for Sufism Reoriented Project, Environmental Impact Report**" (hereafter referenced as "Draft EIR") has been prepared for the proposed 66,074 square foot Sufism Reoriented religious facility within the Saranap neighborhood of the unincorporated Walnut Creek area of Contra Costa County.

The Sufism Reoriented Church is proposing to construct a new sanctuary on 3.12 acres. The sanctuary would permanently replace the organization's current facility at 1300 Boulevard Way. The proposed design would locate approximately two-thirds of its total floor area (46,074 square feet) underground, including space for administrative offices, a multi media library, rehearsal and video studios for choral music, art studio, a kitchen, a bookstore, and a multi purpose room. The prayer hall, a classroom, and ancillary facilities (totaling 20,000 square feet in area) would be located above ground.

In addition, the project includes a request for parking reduction based on a Transportation Demand Management Program that includes the promotion of carpool, shuttle service, pedestrian and secure bicycle parking. The project includes the removal of approximately 43 trees, and the planting of at least 165 new trees. The project will require a land use permit under the Contra Costa County R-10 Single Family Residential District, Sections 84-8.404 and 84-4.404 (3) and a minor subdivision with a vesting tentative map for the merging of seven lots into one parcel to create the approximate 3.12 acre site.

Approximately two-thirds (46,074 square feet) of the building is proposed to be constructed underground therefore extensive soil excavation will be required. An estimated 3,310 truck loads of soil are expected to be exported from the project site (approximately 43,000 cubic yards). The project will not require pile driving. It is anticipated that excavation will take approximately 6 weeks and approximately 16 to 18 months to complete the entire project as proposed.

The proposed new sanctuary is located within the (Saranap) Walnut Creek area of the County. Seven abutting parcels form the project site. The sites are 11 White Horse Ct., 1354, 1360, 1364, 1366 and 1384 Boulevard Way.

ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT: Potentially significant impacts were identified in the following environmental topic areas:

- Air Quality
- Geology and Soils
- Noise
- Traffic and Circulation
- Cumulative Impacts

All potentially significant impacts can be mitigated to less than significant levels.

PUBLIC REVIEW & COMMENT PERIOD: The County has extended the time for receiving public comments from May 13, 2011 to May 27, 2011. **Comments on the adequacy of the Draft EIR must be submitted by 5:00 p.m. on Friday, May 27, 2011.** Comments must be in writing and submitted to the following address:

Attn: Ms. Lashun Cross, Senior Planner
Contra Costa County Department of Conservation and Development
651 Pine Street, 4th Floor- North Wing
Martinez, CA 94553

For accuracy of record, the County File Numbers, LP082034 and MS090008 should be included on all correspondence.

REPORT AVAILABILITY: Copies of the Draft EIR are available for review and purchase at the offices of the Contra Costa County Department of Conservation and Development, Community Development Division at the address listed above. The Draft EIR is available for purchase in both hard copy format {$20.00 [add $10.00 if mailing is required]} and CD format {$2.00 [add $1.25 if mailing is required]}. The Draft EIR is also available for viewing on the Department website at http://www.cocoplans.org

In addition to copies of the Draft EIR, supplemental information including maps and other material related to the project and the preparation of the Draft EIR are available for public review at the offices of the Department of Conservation and Development, Community Development Division. The Appendices are provided on the CD listed above for purchase, can be purchased by itself for $60, or reviewed at the County Application and Permit Center during normal business hours.

ADDITIONAL INFORMATION: For additional information on the Draft EIR, please contact Ms. Lashun Cross of the Contra Costa County Department of Conservation and Development by email at lashun.cross@dcd.cccounty.us , by telephone at 925-335-1229 or by fax at 925-335-1250.

NOTICE ISSUED APRIL 26, 2011

Exhibit E

Agency Comments

CITY OF
WALNUT
CREEK

CONTRA COSTA
08 AUG -1 PM 4:38
DEPARTMENT OF CONSERVATION AND DEVELOPMENT

July 31, 2008

Lashun Cross
Contra Costa County
Community Development Department
651 Pine Street – 2nd Floor, North Wing
Martinez, CA 94553

Re: Review submittal LP08-2034 (Sanctuary for Sufism Reoriented)

Dear Mr. Cross:

We appreciate the opportunity that was provided to review and comment on the above noted application that is located within the City's Sphere of Influence. Please consider the following comments on the proposed project.

1. The 70 parking spaces may be adequate but it is hard to tell because the Transportation Demand Management (TDM) program written by DC&E was not included in the packet. They probably do have 50% of the membership in the area because according to their website they have been in this location for a long time. However I am concerned that members may not walk to church because they are not providing a sidewalk along the entire frontage of the project. This is crucial to the success of a TDM program. The sidewalk should be provided along the entire frontage.

2. The intersection of Boulevard Way, Kinney Drive, and Garden Court can be difficult for pedestrians to cross due to its design. Additionally, there are limited opportunities for pedestrians to cross from the north side of the street elsewhere on or near the site. Given the size of the project and the expected pedestrian traffic, the County may wish to explore with the applicant the possibility of some improvements to the intersection or possibly a mid-block crossing with bulb-outs (which would also double as a traffic-calming measure).

3. The plans show that the 50-foot street right-of-way will remain. I believe this is substandard for this street, however if it is I would expect that the County Public Works Department will require additional right-of-way.

4. The driveway location is problematic because it is just past the turn of Boulevard Way. There may be a sight distance problem for the exiting traffic seeing northbound

Boulevard Way traffic. This may be further compounded by the 6-foot wall along the right-of-way and the shrubbery proposed to be planted within the ROW.

Again, thank you for considering our comments in your review of this application. Please feel free to contact me directly if you would like to discuss any aspect of this letter further or if I can be of any assistance.

Sincerely,

Andrew M. Smith
Senior Planner
(925) 943-5899 x213
asmith@walnut-creek.org

Saranap Community Association

July 9, 2011

Ms. Lashun Cross, Senior Planner
Department of Conservation and Development
651 Pine Street, 4th Floor – North Wing
Martinez, CA 94553

Dear Ms. Cross,

This letter addresses two related issues: the SCA board of directors' position on Sufism Reoriented's LUPA and the board's views on proposed changes to the adjacent Boulevard Way–Kinney Drive intersection.

■ **Sufism Reoriented's LUPA.** Meeting in executive session on June 2, the SCA board voted by a vote of 10 to 0, with one member unavailable, to support the church's LUPA. This was the culmination of a process that began in November 2007 when representatives of Sufism Reoriented first presented their plan for their proposed sanctuary to our board. Our position reflects the overwhelming support of the Saranap community for the project as expressed at three public meetings we have held on the project and the number of letters and petitions for and against the project that have been submitted to your office, as well as the views of board members.

Community meetings. The purpose of our three community meetings has been to educate the community (and ourselves) about the sanctuary project and to gauge community sentiment. These were forums at which neighbors could comment in favor of or opposition to the project and to state any concerns they might have. The meetings were publicized not only to our own members but via postal mailings to our entire Saranap mailing list, which includes some 1300 homes and apartments. All were open to the public, and all were attended by more than 100 people.

At the first of these, held in November 2008, representatives of Sufism Reoriented made a presentation about the project and responded to questions. The second meeting was held two months later to respond to questions raised at the November meeting that could not be answered that evening.

The third community meeting, held April 19 this year, focused on the draft EIR. In the postcard we mailed to announce the meeting, we included the URL of our Website, where the Executive Summary of the draft EIR was available for downloading, and the URL of the County Website, where the full report was available. Copies of the Executive Summary were also available at the meeting. A member of our Application Review Committee began the meeting with a 40-minute summary of the findings of the draft EIR, and the floor then was opened for questions and comments. (The EIR-specific results of this meeting were outlined in our May 16 letter to you.)

Also at this meeting, which was attended by about 140 people, attendees were invited to complete an anonymous form on which they could indicate whether they support the project, support it with certain reservations, or do not support it. Space was provided for them to state their reasons for their position. Ninety-six people responded (some cited more than one reason for their position):

- 90 people indicated they support the project—42 said it would enhance the neighborhood; 32 mentioned the aesthetics of the landscaping and/or the building itself; 15 mentioned the positive impact on traffic, especially at the Boulevard Way–Kinney intersection; 6 mentioned environmental elements of the project; 5 spoke positively about having a church in the neighborhood, religious freedom, or the right of Sufism Reoriented to build a church in the neighborhood where most of its members live; and 5 commented on the thoroughness of the draft EIR.
- 4 indicated they support the project, but with reservations. These included concerns about traffic at the Boulevard Way–Kinney Drive intersection (3 comments), and construction-related dust and noise. (One person checked this box but wrote only, "I think it will be very uplifting to the quality of the neighborhood.")
- 2 indicated that they do not support the project. The reasons they gave were the size and location of the project; "visual not comparable to neighborhood"; "dewater with likely adjacent subsidence" related to excavation; "needed housing will be removed"; "glare study is not adequate"; "Saranap is not an easy access"; and concerns about construction-related emissions, dust, and damage to roads.

Signatures on file with the county. Signatures on letters of support and petitions in favor of the project on file with your office as of June 28 totaled 2,855; signatures on letters and petitions in opposition to the project totaled 564. This is a margin of five to one.

Other considerations. During the discussion leading up to the board's vote on June 2, we took these additional factors into account:

- Churches are a permitted use in R-10 zones; the site of the proposed sanctuary is in an R-10 zone.
- The applicant is seeking no variances.
- The draft EIR on this project found "no significant unavoidable impacts."
- Plans for the site include a landscaped garden park that would be open to neighbors. There are no other settings like this in the Saranap.
- The church has gone to great lengths to address the concerns of the neighborhood.

More than three years have passed since Sufism Reoriented announced plans to build a sanctuary on Boulevard Way. From the beginning, our process for evaluating this project has been open, inclusive, and transparent. We have stated publicly that our decision on the project would be a reflection of the views of the community as well as those of individual board members. Information we have at hand indicates that support for the project outweighs opposition to it by a very substantial margin.

While we respect the views of those who oppose the project, we agree with the majority opinion of our neighbors that this project would be a positive addition to the neighborhood, and thus we support Sufism Reoriented's application to build a sanctuary on Boulevard Way.

■ **Boulevard Way–Kinney Drive intersection.** Also at our June board meeting, the SCA board discussed the three variants for this intersection described in the draft EIR for the Sufism

Reoriented project. This intersection has long been, and remains, a source of concern in the neighborhood. While we did not vote on the three options, two clear themes emerged from our discussion:

- We are opposed to any changes that would tend to encourage speeding along either Boulevard Way or Kinney Drive. Widening Boulevard Way without additional stop signs would obviously have this effect. Leaving the road and intersection as currently configured and moving the wall back from the edge of the Boulevard Way would have the same effect unless a stop sign were placed on this road in the northbound direction, as this would remove the major deterrent to speeding in this part of Boulevard Way, a blind curve.
- We believe that two or more stop signs should be added at this intersection to discourage speeding. This is a residential neighborhood. Adding one or more crosswalks would not only make the area safer, it would make it more pedestrian- and bicycle-friendly.

Regardless of the County's decision on the Sufism Reoriented LUPA, we strongly encourage the County to take measures to make this intersection safer.

Respectfully submitted,

Lee S. Schroeder, President
Saranap Community Association

Saranap
Community Association

April 21, 2009

Ms. Lashun Cross, Planner
Contra Costa County
Department of Conservation and Development
651 Pine Street
North Wing, Fourth Floor
Martinez, CA 94553-1229

Re: County Files LP08-2034 and SD08-9262
Sufism Reoriented Sanctuary Project

Dear Ms. Cross,

The Saranap Community Association (SCA) would like to go on record as stating that the letter (dated July 31, 2008) sent last summer by Dennis Collins, then President of the SCA, regarding the Sufism Reoriented Land Use Application, was neither a legal summarization of the existing board's view, nor did it reflect the usual process followed by the SCA board in evaluating County submittal applications. A full board meeting was not convened, and board members were given virtually no time to evaluate or discuss this complex submission. This, in itself, is in violation of the California Corporations Code, especially since several board members did not waive proper notice. In summary, this was a unilateral action, not legally authorized by the board as a whole, and can only represent Dennis Collins's personal view.

The SCA's usual procedure, is to wait until it has a chance to carefully review a submittal and then to comment on it as a group. Mr. Collins's hastily prepared letter contains many conjectures, and reflects the fact that there was no due diligence in asking the applicant, Sufism Reoriented, about issues such as storm water runoff, soil testing, parking, etc. There really is no factual basis for denying the application that comes from reading his letter. This reflects poorly on SCA's usual approach for evaluating such submittals, and we feel harms the creditability of our organization. We believe that his letter simply represents a personal view, rather than being representative of our community association.

As you are probably aware, as part of our commitment of the SCA to get input from the Saranap community on this submittal, we have held two, of three, public meetings

P.O. Box 2506, Walnut Creek CA 94595-0506 ☙ 925.946.9185
www.saranaponline.org ☙ Info@SaranapCommunityAssociation.org

regarding this LUA. The first meeting, in November 2008, was held to hear information from the County on its process, information from the applicant about their plans, and the Saranap community an opportunity to raise any concerns or questions they might have. The second meeting, in January 2009, provided an opportunity for the community to hear answers to questions raised in the first meeting, and ample time for further inquires and comments from the community. Both meetings were well attended by the Saranap community with between 100 and 150 people at each meeting. Questions and answers from these meetings can be found on our Website (www.SaranapOnline.org). We plan to hold a third and final meeting, as soon as the County publishes the Initial Study associated with the SR LUA. Only after the third meeting, and after collecting input from other meetings with County officials, meetings with consultants, and completing our board of director's internal review process, will the SCA board, as a whole, put together its final assessment of this application, and send its recommendation to the County DCD.

We respectfully ask you and the DCD to view the previous letter from Dennis Collins as that of a personal comment from an individual resident and nothing more.

Sincerely yours,

Lee S. Schroeder

Lee S. Schroeder, President
Saranap Community Association

1135 Juanita Drive
Walnut Creek, CA 94595
925-933-6880

SARANAP

Historical Contra Costa Railroad Station sign along Sacramento Northern Railroad in the vicinity of Olympic and Boulevard Way.

Saranap Community Association
Post Office Box 2506
Walnut Creek, California 94595-0506

Telephone: (925) 946-9185
Internet: www.saranap.org

July 31, 2008

Ms. LaShun Cross, Planner
Conservation and Development Dept.
Contra Costa County
651 Pine Street
Martinez, CA 94553-1229

RE: COUNTY FILE LP08-/ MS080011
Request for Land Use Permit for Sufism Reoriented
Property address: Combining seven R-10-zoned residential properties (in unincorporated Walnut Creek) at:

1354 Boulevard Way	1366 Boulevard Way
1360 Boulevard Way	1384 Boulevard Way
1364 Boulevard Way	11 White Horse Court

(The seventh address not specified in application packet)
Walnut Creek (Saranap Area of Contra Costa County), CA 94595

Dear Ms.Cross,

The Saranap Community Association has received your Agency Comment Request, dated July 3, 2008, with comments requested back to you by August 1, 2008.

Directors of the Saranap Community Association have reviewed the project and description for the Sufism Reoriented Sanctuary Project to be constructed on the combined properties listed above, generally between Boulevard Way and Warren Road, in the unincorporated portion of Contra Costa County between Walnut Creek, CA. and Lafayette, CA., south of State Highway 24.

SUMMARY

This Saranap Community Association (SCA) is opposed to the Sufism Reoriented sanctuary project as proposed. We are not opposed to the group nor to their continued use of their present facilities and site which were previously approved by the SCA. We are also not opposed to reasonable expansion within their current property sites at White Horse Court or 1300 Boulevard Way. However, structured as this proposal is, we ask that the application for the new sanctuary use permit be denied.

The proposed new sanctuary is a huge construction project, well beyond the needs of a neighborhood church with only 350 members in the neighborhood. Further, Sufism Reoriented claims no plans for future growth. The sanctuary proposed in the

present application would overtake existing residential properties in the Saranap Area and convert them to non-residential uses, a serious encroachment into the Saranap's precarious, semi-rural, residential nature.

Sufism Reoriented has been buying up properties around the present site, apparently in anticipation of this and future expansion of their facilities. The larger community has never been informed of their long-range plans, or given an opportunity to embrace or reject them. Sufism Reoriented claims to have no long range plans. Further, they claim they are not building a regional or national facility and have suggested they may need to sell some of their property holdings to pay for this sanctuary project. They have made no public commitment to limit their growth to a size that would be considered reasonable for a neighborhood church.

ALTERNATIVE APPROACH

The present compound at White Horse Court is, by itself, large enough to accommodate a sanctuary building sized more appropriately to a church in this neighborhood. The application for the currently existing compound was approved by the SCA years ago. It was then, and remains today, large enough to allow for the construction of additional buildings within the compound area to meet the reasonable needs of a growing neighborhood church whose membership, by their own claims, lives within walking distance of the present site.

We ask that the application for the new sanctuary use permit be denied as proposed. We ask the applicant to provide a reasonable long-range development plan for the benefit of the whole Saranap community. Last, we ask that the applicant scale the present sanctuary plan to one more appropriate to the immediate community environment and resubmit the application on that basis.

Whether the applicant downsizes his application or not, there are many concerns that the community wants to have resolved before any construction begins. These are described in the remaining paragraphs of this letter.

BACKGROUND

About November 2007, Sufism Reoriented (the applicant) requested a special board meeting of the SCA to make a presentation to the board members. A special meeting was scheduled for a week later, and Sufism Reoriented described their new, proposed sanctuary project. Only general information about the project was offered. No plans or descriptive information were given to the board at that time. The project was not well received by the board since it violated the basic mission and premise of the SCA which is to maintain the semi-rural residential nature of Saranap.

At that meeting it became clear that many board members shared the feeling that this sanctuary project was not suitable for the Saranap Area as it proposed to take as many as seven residential properties, destroying any existing homes thereon, and

converting those properties to non-residential uses if the County granted a land use permit for this purposes.

Saranap is a mature, residential community. There are few properties left for any major developments other than in-fill projects. The mission of the SCA has always been to work vigorously to maintain the semi-rural, residential nature of the Saranap Area. Any encroachment that is not residential, and even some higher-density housing projects, become a threat to this community, as each such encroachment erodes the community as a whole.

We were assured by the representatives of Sufism Reoriented that the County ***could not deny*** the use permit since the applicant was a "church," presumably referring to the so-called RELUPA law. While that law does provide for reasonable growth of an established church in a residential neighborhood, it does not *pro forma* require the community to grant any approval for unlimited growth and expansion of this scope, especially to uses well beyond the reasonable needs of a church congregation.

Within a few weeks of the special board meeting, the majority of the board members of the SCA made their opposition to the project known to me as President of the board and the Association. It was clear that the majority of the board (seven of eleven members) were opposed to the project; the remaining four members who were not opposed are members of Sufism Reoriented.

THE SITE

The project design, as proposed, will overtake seven residential lots. The majority of the Saranap homeowners want the area to remain as a semi-rural, residential area. This sanctuary project will replace existing residential lots even though there is more than ample space on the existing property currently used by the church.

We did expect some growth for this church and believed that such growth could easily be accommodated within the current compound on White Horse Court which now houses the home of the Sufism Reoriented spiritual leader. We still feel that that property is more than adequate, even for a sanctuary. Since that compound was built, Sufism Reoriented has been buying more and more properties around their present site.

Owning so many properties in such a concentrated area would lead any reasonable person to "connect the dots," and recognize that the properties owned are perfectly situated for a much larger, more ambitious, campus or enclave. Sufism Reoriented has claimed they would "probably" sell many of the properties to pay for construction of the sanctuary. This may or may not be true but in spite of many public opportunities to do so, they have made no promise to this community that expansion or construction would stop at this project.

Sufism Reoriented membership is cited as about 350 people, most of whom live within walking distance of the present church. Despite assurances from Sufism

Reoriented that they think this project would accommodate all their needs for the future, we strongly suspect this project is just one more growth increment of a larger, regional plan leading to a major regional or national campus. It has been up to now, and all evidence points in that direction. Such growth will attract more Sufism Reoriented members to an increasingly expanding enclave. This would lead to devastation of the present Saranap Community.

ARCHITECTURAL DESIGN

The design, as proposed, is not suitable for this residential neighborhood. While the architect's design is elegant and would fit well in a commercial setting, these domed buildings are an intrusion into a neighborhood of conventional single-family homes. To claim the domes represent the lines of the nearby hills yet won't be visible from the street is disingenuous at best.

Based on the property holdings of the applicant, we expect to see growth of the compound as the congregation continues to grow – which, as pointed out earlier, it is bound to do with this larger facility. Again, we are not opposed to the church or its congregants. We are, however, vigorously opposed to any overtaking and conversion of any residential properties to accommodate this sanctuary, to the unsuitable architecture, and the likely future expansion into this older, quiet, residential neighborhood.

TRAFFIC

Sufism Reoriented claims there will be no increase in traffic. This certainly cannot be true at all for the construction phase, and we are concerned about the traffic of the occupancy phase, once the book store is opened and the sanctuary is available to its members. Despite assurances that church members will walk to church, we are sure that enough vehicular traffic will use the driveway opening onto Boulevard way to create a hazard. The driveway to this new and enlarged facility is proposed to be located at a point northbound on Boulevard Way after the sharp bend in the roadway at the Kinney Drive intersection. This intersection is already treacherous, requiring that drivers slow down to about 10 MPH in order to "look" around the bend for oncoming traffic before they can safely make a turn onto Kinney Drive. Furthermore, when turning into a driveway, they must do so rapidly to minimize the possibility of being rear-ended by northbound traffic on Boulevard Way that does not see the slowing vehicle until it's too late. Increasing site distances may help, as could removing the proposed six-foot wall, but the reality is that accidents are going to occur.

BOOKSTORE IS A COMMERCIAL ENTERPRISE

Once built, the sanctuary building would hold a bookstore open to the public. Such a bookstore, even with its narrow interest, constitutes a commercial enterprise, and is definitely not suitable for a residential neighborhood. This would be true even if sales were limited to internet customers, as book deliveries and shipments will add

directly to the traffic burden near the treacherous intersections of Boulevard Way, Kinney Drive, Garden Court, and Iris Lane. Should this project be approved, we ask that the bookstore be disallowed.

COMPOUND WALL

Next, we object to a six-foot wall, or fence, around this compound. Granted, years ago we did not object to the present six-foot brick and stucco wall around the present White Horse Court compound, but in retrospect we see it clearly conveys a sense of exclusion and isolation to our Saranap visitors, neighbors, and passers-by. It is very institutional in form, and certainly not pleasant. And, by adding more, similar walls, the area will become an uninviting enclave resembling a penal institution.

ENVIRONMENTAL

We also have a number of concerns about the environmental impact of this project, both during construction phase and the later occupancy phase.

(1) SOILS: We are very much concerned about the condition of the deeper soil on the site and the disposal of excavation spoils. Since the plan is to build an underground complex over an acre in size (four times the size of a typical Saranap residential lot) and to a depth of greater than one story, we feel that before any soil is removed, the soil must be chemically sampled for contaminants by an independent, State-certified laboratory. Samples should be taken over the entire site at close intervals, at several levels, and to a depth of at least 20 feet. If any contaminants are found, a remediation plan must be developed and approved by the County before any soil removal begins.

A major portion of this site was previously the McGeehon Construction Company's corporation yard. Much of that yard was unpaved and heavy construction equipment repairs were done over the unpaved yard, year round, for many years – at a time when no one was concerned about the effects of dumping oils, solvents, or fuels into the ground. The existing facility on what is now White Horse Court did not reach as deep into the soil, compared to this new project. We expect a chemical analysis of deep soils will reveal diesel fuel and gasoline spills, asbestos, and hydraulic oils (a common source of Poly-Chlorinated Biphenyls (PCBs), a known cancer-causing agent (and banned by the State of California), ethylene glycol, and possibly elemental mercury from broken, high-current starter-contactor-relays used on diesel engines. The County's experience with this type of site could suggest checking for other hazardous compounds, including lead-based paints.

(2) GROUNDWATER: During the 1990s, the State of California required that the oxidizing additive MTBE be included in gasoline. Later, MTBE was found to quickly contaminate soils around the stations dispensing this fuel, spreading much further than gasoline alone and contaminating water supplies long distances away from the source. Its use was discontinued by mandate of the State of California. However, the MTBE

plume remains in the soils and is still spreading. Cleanup is difficult if not impossible because of the mobility and nature of the MTBE compound itself. There are numerous groundwater springs in this area and a relatively high water table. It is more than likely that ground and/or ground water on or near this property has been contaminated.

(3) DRAINAGE: Any plan to develop this sanctuary, whether reduced in size or not, must include a comprehensive plan to accommodate any storm runoff safely. The Saranap Area has had continual problems with rain runoff and with storm drainage. Many homes face water damage during every winter during rainstorms. The properties directly across Warren Road have had severe erosion damage in recent years which has not been corrected by any agency.

We are also concerned that some of the chemicals mentioned in the previous paragraphs, as well as others, may be carried off the property, especially toward Las Trampas Creek which is located directly to the south of the proposed site. While the applicant has proposed interlocking pavers for their hardscape surfaces, ground saturation will allow hydrocarbon soil contaminants to float to the surface and be transported downhill. Should this new facility be approved, we would want a storm drain plan be prepared and implemented capable of handling 100-year storms without the runoff carrying chemicals off the site.

(4) LIGHTING: We are a "dark skies" neighborhood. We have no street lights and have resisted their installation. There are a number of amateur astronomers in the Saranap Area. In recent years, their numbers have reduced some due to light pollution, even in our semi-rural residential area. The applicant's plan to illuminate the domes and the grounds, to heights of 33.5 feet above grade, will create a very objectionable sky-shine, seriously reducing the sensitivity of any astronomer's instruments. Light pollution is "visible noise" and will mask the light of weaker stars otherwise visible on a dark, clear night, especially on more humid nights.

We object to any night lighting anywhere on or around this project. The Hidden Oaks project in nearby Lafayette agreed to this condition, and our night skies are reasonably free of scattered light from local sources that will impair and obscure night viewing. We do not wish to see any security or other lighting because this project should not impact our neighborhood astronomers.

(5) ENERGY IMPACT: While water fountains are lovely, we are well past the stage of being wasteful of water and electrical energy, especially in a state such as California where drought is a persistent problem. Water losses due to the increased evaporation of mist and the electrical energy needed to circulate the volume of water are a demand that should be eliminated to minimize the overall energy impact of this project.

Ms. LaShun Cross
County File LP08-/ MS080011
July 31, 2008

NOTICING

We ask that you please notify us of any actions or hearings on this application and any projects related to this application, at the address above.

PUBLIC HEARING REQUEST

And finally, we request that a public hearing be held on this application with sufficient advance notice so that interested parties will be able to attend.

We appreciate the opportunity to comment upon the subject application for a land use permit on the multiple properties in question (parcel numbers 184-450-006, 184-450-007, 184-450-012, 184-450-031, 184-450-032, 184-450-033, and 184-450-034). Thank you for your consideration.

Sincerely,

SARANAP COMMUNITY ASSOCIATION
Dennis G. Collins, President

cc: The Honorable Gayle B. Uilkema
Contra Costa County Board of Supervisors
651 Pine Street, Room 108A
Martinez, CA 94553

Contra Costa County **Fire Protection District**

TRANSMITTAL

TO: **Ira G. Deitrick**
1300 Boulevard Way
Walnut Creek, CA 94595

RE: **Parsonage for Sufism Reoriented**
11 White Horse Court
Walnut Creek, CA 94595

DATE: **APRIL 26, 2010**

CCCFPD Project No. 113925-ALT

The following is a response to your request for alternate methods approval concerning the above project. Your request to allow emergency vehicle access from Warren Road with approximately 104 feet of access being reduced to as low as 13 feet 6 inches in width has been **approved** based on the following conditions:

1 The existing fire sprinkler system in the Parsonage building shall be modified to include full protection without the omissions provided in Sections 6.8.2 through 6.8.6 of NFPA 13D 2002 Edition. The installing contractor shall submit three (3) sets of plans to this office for review and approval prior to installation.

2. Access from Warren Road to the Parsonage building (with the exception of the approved 104-foot portion stated above) shall have a minimum unobstructed width of 20 feet.

3. An approved fire truck turnaround shall be provided at the Parsonage building.

4. Emergency vehicle access, including the turnaround, shall have a paved surface capable of supporting an apparatus loading of 37 tons.

5. Signage shall be provided on Warren Road at the entrance to the private lane indicating the addresses for the residences that are accessed from this roadway.

6. "No Parking" signage shall be provided throughout the private access roadway.

7. Trees shall be trimmed and maintained to preserve a minimum vertical clearance of 13 feet 6 inches.

8. If the property at 2438 Warren Road (APN 184-450-022) is ever purchased by Sufism Reoriented, the private access roadway width at this location shall be increased to a minimum unobstructed width of 20 feet.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE UNDERSIGNED.

Lewis Broschard - Acting Fire Marshal

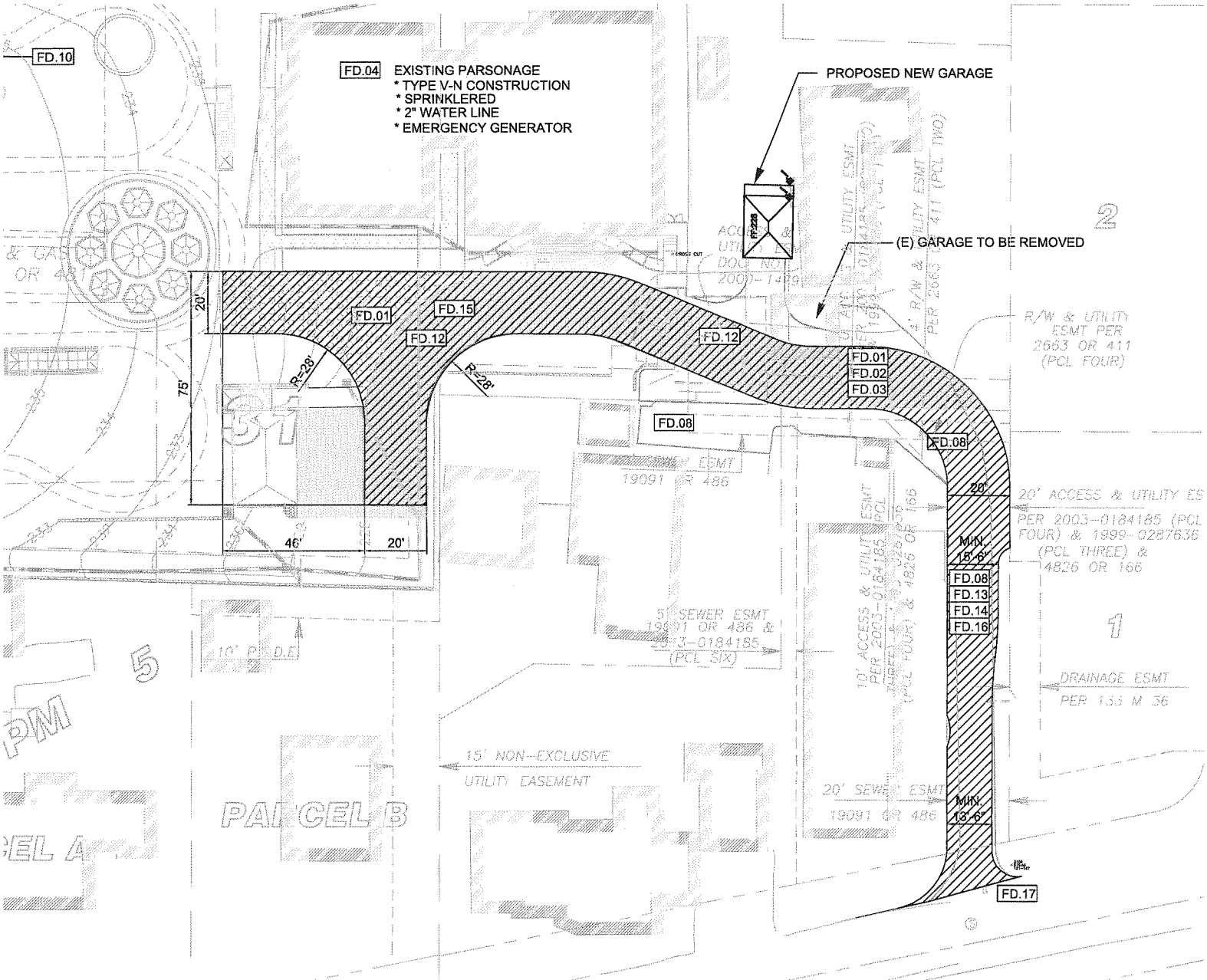
LB/TL/cm

cc: Contra Costa County
Community Development Department

RECEIVED
MAY 10 2010
CONTRA COSTA COUNTY
CONSERVATION & DEVELOPMENT

File: 113925.alt

2010 Geary Road • Pleasant Hill, California 94523-4619 • Telephone (925) 941-3300 • Fax (925) 941-3309
East County • Telephone (925) 757-1303 • Fax (925) 941-3329 West County • Telephone (510) 374-7070
www.cccfpd.org



FIRE DEPARTMENT KEYED NOTES

FD.01 MINIMUM 20' WIDE ACCESS ROAD WITH CONCRETE OR "GRASSPAVE2" ALL WEATHER DRIVING SURFACE; CAPABLE OF SUPPORTING IMPOSED LOADS (37 TONS) OF FIRE DISTRICT APPARATUS.
NOTE: ACTUAL DRIVEWAY MAY BE WIDER

FD.02 ACCESS ROAD MINIMUM OUTSIDE RADIUS OF 45'

FD.03 ACCESS ROAD MINIMUM INSIDE RADIUS OF 25'

FD.04 UPGRADE EXISTING FIRE SPRINKLER SYSTEM AT PARSONAGE TO FULLY COMPLY WITH NFPA 13D WITH NO OMISSIONS.

FD.05 FIRE DEPARTMENT CONNECTION (FDC) AND POST INDICATOR VALVE (PIV) PROVIDED WITHIN 8' OF FIRE ACCESS ROAD AND WITHIN 40' OF FIRE HYDRANT

FD.06 FIRE DEPARTMENT HYDRANT; PROVIDE A MAXIMUM OF 300' ON CENTER AND NOT MORE THAN 150' FROM ALL PROPERTY FRONTAGES; EAST BAY TYPE WITH ONE 4-1/2" AND ONE 2-1/2" OUTLETS AND MINIMUM FIRE FLOW IN ACCORDANCE WITH TABLE A-III-A-I OF THE CFC

FD.07 BUILDING ADDRESS SHALL BE ILLUMINATED, OF SUFFICIENT SIZE AND LOCATED TO BE READILY VISIBLE FROM THE STREET AND CONTRAST WITH THEIR BACKGROUND

FD.08 TRIM AND MAINTAIN ALL TREES ON FIRE ACCESS ROAD WITH A MINIMUM VERTICAL CLEARANCE OF 13'-6".

FD.09 FIRE DEPARTMENT ACCESS POINT TO WITHIN 150' OF ALL PORTIONS OF THE NEW CHURCH

FD.10 292' BETWEEN TWO ACCESS POINTS (300' MAX)

FD.11 FIRE DEPARTMENT T-TURN TURNAROUND; MIN 100' LONG 'T', R=32' AND MIN 20' WIDTH

FD.12 FIRE DEPARTMENT SHUNT TURNAROUND; R=28' AND MIN. 20' WIDTH

FD.13 PROVIDE AND INSTALL "NO PARKING - FIRE ACCESS ROAD" SIGNS PER CODE ON ACCESS ROAD FROM WARREN ROAD.

FD.14 PROVIDE 20 FOOT WIDE FIRE ACCESS ROAD (WITH ALLOWANCE FOR APPROXIMATELY 104 FEET OF ACCESS ROAD THAT IS 13'-6" WIDE TO 15'-6" WIDE) FROM WARREN ROAD TO PARSONAGE.

FD.15 PROVIDE FULL FIRE TRUCK TURN-AROUND AT PARSONAGE.

FD.16 FIRE ACCESS ROAD SHALL BE AN ALL-WEATHER ROAD THAT SUPPORTS FIRE APPARATUS WEIGHING UP TO 37 TONS.

FD.17 PROVIDE AND INSTALL SIGNAGE ON WARREN ROAD OF ADDRESSES FOR RESIDENCES ACCESSED BY FIRE ACCESS ROAD.

Contra Costa County Fire Protection District

Fire Chief
KEITH RICHTER

July 28, 2009

Lashun Cross
Contra Costa County
Community Development Department
651 Pine Street, Fourth Floor
Martinez, CA 94553

Subject: Sanctuary for Sufism Reoriented; MS09 0008
APN 184-450-006, 007, 012, 031, 032, 033, 034
Boulevard Way, Walnut Creek
CCCFPD Project No.: 109876-PL

Dear Mr. Cross:

We have reviewed the **revised** development plan and land use permit application to combine seven parcels into one parcel and construct a 20,000 square foot sanctuary with 10,000 square feet below grade at the subject location. The following is required for Fire District approval in accordance with the Health and Safety Code, the 2007 California Fire Code (CFC), the 2007 California Building Code (CBC), and County Ordinances:

1. Access as shown on Sheet P3.0, dated 6/12/09, **does not comply** with Fire District requirements.

   Although access for the proposed sanctuary building meets minimum requirements, adequate access to the parsonage building has not been provided. Currently, the existing parsonage building meets minimum access requirements. The proposed sanctuary project eliminates the conforming access from Boulevard Way to the parsonage building and proposes that access be provided by a non-conforming roadway from Warren Road. The existing access from Warren Road is only twelve (12) feet wide. If this roadway is to provide access to the parsonage building, it is required to have a minimum clear width of twenty (20) feet throughout.

2. The turnaround for the parsonage building as shown on Sheet P3.0, dated 6/12/09, **does not comply** with Fire District requirements.

   Plastic cell systems, such as Grass Pave2, are not permitted for this application, however, the Fire District has approved concrete cell paving systems for turnarounds provided that the civil engineer of record for the project provides the Fire District with a stamped analysis that the proposed product and subgrade is capable of supporting a vehicle loading of 37 tons with a maximum of one-fourth-inch deflection. Additionally, porous paving systems are required to be delineated by a minimum six-inch wide concrete edging strip with reflective markers spaced at 25-foot intervals for emergency response identification.

3. Access roadways of **less than 28-feet** unobstructed width shall have signs posted or curbs painted red with the words "***NO PARKING – FIRE LANE***" clearly marked. **22500.1 CVC, (503.3) CFC**

4. The developer shall provide one hydrant of the East Bay type. ***Hydrant location will be determined by this office.*** **(C103.1) CFC**

5. The developer shall submit three (3) copies of site improvement plans indicating all existing or proposed fire apparatus access for review and approval prior to construction. **(501.3) CFC**

6. ***Emergency apparatus access and hydrant shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site.*** **(501.4) CFC**

7. Access gates for Fire District apparatus shall be a minimum of twenty (20) feet wide and swing inward or slide horizontally. Electrically operated gates shall be equipped with a Knox Company key-operated switch. Manually operated gates shall be equipped with a noncase-hardened lock or approved Fire District lock. Contact the Fire District for information on ordering the key-operated switch. **(D103.5) CFC**

8. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1500 GPM. Required flow shall be delivered from not more than one hydrant flowing for the duration of 120 minutes while maintaining twenty (20)-pounds residual pressure in the main. **(508.1), (B105) CFC**

9. The building as proposed shall be protected with an approved automatic fire sprinkler system complying with the 2002 Edition of NFPA 13. Submit three (3) sets of plans to this office for review and approval prior to installation. **(903.2) CFC**

10. The sanctuary building and the existing parsonage shall be addressed from the roadway in which it is served. Premises identification shall be provided. Such numbers shall contrast with the background and be a minimum of six (6) inches high with one(1)-inch stroke or larger as required to be readily visible from the street. **(505.1) CFC, (501.2) CBC**

11. The developer shall submit three (3) complete sets of plans and specifications of the subject project, including the following required built-in fire protection systems, to the Fire District for review and approval ***prior to*** construction to ensure compliance with minimum requirements related to fire and life safety. Plan review fees will be assessed at that time. **(901.2) CFC, (108.4.1) CBC**

    - Building construction plans
    - Private underground fire service water mains
    - Fire sprinklers
    - Fire alarm

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

Please provide this office with a copy of the conditions of approval as set forth by your Planning Division. If you have any questions regarding this matter, please contact the undersigned at (925) 941-3547.

Sincerely,

Ted Leach
Fire Prevention Technician

TL/cm

c: Christopher Martin
1300 Boulevard Way
Walnut Creek, CA 94595

Soga + Associates
657 Mission Street, Suite 408
San Francisco, CA 94105

Philip Johnson – Alan Ritchie Architects
4 Columbus Circle, Fifth Floor
New York, NY 10019

File: 109876 – Boulevard Way, Walnut Creek ltr

DEPARTMENT OF CONSERVATION AND DEVELOPMENT

651 Pine Street
4th Floor, North Wing
Martinez, California 94553-0095

Phone: (925) 335-1210

Date: July 2, 09

AGENCY COMMENT REQUEST

We request your comments regarding the attached application currently under review.

ATTN:

DISTRIBUTION

- ✓ Building Inspection/Grading Inspection
- ✓ HSD, Environmental Health, Concord
- ___ HSD, Hazardous Materials
- ___ P/W - Flood Control (Full Size)
- ✓ P/W - Engineering Svcs (Full Size) SWCD Hydro
  Date Forwarded _____
- ✓ P/W Traffic (Reduced)
- ___ P/W Special Districts (Reduced)
- ___ Comprehensive Planning
- ___ Redevelopment Agency/Housing
- ___ Historical Resources Information System
- ___ CA Native Amer. Her. Comm.
- ___ CA Fish & Game, Region ____
- ___ US Fish & Wildlife Service
- ✓ Fire District Consolidated
- ✓ Sanitary District Central
- ✓ Water District EBMUD
- ✓ City Walnut Creek
- ___ School District
- ___ Sheriff Office - Admin. & Comm. Svcs.
- ✓ MAC Saranap
- ___ DOIT - Dep. Director, Communications
- ___ CDD-GIS
- ___ LAFCO

Community Organizations

- ✓ Parkmead Comm. Assoc.
- ✓ city of Lafayette
- ✓ Circle Point - Env. Consultant SWCD Hydro

Please submit your comments as follows:

Project Planner Jashun Cross

County File Number: MS090008

Prior To: July 17, 2009

We have found the following special programs apply to this application:

NO Redevelopment Area

NO Active Fault Zone

C Flood Hazard Area, Panel # _____

Y 60 dBA Noise Control

NO CA EPA Hazardous Waste Site

___ Traffic Zone _____

NO CEQA Exempt
Categorical Exemption Section

Please indicate the code section of recommendations that are required by law or ordinance. Please send copies of your response to the Applicant & Owner.

___ No comments on this application.

X Our comments are attached.

Comments: _____

Signature

CCCFPD
Agency

7/24/09
Date

RECEIVED
JUL 07 2009
CONTRA COSTA FIRE DISTRICT

~~[illegible]~~ 109876

Contra Costa County

Fire Protection District

Fire Chief
KEITH RICHTER

CONTRA COSTA
08 AUG 11 PM 1:29
DEPARTMENT OF CONSERVATION AND DEVELOPMENT

August 6, 2008

Lashun Cross
Contra Costa County
Community Development Department
651 Pine Street, 4th Floor
Martinez, CA 94553

Subject: Sanctuary for Sufism Reoriented; MS08 0011
184-450-006, 007, 012, 031, 032, 033, 034
Boulevard Way, Walnut Creek
CCCFPD Project No.: 109876-PL

We have reviewed the development plan and land use permit application to combine seven parcels into one parcel and construct a 20,000 square foot sanctuary with 10,000 square feet below grade at the subject location. **The following shall be included as part of the conditions of approval in accordance with the Health and Safety Code, the 2007 California Fire Code (CFC), the 2007 California Building Code (CBC), and other applicable regulations:**

1. Access as shown on Sheet P3.1B, dated 5/12/08, **does not comply** with Fire District requirements. Although access for the proposed sanctuary building meets minimum requirement, adequate access to the parsonage building has not been provided. Currently the existing parsonage building meets minimum access requirements. The proposed sanctuary project eliminates the conforming access from boulevard Way to the parsonage building and proposes that access be provided by a non-conforming roadway from Warren Road. The minimum required width for roadways providing access to more than two homes is 20 feet. The existing access from Warren Road is only 12 feet and would serve four residences. In addition, access roadways exceeding 150 feet in length require provisions for the turning around of Fire District apparatus, which has not been provided in this proposal.

   The developer shall provide an emergency apparatus access roadway with an all-weather driving surface of not less than 20-feet unobstructed width, and not less than 13 feet six inches of vertical clearance, to within 150 feet of travel distance to all portions of the exterior walls of **every building**. Access roadways shall have a minimum outside turning radius of 45 feet, and must be capable of supporting the imposed apparatus loading of 37 tons. (503) CFC

2. Dead-end emergency apparatus access roadways in excess of 150 feet in length shall be provided with **approved** provisions for the turning around of Fire District apparatus. Contact the Fire District for approved designs. (503.2.5) CFC

3. Access of **less than 28-feet** unobstructed width shall have ***NO PARKING – FIRE LANE*** signs posted or curbs painted red with the words ***NO PARKING – FIRE LANE*** clearly marked. 22500.1 CVC

4. The developer shall provide one hydrant of the East Bay type. ***Hydrant location will be determined by this office.*** (C103.1) CFC

5. The developer shall submit three copies of site improvement plans indicating all existing or proposed fire apparatus access for review and approval prior to construction. (501.3) CFC

6. ***Emergency apparatus access roadways and hydrant shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site.*** (501.4) CFC

   Note: Gravel is not considered an all-weather roadway surface for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum subbase material and capable of supporting the designated gross vehicle weight specified above.

7. Access gates for Fire District apparatus shall be a minimum of 20-feet wide. Access gates shall swing inward and be setback from public right-of-way by a minimum of 30 feet. Electrically operated gates shall be equipped with a Knox Company key-operated switch. Manually operated gates shall be equipped with a noncasehardened lock or approved Fire District lock. Contact the Fire District for information on ordering the key-operated switch. (D103.5) CFC

8. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1500 GPM. Required flow shall be delivered from not more than one hydrant flowing for the duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (508.1), (B105) CFC

9. The building as proposed shall be protected with an approved automatic fire sprinkler system complying with the 2002 edition of NFPA 13. Submit three sets of plans to this office for review and approval prior to installation. (903.2) CFC

10. The proposed sanctuary shall be addressed from Boulevard Way, whereas the existing parsonage building shall maintain addressing from Warren Road.

11. Premises identification shall be provided. Such numbers shall contrast with their background and be a minimum of four inches high with ½-inch stroke or larger as required to be readily visible from the street. (505.1) CFC, (501.2) CBC

12. The developer shall submit three complete sets of plans and specifications of the subject project, including the following required built-in fire protection systems, to the Fire District for review and approval ***prior to*** construction to insure compliance with minimum requirements related to fire and life safety. Plan review fees will be assessed at that time. (901.2) CFC, (108.4.1) CBC

    - Building construction plans
    - Private underground fire service water mains
    - Fire sprinklers
    - Fire alarm

The above-referenced CCCFPD Project Number shall be required in all correspondence or communication with the Fire District.

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

Please provide this office with a copy of the conditions of approval as set forth by your Planning Division for our files.

If you have any questions regarding this matter, please contact this office at 925.941.3300.

Sincerely,

Ted Leach
Fire Prevention Technician

TL/mm

c: Christopher Martin
1300 Boulevard Way
Walnut Creek, CA 94595

Soga + Associates
657 Mission Street, Suite 408
San Francisco, CA 94105

Philip Johnson – Alan Ritchie Architects
4 Columbus Circle, 5th Floor
New York, NY 10019

Community Development Department

County Administration Building
651 Pine Street
Fourth Floor, North Wing
Martinez, California 94553-1229

Phone: (925)335-1210

Contra Costa County

Dennis M. Barry, AICP
Community Development Director

RECEIVED
CONTRA COSTA COUNTY
JUL 11 2008
BUILDING INSPECTION DEPARTMENT

Date: 7-03-08

AGENCY COMMENT REQUEST

We request your comments regarding the attached application currently under review.

DISTRIBUTION

- ✓ Building Inspection/Grading Inspection
- ✓ HSD, Environmental Health, Concord
- ___ HSD, Hazardous Materials
- ___ P/W - Flood Control (Full Size)
- ✓ P/W - Engineering Svcs (Full Size)
  Date Forwarded _____
- ✓ P/W Traffic (Reduced)
- ___ P/W Special Districts (Reduced)
- ___ Comprehensive Planning
- ___ Redevelopment Agency/Housing
- ✓ Historical Resources Information System
- ✓ CA Native Amer. Her. Comm.
- ___ CA Fish & Game, Region ____
- ___ US Fish & Wildlife Service
- ✓ Fire District CFD
- ✓ Sanitary District Central
- ✓ Water District EBMUD
- ✓ City Walnut Creek
- ✓ School District Alcalanes
- ___ Sheriff Office - Admin. & Comm. Svcs.
- ___ Alamo Improvement Association
- ___ El Sobrante Plg. & Zoning Committee
- ✓ MAC Saranap
- ___ DOIT - Dep. Director, Communications
- ___ CAC R-7A Alamo
- ___ CDD-GIS
- ___ LAFCO

Community Organizations

- ✓ Parkmead Comm. Assoc.
- ✓ D. Myers - Geologist
- ✓ Transportation Planning

Please submit your comments as follows:

Project Planner Lashun Cross

County File Number: LP08-2034 / MS080011

Prior To: August 1, 2008

We have found the following special programs apply to this application:

- No Redevelopment Area
- No Active Fault Zone
- C Flood Hazard Area, Panel # _____
- ___ 60 dBA Noise Control
- NO CA EPA Hazardous Waste Site
- ___ Traffic Zone _____
- NO CEQA Exempt
  Categorical Exemption Section

Please indicate the code section of recommendations that are required by law or ordinance. Please send copies of your response to the Applicant & Owner.

___ No comments on this application.
___ Our comments are attached.

Comments: To be designed per 2007 CBC, CMC, CPC, CEC

Signature: Abed Chowdhury

Agency: BID

Date: 7/21/08

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM

ALAMEDA
COLUSA
CONTRA COSTA
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO
SAN FRANCISCO
SAN MATEO
SANTA CLARA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
Sonoma State University
1303 Maurice Avenue
Rohnert Park, California 94928-3609
Tel: 707.664.0880 • Fax: 707.664.0890
E-mail: leigh.jordan@sonoma.edu

July 17, 2008

File No.: 08-0048

CONTRA COSTA
JUL 18 AM 11:16
DEPARTMENT OF CONSERVATION AND DEVELOPMENT

Lashun Cross, Project Planner
Contra Costa County
Community Development Department
651 Pine Street
4th Floor, North Wing
Martinez, CA 94553

re: LP08-2034, MS080011 / 2428 Warren Road, Walnut Creek / Christopher D. Martin

Dear Lashun Cross:

Records at this office were reviewed to determine if this project could adversely affect cultural resources. **Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.**

Previous Studies:
XX This office has no record of any previous cultural resource studies for the proposed project area.

Archaeological and Native American Resources Recommendations:
XX The proposed project area has the possibility of containing unrecorded archaeological site(s). A study is recommended prior to commencement of project activities.

XX We recommend you contact the local Native American tribe(s) regarding traditional, cultural, and religious values. For a complete listing of tribes in the vicinity of the project, please contact the Native American HeritageCommission at 916/653-4082.

Built Environment Recommendations:
XX The 1948 USGS Concord 15' quad depicts seven buildings in the proposed project area. Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if any of these structures are still standing, it is recommended that prior to commencement of project activities, a qualified architectural historian familiar with Contra Costa County history conduct a formal CEQA evaluation.

If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 6640880.

Sincerely,

Jillian E. Guldenbrein
Researcher I

cc: Christopher D. Martin
Sufism Reoriented
1300 Boulevard Way
Walnut Creek, CA 94595

Community Development Department
County Administration Building
651 Pine Street
Fourth Floor, North Wing
Martinez, California 94553-1229
Phone: (925)335-1210

ED 7-11-08

Contra Costa County

Dennis M. Barry, AICP
Community Development Director

CONTRA COSTA
08 AUG -4 AM 9:56
DEPARTMENT OF CONSERVATION AND DEVELOPMENT

CCEH
JUL 11 2008
REC'D

Date: 7-03-08

AGENCY COMMENT REQUEST

We request your comments regarding the attached application currently under review.

DISTRIBUTION

- ✓ Building Inspection/Grading Inspection
- ✓ HSD, Environmental Health, Concord
- ___ HSD, Hazardous Materials
- ___ P/W - Flood Control (Full Size)
- ✓ P/W - Engineering Svcs (Full Size)
- Date Forwarded ___
- ✓ P/W Traffic (Reduced)
- ___ P/W Special Districts (Reduced)
- ___ Comprehensive Planning
- ___ Redevelopment Agency/Housing
- ✓ Historical Resources Information System
- ✓ CA Native Amer. Her. Comm.
- ___ CA Fish & Game, Region ___
- ___ US Fish & Wildlife Service
- ✓ Fire District CFD
- ✓ Sanitary District Central
- ✓ Water District EBMUD
- ✓ City Walnut Creek
- ✓ School District Alcalanes
- ___ Sheriff Office - Admin. & Comm. Svcs.
- ___ Alamo Improvement Association
- ___ El Sobrante Plg. & Zoning Committee
- ✓ MAC Saranap
- ___ DOIT - Dep. Director, Communications
- ___ CAC R-7A Alamo
- ___ CDD-GIS
- ___ LAFCO

Community Organizations

- ✓ Parkmead Comm. Assoc.
- ✓ D. Myers - Geologist
- ✓ Transportation Planning

Please submit your comments as follows:

Project Planner Lashun Cross

County File Number: LP08-2034 / MS080011

Prior To: August 1, 2008

We have found the following special programs apply to this application:

- No Redevelopment Area
- No Active Fault Zone
- C Flood Hazard Area, Panel # ___
- ___ 60 dBA Noise Control
- NO CA EPA Hazardous Waste Site
- ___ Traffic Zone ___
- NO CEQA Exempt
  Categorical Exemption Section

Please indicate the code section of recommendations that are required by law or ordinance. Please send copies of your response to the Applicant & Owner.

___ No comments on this application.
x Our comments are attached.

Comments: Applicant must submit application and fees for proposed irrigation wells.

Signature: Ed [illegible]

Agency: CCC Environmental Health

Date: 7/31/08

Contra Costa County
Flood Control
& Water Conservation District

Interoffice Memo

TO: Lashun Cross, Senior Planner, Department of Conservation and Development

DATE: August 7, 2008

FROM: Teri E. Rie, Associate Civil Engineer, Flood Control

SUBJECT: LP 08-2034/MS 08-0011 — 30-Day Comments

FILES: 92-2034-08 & 1003-0011-08

MESSAGE:

We have reviewed the Land Use Permit (LP) and Minor Subdivision (MS) applications and Preliminary Site Plan for Sufism Reoriented located along Boulevard Way (APN 184-450-006, -007, -012, -031 through -034). The submittal was received by our office on July 30, 2008, and we offer the following comments:

1. The proposed project is located in Drainage Area 121, an unformed drainage area. Therefore, there are no drainage area fees due at this time.

2. According to our records, there was a complaint against APN 184-450-032 on January 19, 2001, regarding the 8-feet tall concrete wall built abutting APN 184-450-017 at that time. Complainant was concerned that the wall may impede the natural, historic drainage for his son's property (APN 184-450-017). Complainant also asked about public comment period for the construction of the wall because he was unaware of one. We are not sure if the Complainant received a copy of Notice of Intent to Render Administrative Decision, dated January 11, 2001.

3. The developer should be conditioned to design and construct storm drain facilities to adequately collect and convey stormwater entering or originating within the development to the nearest adequate man-made drainage facility or natural watercourse, without diversion of the watershed, per Title 9 of the County Ordinance Code.

255 Glacier Drive Martinez, CA 94553-4825
TEL: (925) 313-2000 • FAX: (925) 313-2333
www.cccpublicworks.org

4. The applicant should be required to submit hydrology and hydraulic calculations to the Engineering Services Division of the Public Works Department that prove the adequacy of the in-tract drainage system and the downstream drainage system.

5. It appears that this development will create higher density than the zoned R-10 use, which may contribute more runoff than originally anticipated into Las Trampas Creek. The applicant should be required to submit hydrology and hydraulic calculations to the Engineering Services Division of the Public Works Department, showing how the 50-year design storm plus freeboard and the 100-year design storm affects Las Trampas Creek.

6. The applicant should be required to comply with the current NPDES (National Pollutant Discharge Elimination System) requirements under the County Stormwater Management and Discharge Control Ordinances and the C.3 Guidebook. We support the State's goal of providing best management practices to achieve the permanent reduction or elimination of stormwater pollutants and downstream erosion from new development. The Contra Costa County Flood Control & Water Conservation District is available to provide technical assistance for meeting these requirements under our Fee-for-Service program.

If you have any questions, please call Jane Kao at (925) 313-2179 or me at (925) 313-2363.

TR:JK:cw
G:\FldCtl\CurDev\CITIES\Walnut Creek\LP 08-2034\LP 08-2034 Comments.doc

c: Greg Connaughton, Flood Control
Tim Jensen, Flood Control
Monish Sen, Engineering Services
Sufism Reoriented
1300 Boulevard Way
Walnut Creek, CA 94595

Contra Costa County
Public Works
Department

Julia R. Bueren, Director
Deputy Directors
R. Mitch Avalon • Brian M. Balbas
Stephen Kowalewski • Patricia McNamee

Memo

TO: Lashun Cross, Senior Planner, Department of Conservation and Development

DATE: August 5, 2008

FROM: Laurie Sucgang, Staff Engineer, Engineering Services Division LS

SUBJECT: **PERMIT LP 08-2034/SUBDIVISION MS 08-0011**
ADDITIONAL COMMENTS – BOULEVARD WAY
(Sufism Reoriented/Boulevard Way/Walnut Creek/APN 184-450-006, -007, -012, -031 through -034)

FILE: LP 08-02034

As indicated in our previous memorandum, dated July 22, 2008, additional comments from our Transportation Engineering Division would be forwarded upon receipt. The following are additional comments from our Transportation Engineering Division:

Boulevard Way

- The Site Plan and Tentative Map, received by your office on July 3, 2008, were not consistent with the 'Revised Precise Alignment Study for Boulevard Way' (Study). The Study was distributed to the applicant's representative and engineer at a meeting on December 19, 2007, and is attached to this memorandum for your use and distribution.

- The applicant will be required to widen and improve Boulevard Way along the project frontage to provide a pavement half width of 24 feet and a right-of-way half width of 34 feet. The alignment shall be in accordance with the Study (see attached). Any future submittal of the Site Plan and Tentative Map shall clearly show the required right-of-way dedications and roadway improvements in accordance with the Study.

LS:ms
G:\EngSvc\Land Dev\LP\LP 08-2034, MS 08-0011\transp comments.docx

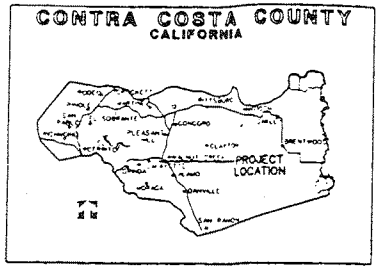
Attachment

cc: G. Huisingh, Engineering Services
S. Gospodchikov, Engineering Services
M. Sen, Engineering Services
J. Caldwell, Transportation Engineering
Sufism Reoriented (w/ attachment)
Attn: Christopher D. Martin
1300 Boulevard Way
Walnut Creek, CA 94595

REVISED PRECISE ALIGNMENT FOR

BOULEVARD WAY

FROM SARANAP AVENUE TO OLYMPIC BLVD.
APPROX. LENGTH 3,150' - 0.60 MILES
ROAD NO. 3851



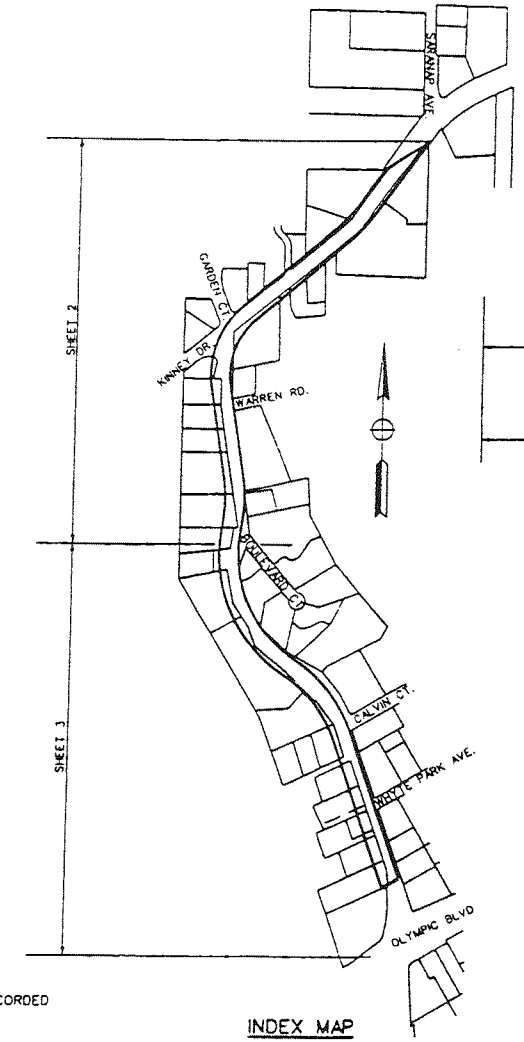
VICINITY MAP

INDEX TO SHEETS

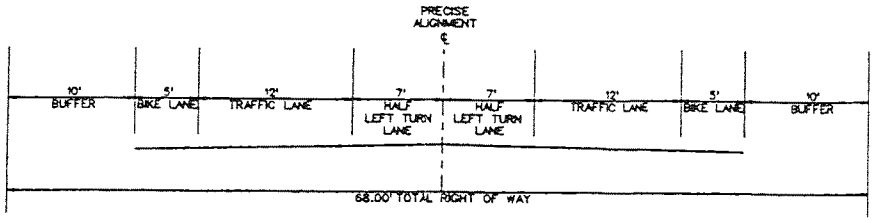
Sheet No.

1 Title Sheet

2,3 Right of Way



INDEX MAP
NTS



TYPICAL CROSS SECTION
NO SCALE

Approved:

Maurice M. Shiu

PUBLIC WORKS DIRECTOR_____ DATE _____

I hereby certify that this revised precise plan entitled, "A Precise Alignment for Boulevard Way" was approved and adopted by the Planning Commission on the_____day of_____, 200_

_____
CHAIR

_____
DENNIS M. BARRY
SECRETARY

Approved:

I hereby certify that this is a true and correct copy of the revised " Precise Alignment for Boulevard Way" Plan, which was approved and adopted by the Board of Supervisors on the_____day of_____, 200_.

Attested _____
Phil Batchelor, Clerk of The Board of Supervisors and County Administrator.

By_____, Deputy

LEGEND

- Existing R/W
- Proposed R/W
- Proposed centerline
- Existing centerline

BEARINGS, DISTANCES AND COORDINATES SHOWN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE III (CCS 27). TO OBTAIN GROUND DISTANCES, MULTIPLY GIVEN DISTANCES BY 1.0000685

NOTE: SEE PRECISE ALIGNMENT FOR BOULEVARD WAY, FILE NO. PA3851-69, RECORDED APRIL 28,1969, IN BOOK 5862 OF OFFICIAL RECORDS AT PAGE 430.

ADDITIONAL RIGHT OF WAY MAY BE REQUIRED FOR CHANNELIZATION AT EXISTING OR NEW ROAD INTERSECTIONS.

BOULEVARD WAY
FROM SARANAP AVENUE TO OLYMPIC BLVD.

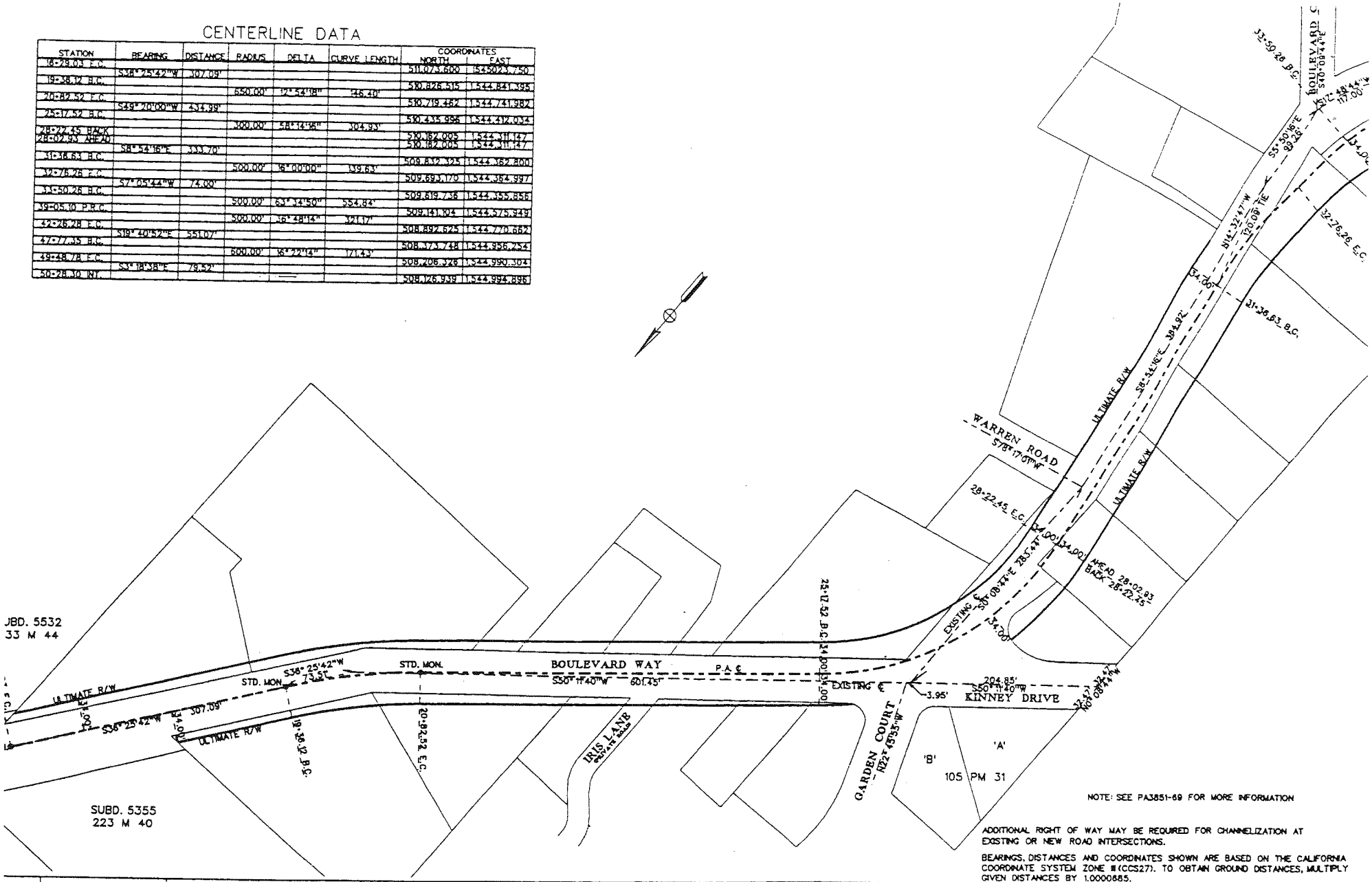
N13-P13 | 1544-1545 | 508-511

1 3

PA3851-0

CENTERLINE DATA

STATION	BEARING	DISTANCE	RADIUS	DELTA	CURVE LENGTH	COORDINATES NORTH	COORDINATES EAST
18+79.03 P.C.	S38°25'42"W	307.09'				511,073.600	1,545,023.750
19+38.12 B.C.						510,826.515	1,544,841.395
20+82.52 E.C.			550.00'	12°54'18"	146.40'	510,719.462	1,544,741.982
25+17.52 B.C.	S49°20'00"W	434.99'				510,435.996	1,544,412.034
28+22.45 BACK			300.00'	58°14'16"	304.93'	510,182.005	1,544,311.147
28+02.93 AHEAD						510,182.005	1,544,311.147
31+38.63 B.C.	S8°54'16"E	333.70'				509,832.325	1,544,362.800
32+76.26 E.C.			500.00'	16°00'00"	139.63'	509,693.170	1,544,364.997
33+50.26 B.C.	S7°05'44"W	74.00'				509,619.736	1,544,355.856
39+05.10 P.R.C.			500.00'	63°34'50"	554.84'	509,141.104	1,544,575.949
42+26.28 E.C.			500.00'	36°48'14"	321.17'	508,892.625	1,544,770.662
47+77.35 B.C.	S19°40'52"E	551.07'				508,373.748	1,544,956.254
49+48.78 E.C.			600.00'	16°22'14"	171.43'	508,206.326	1,544,990.304
50+28.30 NT.	S3°18'38"E	79.52'	—	—	—	508,126.939	1,544,994.898



NOTE: SEE PA3851-69 FOR MORE INFORMATION

ADDITIONAL RIGHT OF WAY MAY BE REQUIRED FOR CHANNELIZATION AT EXISTING OR NEW ROAD INTERSECTIONS.

BEARINGS, DISTANCES AND COORDINATES SHOWN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE III (CCS27). TO OBTAIN GROUND DISTANCES, MULTIPLY GIVEN DISTANCES BY 1.0000685.

DES.	
DRAWN	JM
CHKD.	JS/RZ
DATE	APRIL 2000
SCALE	NTS
FLD BK.	790 489-637

LICENSED LAND SURVEYOR

PLANS APPROVAL DATE

CONTRA COSTA COUNTY
PUBLIC WORKS DEPARTMENT
255 GLACIER DRIVE
MARTINEZ, CALIFORNIA 94553

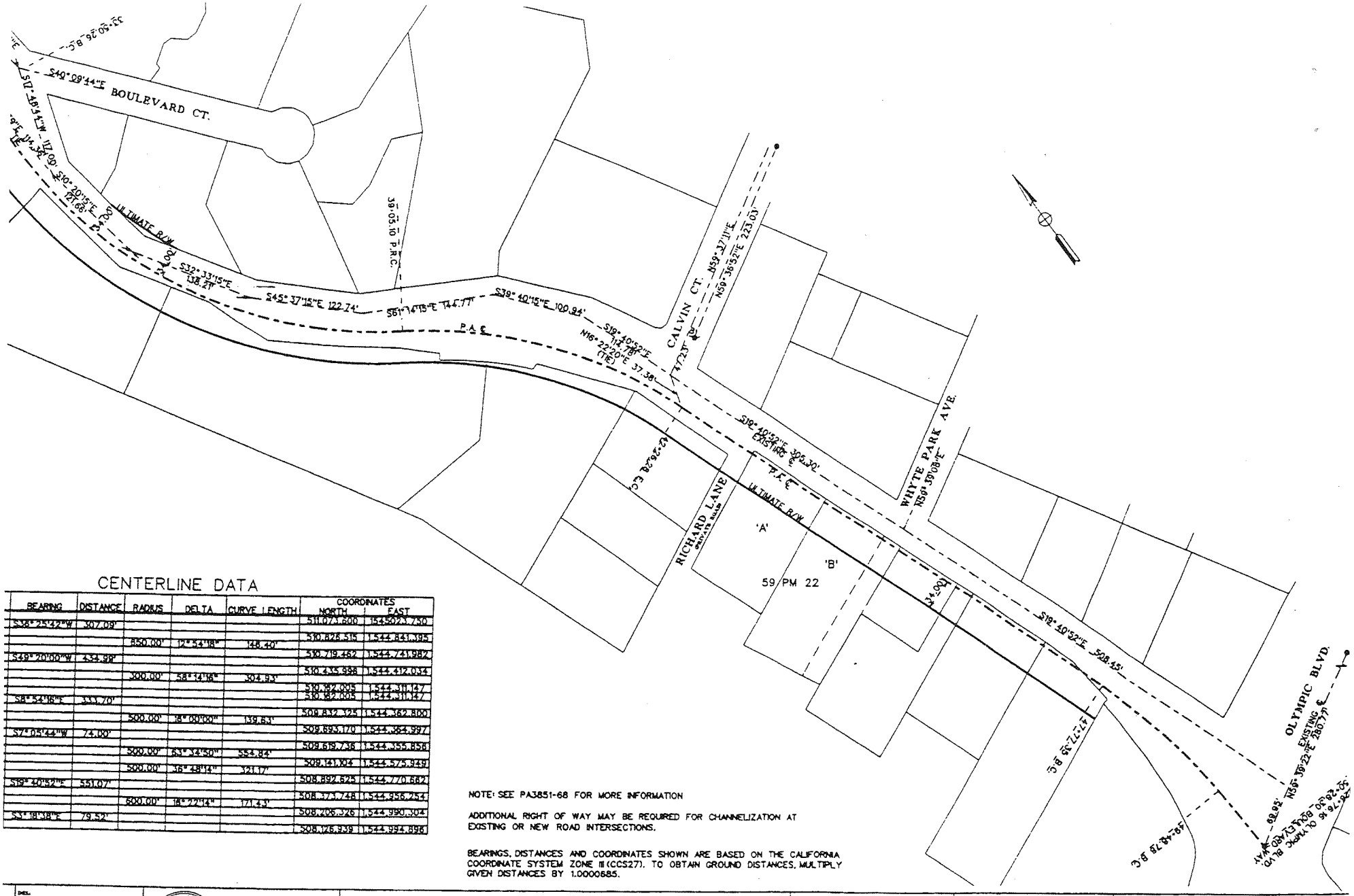
FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES 0 1 2 3

BASE MAP | EAST COORD. | NORTH COORD.

BOULEVARD WAY

SARANAP AVE. TO OLYMPIC BLVD.

FILE NO. PA3851-00 SHEET 2 OF 3



CENTERLINE DATA

BEARING	DISTANCE	RADIUS	DELTA	CURVE LENGTH	COORDINATES NORTH	COORDINATES EAST
S38°25'42"W	307.09'				511,073.600	1,545,023.750
		850.00'	12°54'18"	148.40'	510,826.515	1,544,841.395
S49°20'00"W	434.98'				510,719.462	1,544,741.982
		300.00'	58°14'16"	304.93'	510,435.998	1,544,412.034
S8°54'16"E	333.70'				510,182.005	1,544,311.147
		500.00'	18°00'00"	139.63'	510,182.005	1,544,311.147
S7°05'44"W	74.00'				509,832.325	1,544,362.800
		500.00'	63°34'50"	554.84'	509,693.170	1,544,364.997
		500.00'	36°48'14"	321.17'	509,619.738	1,544,355.858
S19°40'52"E	551.07'				509,141.104	1,544,575.949
		500.00'	18°22'14"	171.43'	508,892.625	1,544,770.682
S3°18'38"E	79.52'				508,373.748	1,544,956.254
					508,206.326	1,544,990.304
					508,126.939	1,544,994.898

NOTE: SEE PA3851-68 FOR MORE INFORMATION

ADDITIONAL RIGHT OF WAY MAY BE REQUIRED FOR CHANNELIZATION AT EXISTING OR NEW ROAD INTERSECTIONS.

BEARINGS, DISTANCES AND COORDINATES SHOWN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE III (CCS27). TO OBTAIN GROUND DISTANCES, MULTIPLY GIVEN DISTANCES BY 1.0000685.

DES.
DRAWN: JH
CHKD.: JSPRZ
DATE: APRIL 2000
SCALE: NTS
FLD BK: 190 1489 1637

LICENSED LAND SURVEYOR

PLANS APPROVAL DATE

CONTRA COSTA COUNTY
PUBLIC WORKS DEPARTMENT
255 GLACIER DRIVE
MARTINEZ, CALIFORNIA 94553

FOR REDUCED PLANS ORIGINAL SCALE IS IN INCHES 0 1 2 3

BASE MAP | EAST COORD. | NORTH COORD.

BOULEVARD WAY
SARANAP AVE. TO OLYMPIC BLVD.

FILE NO. PA3851-00 SHEET 3 OF 3

DARWIN MYERS ASSOCIATES

ENVIRONMENTAL RESEARCH ■ ENGINEERING GEOLOGY

July 31, 2008

Lashun Cross, Senior Planner
Contra Costa County
Conservation & Development Department
651 Pine Street, 2nd Floor, North Wing
Martinez, CA 94553

Subject: **Geologic Hazard Review – 30-Day Comments**
LP08-2034 / Sufism Reoriented
APN 184-450-006, -007, -012, -031, -032, -033 & -034
Saranap Area, Contra Costa County
DMA Project # 3084.08

Dear Lashun:

Based on your authorization we have reviewed the application materials for the proposed religious facility. The property fronts on the southeast flank of Boulevard Way, just north of the Warren Road intersection. The materials reviewed included a project description,[1] along with a geotechnical report.[2]

Approach

We reviewed pertinent geologic literature, the Safety Element of the County General Plan, and 1973 aerial photographs. With this background we evaluated potential geologic and seismic impacts and mitigation measures. We then reviewed the geotechnical report.

Background

1. Graymer, Jones & Brabb

The most recent geologic map of Contra Costa County is a digitized bedrock geology map issued by the U.S. Geological Survey.[3] This map, which was published in 1994, is based on compilation of previous mapping and thousands of hours of field mapping to resolve geologic problems. This map classifies all valley bottom and esturine deposits as "Undivided Quaternary Deposits" (Qu). According to this map, the proposed Sufism Reoriented property is mapped as Briones formation (Tbr).

---

[1] Philip Johnson/Alan Richie Architects, 2008. *Sanctuary for Sufism Reoriented Design Basin Letter* (dated June 21, 2008).

[2] DCM Engineering, 2007. *Geotechnical Engineering Investigation Report, Sanctuary for Sufism Reoriented, Contra Costa County, California.* DCM Job #J-5047-1 (dated August 22, 2007).

[3] Graymer, R., D.L. Jones & E.E. Brabb, 1994. *Preliminary Geologic Map Emphasizing Bedrock Formations in Contra Costa County, California.* U.S. Geological Survey Open File Report 94-622.

With respect to geologic structure, the site is bracketed to the east and west by north-northwest trending faults (possible ancestral branches of the Calaveras fault). In areas underlain by alluvium, these traces are represented by black dotted lines (see Figure 1). This symbol indicates that the fault is not known to offset Quaternary deposits, and the location of the fault traces is not accurately located. By interpolation from nearby measurements of bedding, the site is inferred to be near the axis of a northwest-trending anticline.

2. Bedrock Geology

Perhaps the most detailed geologic map of Walnut Creek area is a color, bedrock geology map published by the California Division of Mines and Geology in 1973 (see Figure 2).[4] This map was published at a scale of 1:12,000, and is based on field geologic mapping, along with photointerpretation and literature review. According to this map, the site is located on the floor of a narrow valley. The valley bottom area that is mapped as "Quaternary terrace deposits" (Qt), which are locally overlain by a thin accumulation of younger alluvial deposits described as "Slopewash" (Qsw). These are Holocene colluvial and alluvial fan deposits. Exposed in the banks of Las Trampas Creek approximately 300 feet south of the site, Saul indicated that bedrock of the Rodeo Formation (Tr) and Briones Sandstone (Tbs) are exposed. With regard to geologic structure, a northwest-trending trace of the ancestral Calaveras fault is mapped passing approximately ½ mile east of the site. This fault is not considered active by the U.S. Geological Survey (USGS). No faults cross the property but the axis of a northwest-trending anticlinal fold which is in the bedrock crosses the site. No landslides are mapped in the site vicinity. The nearest active Concord fault is mapped approximately 5 miles northeast of the site.

3. Quaternary Deposits

The project is located in the central portion of Contra Costa County, on the floor of the Las Trampas Creek Valley. Most published geologic maps interpret the site as being underlain by Quaternary alluvium (undifferentiated). However, in 1997 the U.S. Geological Survey issued a surficial deposits map of Contra Costa County and adjacent area that divides Quaternary deposits into nine categories.[5] Briefly summarized, the map shows three types of Quaternary deposits in the general vicinity of the site: Alluvial fan and fluvial deposits (Holocene) - Qhaf; Alluvial fan and fluvial deposits (Pleistocene) - Qpaf; and undifferentiated gravel deposits (Pliocene and Pleistocene) - QTu. Table 1 provides data on the age, texture, depositional environment and engineering significance. According to this map the site is mapped as QTu. The upland areas that flank the valley floor are mapped as bedrock (br). The nearest bedrock outcrop is approximately 500 feet northwest of the site.

Table 1
QUATERNARY DEPOSITS OF THE SITE VICINITY

Qpaf	Alluvial Fan and Fluvial Deposits (Pleistocene). Brown dense gravelly and clayey sand or clayey gravel that fines upward to sandy clay. All Qpaf deposits can be related to modern stream courses. They are distinguished from younger alluvial fans and fluvial deposits by higher topographic position, greater degree of dissection, and stronger soil profile development.
QTu	Undifferentiated Continental Gravels (Plio-Pleistocene). Semi-consolidated to unconsolidated, poorly sorted gravels, sand, silt and clay. These throughout the country. These deposits are unrelated to modern drainages, and appear to represent an ancestral drainage emanating from the north face of Mt. Diablo flowing northwest, down the Clayton-Concord Valley and entering Carquinez Strait just west of the Concord Naval Weapons Depot.

[4] Graymer, Saul, R.B., 1973 *Geology and Slope Stability of the SW 1/4 of the Walnut Creek Quadrangle, Contra Costa County, California*, CDMG (now California Geological Survey) Map Sheet 16.

[5] Helley, E.J. and R.W. Graymer, 1997. *Quaternary Geology of Contra Costa County and Surrounding Parts of Alameda, Marin, Sonoma, Solano, Sacramento, and San Joaquin Counties, California: A Digital Database.* U.S. Geological Survey, Open File Report 97-98.

In 1975 the U.S. Geological Survey issued photointerpretative maps of landslides and other surficial deposits of Contra Costa County at a scale of 1 inch = 2,000 feet.[6] This map set is included in the Safety Element, where it is used as screening criteria to determine if there are potential landslide hazards on sites proposed for subdivision or development. Figure 3 shows the site and vicinity. It indicates that the site is within an area mapped as "bedrock" (r), with "colluvial deposits" mapped along the Boulevard Way frontage of the property.

4. Seismicity

There are no Alquist-Priolo Earthquake Fault Zones in the Saranap area. The active Concord fault is mapped 5 miles northeast of the site. North of the Town of Danville the Calaveras fault is not considered active by the USGS or CGS because there is no confirmed evidence of surface fault rupture during Holocene time (i.e., within last 11,000 years before present). However, this fault system is a potential seismic source, and a 1998 report prepared by Geomatrix found evidence of activity during the Late Quaternary on this fault system within the Walnut Creek area (minor offset with a right-normal-oblique sense of displacement). The alluvium that was offset was dated 31,410 radio-carbon years before present.[7] The active Hayward fault is mapped 8 miles southwest of the site.

5. Liquefaction Potential

With regard to liquefaction potential, the Safety Element of the General Plan divides Contra Costa County into three categories: "generally high," "generally moderate to low," and "generally low." According to this map, the site is in the "generally moderate to low" category. The Safety Element includes a number of policies indicating that at-risk areas require evaluation of liquefaction potential and effective mitigation of the hazard posed to new development. Operative General Plan policies are presented in Table 2.

This map is used as a "screening criteria" by Contra Costa County during the processing of land development applications. The County requires rigorous evaluation of liquefaction potential in areas of "high potential," and less comprehensive investigations are demanded in the "moderate to low" category. The classification "generally high" liquefaction potential does not imply the presence of liquefiable

Table 2
GENERAL PLAN LIQUEFACTION POLICIES

10-18	This General Plan shall discourage urban or suburban development in areas susceptible to high liquefaction dangers and where appropriate subject to the policies of 10-20 below, unless satisfactory mitigation measures can be provided, while recognizing that there are low intensity uses such as water-related recreation and agricultural uses that are appropriate in such areas.
10-19	To the extent practicable, the construction of critical facilities, structures involving high occupancies, and public facilities shall not be sited in areas identified as having a high liquefaction potential, or in areas underlain by deposits classified as having a high liquefaction potential.
10-20	Any structures permitted in areas of high liquefaction damage shall be sited, designed and constructed to minimize dangers from damage due to earthquake-induced liquefaction.
10-21	Approvals to allow the construction of public and private development projects in areas of high liquefaction potential shall be contingent on geologic and engineering studies which define and delineate potentially hazardous geologic and/or soils conditions, recommend means of mitigating these adverse conditions, and on proper implementation of the mitigation measures.

[6] Nilsen, T.H., 1975. *Preliminary Photointerpretation Map of Landslide and Other Surficial Deposits of the Walnut Creek 7.5-Minute Quadrangle, Contra Costa County, California.* U.S. Geological Survey, Open File Report 75-277-55.

[7] Geomatrix, 1998. *Final report, Walnut Creek Water Treatment Plant Expansion, Seismic Study - Phase II.* Geomatrix Job #3970 (report dated October 30, 1998).

sands on a parcel. The map attempts to be conservative of the side of safety, and where geologically recent alluvial and esturine deposits are shown on soils maps of the County, the map considers the property to be in the "generally high" category. Site specific investigations are needed to determine if liquefiable sands are present and to provide stabilization measures where liquefiable sands are confirmed. Because the site is in the "generally moderate to low" category, rigorous evaluation of liquefaction potential is not required.

6. Soils

According to the Soil Survey of Contra Costa County,[8] the soil on the site is Tierra loam, 9 to 15 percent slopes (TaD). This is a soil which forms on alluvial fans and flood plains. It is a Class IV (i.e., non-prime) agricultural soil. With regard to its engineering properties, it has low strength when wet, a moderate to high shrink-swell potential, and a moderately slow permeability, and high corrosivity.

DCM Engineering

1. Purpose

The purpose of the geotechnical investigation was to provide specific criteria and standards for the geotechnical aspects of the project. DCM Engineering (DCM) estimates that excavations for building construction will be on the order of 20 feet (east side) and 30 feet (west side).

2. Subsurface Investigation

DCM logged six borings on the 3.1-acre site during 2007. The borings ranged from 33 to 40 ½ feet in depth. The location of the borings are shown in Figure 2 of the geotechnical report. Boring B-4 was located near the center of the proposed sanctuary building, and the other five borings were positioned near the corners of the building. Table 3 provides a summary of the borehole data. The logs indicate that the site is underlain by alluvial deposits that are 23 to 30 feet thick in the borings. The alluvium consists of clay and silty clay interbedded with poorly sorted sand and gravel. Typically sieve testing found the sands to be 30 to 60 percent matrix material (clay and silt). The bedrock is described as siltstone/ claystone which is severely weathered with a 20% ± moisture content. The lithologic description is consistent with the Rodeo Shale bedrock.

Table 3
SUMMARY OF BOREHOLE DATA

Boring No.	Total Depth (ft)	Depth to Bedrock (ft)	Comments
B-1	33	23	Groundwater at 23 ft.
B-2	37½	27	Groundwater at 24 ft.
B-3	32½	27½	Groundwater at 15 ft.
B-4	39 ½	29	Groundwater at 27 ft.
B-5	38	27	Groundwater at 20 ft.
B-6	40 ½	30	No free groundwater

Two generally east-west cross-sections were prepared by DCM. One section is near the north wall of the sanctuary, and the other near the south wall of the sanctuary. They indicate that the excavations for the structure will not extend into bedrock. The excavation for the sanctuary will penetrate up to

[8] Welch, Lawrence, 1977. *Soil Survey of Contra Costa County.* United States Department of Agriculture, Soil Conservation Service (122 pages).

5 feet of undocumented fill that is underlain by interbedded clayey sediments and gravelly/sandy soils. The elevation of the building lower floor is anticipated to be at or below the water table.

3. Geologic Hazards

DCM indicates that a detailed hazards assessment was not included in their scope of work. Nevertheless, preliminary comments are provided (see Table 4).

Table 4
DCM HAZARD ASSESSMENT

- Faults and Fault Rupture. No active faults are shown trending beneath the site.
- Seismic Shaking. DCM provides an overview of seismic setting of the site. The report provides 1997 UBC seismic parameters. (Compliance with the building code criteria and standards does not indicate risk of structural damage can be avoided, but codes are intended to mitigate damage potential.)
- Liquefaction. The liquefaction potential of the materials penetrated in the borings was rated "nil" by DCM due to their density and clay content.
- Expansive Soils. The clayey alluvial deposits are considered to be moderately expansive.
- Corrosivity. The bedrock resting indicated that the weathered bedrock is very corrosive.

5. DCM Conclusions

The geotechnical constraints influencing design, construction and long-term performance of the sanctuary include a) shoring and dewatering during construction to protect existing improvements, b) excavation base stability (heave, boiling, pumping), c) differential depth to bedrock below lower floor level of sanctuary building, d) bedrock corrosivity, e) foundation subgrade (bearing capacity/settlement), f) structure backfill (engineering proerties/compaction criteria), and g) seismic design parameters (2007 California Building Code) are not included.

6. Recommendations

The DCM report provides specific criteria and standards for grading, drainage, foundations, temporary support of construction walls, and other geotechnical aspects of the project. It also identifies the required geotechnical monitoring and construction observation.

DMA Evaluation

1. Geologic Setting & Potential Hazards. The subsurface data is consistent with the project site being underlain by 23 to 30 feet (or more) of Plio-Pleistocene alluvium (QTu). Beneath the alluvium the borings of DCM encountered clayey bedrock that can be inferred to be Rodeo shale. The soils are likely to be at least moderately expansive, and the bedrock is reported by DCM to be very highly corrosive, which will affect the concrete mix and specifications for steel in the project. The data provided indicate that the risk of landsliding, liquefaction and surface fault rupture are less-than-significant.

2. Findings. In our opinion the report is adequate for the processing of the land use permit application. However, the construction of the project must be based on the 2007 California Building Code. DCM should provide the project architects and engineers with seismic parameters from that code (not the 1997 UBC). It should also be recognized that the Building Official may have other requirements or require further geotechnical analysis prior to issuance of construction permits.

Limitations and Purpose

It should be recognized that the purpose of our review was to provide a professional opinion on the documents provided by the applicant. Specifically, we provide technical advice to assist the Department of Conservation & Development with discretionary permit decisions. Our services have been limited to review of the referenced reports. Our opinions and conclusions are made in accordance with generally accepted principles and practices of the engineering geology profession.

We trust this letter provides the evaluation and comments that you requested. Please call if you have any questions

Sincerely,

DARWIN MYERS ASSOCIATES

Darwin Myers

Darwin Myers, CEG 946
Principal

REGISTERED GEOLOGIST
W. DARWIN MYERS
NO. 946
CERTIFIED ENGINEERING GEOLOGIST
STATE OF CALIFORNIA

cc: Gary Faria, Grading Division, DCD
DCM Engineering
Applicant

3084_08ltr

Surficial Deposits

Qu - Undivided Quaternary deposits

Assemblage II

Tus - Unnamed sedimentary and volcanic rocks

Tn - Neroly Formation - blue sandstone

Tbr - Briones Formation, undivided

Tr - Rodeo shale

Assemblage IV

Tes - Escobar Sandstone

Tmr - Muir Sandstone

Tlj - Las Juntas Shale

Tljl - Lower Las Juntas Shale - sandstone member

Tvh - Vine Hill Sandstone

Assemblage V

Tgvt - Green Valley / Tassajara Group

– Strike and dip of bedding

– Geologic Contact

– Axis of Anticline

– Axis of Syncline

– Fault (dotted where concealed; dashed where location approx.)

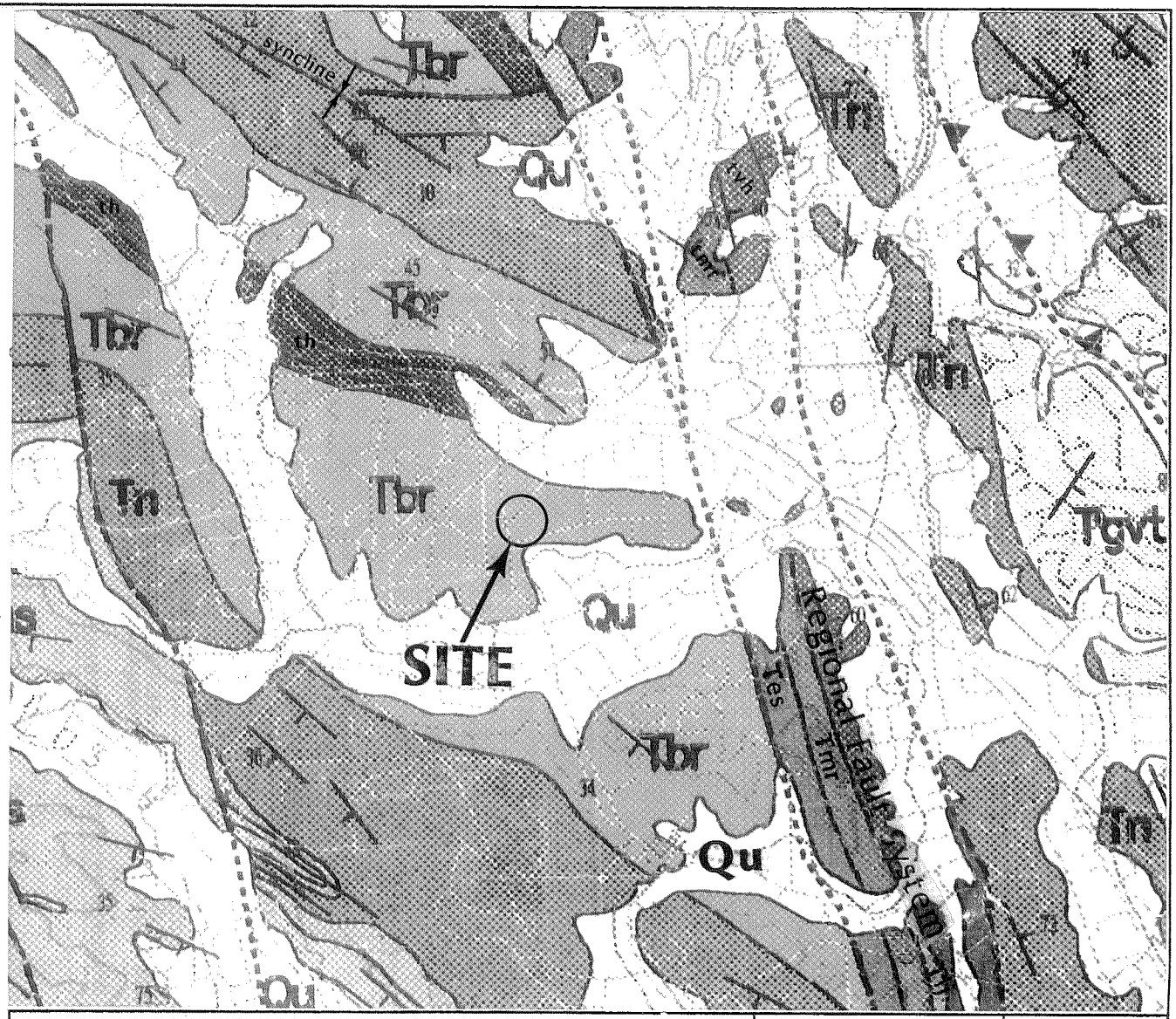


Figure 1

U.S.G.S. Geologic Map

source: Open File Report 94-622

Graphic Scale: 0 0.5mi.

n

afc

Artificial fill or cut

Qsw

Slopewash
Soil and rubble

Qal

Alluvium

Qtg / Qt

Terrace deposits
Gravel, sand, silt and clay.
Locally capped by gravel (Qtg).

To / Top / Tom

Orinda Formation
Generally soft sandstone, siltstone, and claystone, some hard sandstone and conglomerate units.

Top = Pinole member
Tuff, tuff breccia and tuffaceous sediments.

Tom = Moraga Basalt member
Vesicular and dense nonvesicular basalt.

sh / Tn

Neroly Formation
Sandstone and shale grading upward to increasing proportion of shale and some conglomerate. sh denotes two main shale units.

Tc

Cierbo Sandstone
Massive to well bedded, fine to coarse grained, abundantly fossiliferous sandstone.

Tba / Tbs

Briones Formation

Tba = Shale member
Clay shale and shaly siltstone. Fossiliferous sandstone unit not everywhere mapped.

Tbs = Sandstone member
Mostly fine- to coarse-grained sandstone interbedded with shaly siltstone and mudstone.

Tr

Rodeo Formation
Shale: porcelaneous fissile and friable mudstone, argillaceous siltstone and shaly fine-grained mudstone, sandstone.

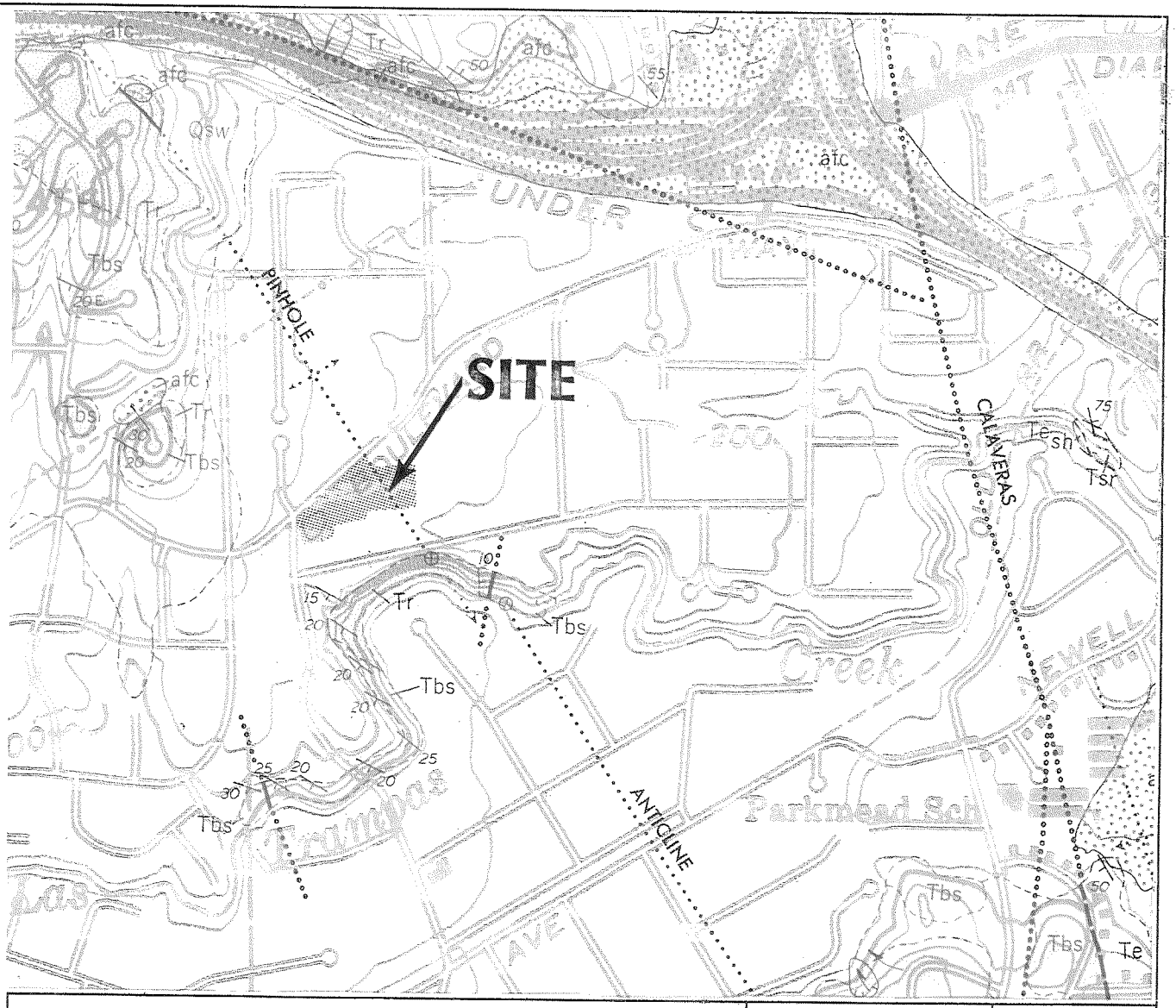


Figure 2

Saul Geologic Map

source: CDMG Map Sheet 16

Graphic Scale 800'
0

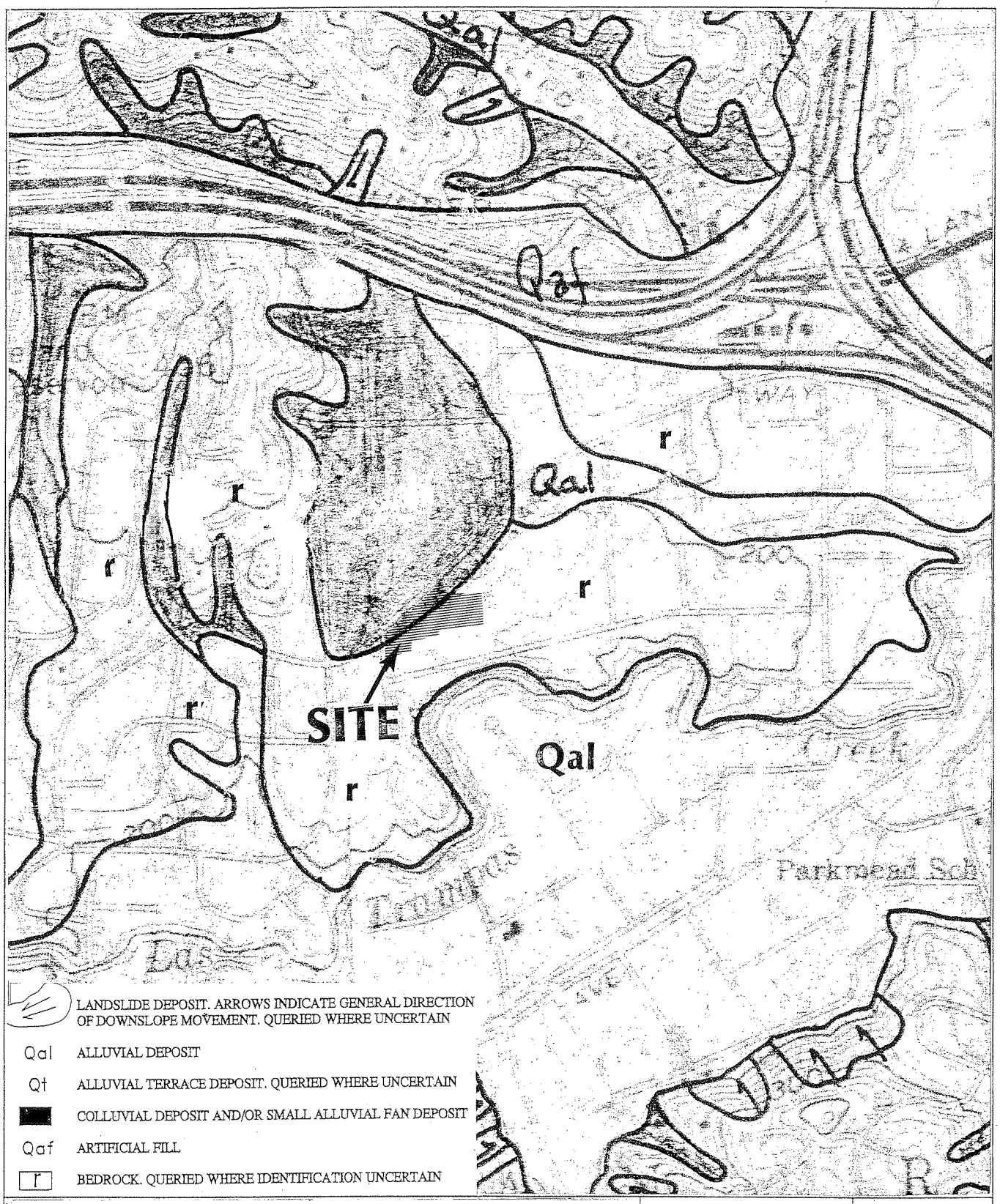


Figure 3

Landslide & Other Surficial Deposits Map

source: Nilsen(1975)

Graphic Scale:

0 800 ft.

Exhibit F

October 3, 2011
Zoning Administrator
Determination on Adequacy of EIR

Transcript

Two Letters Received

TRANSCRIPTION: WEDNESDAY, OCTOBER 3, 2011, 3:30 PM
CONTRA COSTA COUNTY ZONING ADMINISTRATOR MEETING
ITEM #10 – SUFISM REORIENTED
FILE #LP08-2034 & MS09-0008

PAT ROCHE: First up, we have Marie Cooper with the applicant's law firm.

MARIE COOPER: Good afternoon. My name is Marie Cooper. I'm with the law firm of Perkins Coie and I represent the applicants, Sufism Reoriented. We started this project back in 2008. It's been well over three years of study. We've done more study than would normally be required for a project this size. County has a rule saying traffic studies are not required if you're going to generate less than 100 trips during peak hours. We none the less agreed to do a traffic study. We requested the County to prepare an EIR even though every study we had showed that a mitigated negative dec would be appropriate. The County has studied this extensively. It's been a very long, very expensive process and we have a full comprehensive document before us. The only issue that I can see in there is a practical one, not a legal one, and that it was difficult to find where the revisions to text in the Final EIR had been made. I submitted a chart to the County where we went through and detailed where you could find each of those revisions to text in the Final EIR. We urge that you recommend certification of this document is adequate and completed in compliance with CEQA. I would like to reserve any time at the end in case there are questions.

PAT ROCHE: Thank you. The next speaker is Patricia O'Leary.

PATRICIA O'LEARY: My name is Patricia O'Leary and I live at 1305 Boulevard Way in Walnut Creek. As a member of Sufism Reoriented, I coordinate large sewing projects like making gowns for the singers in our performing chorus, smocks for the teachers at the Meher school or dancewear for performers in our devotional programs. We have no room for these activities in our current church building, so for several years we've had the living room of my home entirely filled with sewing machines and tables of sewing equipment. I will be very grateful for this new building and its adequate space for activities like sewing that support the ways that we express our devotion. It's a relief to me to see the EIR rejected the alternative of a smaller building because I know our need for space. I want to say thank you to the County for recognizing this.

PAT ROCHE: The next speaker is Tom Smith.

TOM SMITH: My name is Tom Smith. My wife and I live at 27 Camino Posado Court on the south side of Warren Road above the creek. Our home is on the creek. Many of my neighbors were concerned about the exasperation possibly of erosion along the hillside above the creek so I was pleased to see the thorough and scientific investigation that the EIR took to this issue of vibration from excavation and construction activities. That is very reassuring.

PAT ROCHE: The next speaker is Ivy Summers.

IVY SUMMERS: I'm Ivy Summers and I live in apartment 311 at 1336 Boulevard Way. My apartment is an end unit right next to the sanctuary site. My bedroom and my living room face Boulevard Way and I've been thinking about how the noise of construction and trucks coming to the site will affect me. I understand that there is always disruption during periods of construction and that's a necessary cost for a neighborhood to bear to benefit from long term improvements. From the mitigations described in the EIR, it looks like construction noise will be kept to a minimum and will be well within normal working hours. I'm sure that everyone wishes that the building could just appear on site without going through a construction phase, but obviously that is not possible. I appreciate that the EIR sets clear limits on the noise that will be generated by the project. I think this is one of those tradeoffs where there is a short period of inconvenience and then there is the reward of a beautiful sanctuary. Thank you.

PAT ROCHE: Thank you. The next speaker I have is Lorraine Granite.

LORRAINE GRANITE: My name is DR. Lorraine Granite. I live at 1312 A Boulevard Way, Walnut Creek and I also have a psycho therapy office on Boulevard Way. I managed Sufism Reoriented's Traffic Management Plan which limits the number of cars parking at the church. Four years ago, we set a limit of 71 cars for our regular meetings with the exception of one night within the first few nights of inception. We have met that goal for every regular meeting every year. To do that, one half our members walk and others carpool. Even though our TDM plan is not a CEQA topic, I am pleased to see that the EIR writes about our TDM plan in a very knowledgeable and positive way. The County has gained a good understanding of the benefits of our plan and that speaks well of a plan like ours and that speaks well for the quality of this entire EIR. Thank you.

PAT ROCHE: Thank you. The next speaker I have is Ken Hastings.

KEN HASTINGS: My name is Ken Hastings. I live at 1310 A Boulevard Way in Walnut Creek. I was concerned about the possible problem of increased traffic in the neighborhood, so I was pleased to hear that that was addressed. I have grandchildren in the area and it means a lot to me to be able to walk in the neighborhood with my grandchildren. I'd like to praise the EIR and the County for addressing this traffic question. I was relieved to read that there will be no significant increase. Thank you to the County for this evaluation. Thank you.

PAT ROCHE: Thank you. The next speaker I have is Terry Hogan-Johnson.

TERRY HOGAN-JOHNSON: My name is Terry Hogan-Johnson and I live across the street. My husband and I both live across the street for the proposed driveway entrance to the new sanctuary and we fully support the project. I was heartened especially to learn and impressed with the consideration that was given to the night-time lighting. I just

really wanted to thank the County for the thorough report that they had done and giving consideration to the issues that were of concern to my neighbors. Thank you.

PAT ROCHE: The next speaker I have is J. David Dacus.

David Dacus: My name is David Dacus and I live and work at 1308 C Boulevard Way, Walnut Creek and that's a few hundred yards from the project site. I'm a board member and chairperson of the application review committee of the Saranap Community Association. I'm an architect and planner in private practice in the Saranap and I've written design guidelines for all building types on projects as large as a 45,000 person community and as small as individual offices and homes. I've served on design review committees and design consistency review boards for city and county building authorities and I'm currently under contract to both types of planning authorities to perform design review services to residential, commercial and civic projects. I'm very familiar with EIRs and the CEQA process and have followed with interest several projects that have required their preparation in the Saranap area and in other areas of California. I can whole-heartedly say that I have not seen one that is more thorough than this project before you and it is not for a building complex or a whole town, but rather for a single neighborhood worship facility. Our community association has followed the proceedings for almost four years as preliminary designs were prepared and shared with our association and then formally submitted to the Department of Conservation and Development in July of 2008. The SCA has held three open and advertised public meetings on this project to allow neighbors to share their opinions and concerns and we have had representatives of the DCD such as yourself and the applicant speak at our meetings. We have spent many hours reviewing this project and discussing it with DCD staff, our members, and our elected board of directors. Results of these public meetings have each time been presented to the DCD to inform your process that you followed prior to and during the development of the Draft EIR. The result of the public meetings have been utilized in scoping for the Draft EIR and in meetings presenting the Draft EIR. The results have also been utilized in official letters from the SCA boards recommendations to the DCD regarding the project. We have been consistently heartened by the balanced and respectful treatment of all views expressed by our members and neighbors who have attended our meetings to make their views known. Those views on this project, whether in favor or opposed, have been met with care and diligent attention by the County staff. This is reflected in the final product of the revised Draft EIR, the comments and responses and the mitigation and reporting documents before you today. The SCA application review committee has not had a single disappointment about the thoroughness and completeness of this document. Having read all the revised draft, the responses to comments and the mitigation and reporting program, we are assured of both the completeness of this document in every aspect and in the painstaking care in which the County's EIR consultants have examined the CEQA sections and made their decision in each case. We have found no area of concern unexamined and examined in thorough and even frequent ways. We are grateful to those outside independent consultants who have evenly examined the work in such detail and we are also grateful to the applicant and their support team who have answered every question we have posed and who have lent themselves to our review process in an open and helpful way. The SCA board and an

impressive majority of our membership and neighbors are in support of the conclusions of the revised Draft EIR. We urge your certification of it today on behalf of the whole Saranap community; we thank you and the County DCD staff for your efforts and for your diligence and professionalism.

PAT ROCHE: With that, I'm going to call the next speaker, Wayne Fettig.

WAYNE FETTIG: My name is Wayne Fettig. I live at 178 Kendall Road in Walnut Creek. I am here on behalf of the Saranap Homeowners Association. I am the president. I have here a letter from our legal counsel that is too lengthy to read in front of you so I will just submit this and I'll sit down. Thank you.

PAT ROCHE: For the record, the Department did also receive that letter from Mr. Flash. The next speaker that I have is Marvin Rassmassen.

MARVIN RASSMASSEN: Good afternoon. I'm Marvin Rassmassen. I live at 2434 Warren Road, Walnut Creek, California. My house is adjacent to the building, the parsonage and adjacent to the property of the proposed construction area. I object to the construction for the removal of approximately 58 trees and the evacuation of the soil that's going to cause noise pollution and diesel pollution of the neighborhood. Another thing I want to address is the verging of seven lots into one parcel to create 3.12 acre lots and the use of a driveway off of Warren Road which was meant for three or four single family residences. This driveway through legal is for them to use, but I object to the use of that driveways since they are combining seven lots together. The driveway was never meant for that. They have a parsonage which is 11 Whitehorse Court and the other six are all off of Boulevard Way. The accesses are all off of Boulevard Way and I would ask the County to ensure that the parsonage and all buildings built on the property have access from Boulevard Way and no access from Warren Road. Thank you very much.

PAT ROCHE: Thank you. The next speaker I have is Tim Lynch.

TIM LYNCH: Good afternoon. My name is Tim Lynch. I live at 2735 Acacia Road which is two blocks from the proposed project. I want to address the parking and traffic that I don't think was addresses fully in the EIR. The Sufis are now using the parking lot for the office building next door to the current center for their regular events as well as the lot in their center. Both lots were filled to capacity for many events as well as overflow parking on Boulevard Way and neighboring residential side streets. The Sufis propose to use their Mayher School parking lot with shuttle service for their special events. The school is owned by the Lafayette School District and leased to the Sufis. The neighborhood swim club directly across the street from the school has used this parking lot for years numerous times for their swim needs. On the days of their meets, the entire lot is full as well as parking on both sides of the streets for a five to eight block area around the school. The school parking lot was also used for parking when the athletic fields are being used by the Lafayette sports leagues. The overflow of parking at the school will double up on the days when the Sufis have a special event and other groups are parking in the school lot and the surrounding neighborhood. How many

vehicles are going to be used for parking for the Sufis for the special events off site? Is that figure in the EIR? How many times per month or per year is my neighborhood going to be impacted by vehicles and shuttles traversing from their proposed project through our neighborhoods to the school? How many blocks of my neighborhood will be impacted with the Sufi which leases the school refuse to allow the swim club or the Lafayette athletic teams on games day to use their lot? How many blocks of parking would be needed to accommodate all these vehicles on the same day? I urge you to carefully consider these facts and others presented to you in determining whether this proposed project is contusive with our neighborhood and if all these matters have been adequately addressed by this EIR. Thank you.

PAT ROCHE: Thank you. The next speaker I have is Patricia Perry.

PATRICIA PERRY: Patricia Perry. 30 Meek Place, Lafayette, California. When I first heard about this project, I said so what's the problem? Then I found out it wasn't going to be located right near the existing facility but down the street at the corner and that was when I knew our neighborhood had a problem. I commented on the EIR and I'm here now because I could give you 50 reasons why I think the EIR is not adequate. I only have three minutes. What I wanted to point out is what I learned in my professional life is that the assumptions frame everything. What the County has done is assumed the lowest possible impact of this project. They've assumed the parking can be 71 spaces, even though the County ordinance specifically says, assembly halls without fixed seats one space for each 40 square feet of gross area. Other cities and counties have different ordinances, but that is Contra Costa's ordinance. So what does Contra Costa say in the FEIR? They say well we don't typically follow or ordinance, this is how we do it. We interpret it other than the exact wording of the ordinance. That is an example of what's happened all the way throughout this project. There is a tree ordinance. The tree ordinance talks about preserving heritage trees, but because they can only fit 71 spaces and I don't call it 72 because I don't count the parsonage space, because they will do anything to have it down to that corner where it's unsafe everything else is being excused away. By the way, I've lived there 33 years and I decided in about the first month of living there that that was an unsafe corner before the sanctuary was ever proposed. Thirty three years of using that corner and knowing it's unsafe. Sufism says themselves in the statement they submitted that they intend to have events and as I've pointed out, the County has assumed away everything. They assumed that the EIR can be based on exactly what's happening now in a much smaller facility. I don't know if you're familiar with the Lafayette Park Hotel, but things do change over time. I'm actually mixing two points here. I asked the staff in the city of Lafayette, how did you ever approve the Lafayette Park Hotel with that much parking? They said they hoodwinked. Now I'm not suggesting that the Sufis are hoodwinking the County but I am suggesting that it was City of Lafayette's responsibility to look into how much parking a facility of that size needed and we are talking about a 66,000 square foot facility that's going to be there in perpetuity, let's hope for they're sake. Anyway, as someone who grew up in Oakland I have seen many churches change hands over the years and I think the County has neglected its responsibility to give an analysis of the probably impact of the 66,000 square foot facility by assuming away and assuming its going to be the same as a 5 or

10,000 square foot facility. I'm sorry I don't know the square footage. Thank you for your time.

PAT ROCHE: With that, I have two more remaining speaker cards. If anyone is intending today, please fill out the green speaker card. The next person I have listed here is Matt Isaacs.

MATT ISSACKS: Hello my name is Matt Isaacs. My wife and I live at the corner of Boulevard Way and Kinney Drive and 2691 Kinney Drive. We are thrilled with what a complete job the County has done in considering the potential environmental impacts and providing mitigations that will lessen all impacts to less than significant. We are especially pleased that the new plantings designed by Sufism Reoriented architects will created not only an interesting and artistically arranged palate of 100's of trees but that a new view of Mount Diablo will be opened for those approaching Boulevard Way along Kinney Drive. Thank you.

PAT ROCHE: My last speaker card, Teresa Montgomery Huffson. I hope I pronounced that correctly.

TERESA HUFFSON: My name is Teresa Huffson. My husband and I recently bought the house at 2471 Warren Road which is adjacent to the south side of the sanctuary site. We were pleased to see that the EIR thoroughly addressed the issues of the stormwater runoff. It was wonderful to learn that there would actually be less water runoff after the construction than there is now. We are grateful for the extensive use of pervious materials in the driveways and parking lots. Thank you.

PAT ROCHE: That's the end of the speakers that I have green cards for. I also want to acknowledge for the record we have two other letters that have come in response to the Final EIR. We have received a letter from a person by the name of Joyce Coleman who lives at 7081 Hilton Road in Walnut Creek and I will submit that for the record for purposes of the hearing today. Also, we have received a letter from the law firm representing the applicant, Perkins Coie from Marie Cooper. I just want to acknowledge that we have received those two letters also in addition to the letter from Mr. Flashman. As I noted at the outset, the purpose for the Zoning Administrator hearing is on the adequacy of the Environmental Impact Report. It is not on the merits of the project. That will be the subject of a hearing before the County Planning Commission which is coming up here in the month of October. I'm sure all of you will be aware of that when that meeting is finally noticed for the public hearing. I have completed my review of both the Draft EIR and the Final Environmental Impact Reports. Both volumes I and II including all appendices referenced therein for the project entitled New Sanctuary for Sufism Reoriented. The project entails the County approval of a land use permit and minor subdivision to construct a new 66,074 square foot sanctuary building on a 3.12 acre site at the 1300 block on Boulevard Way in the Saranap neighborhood. I find that this EIR has been prepared with a sufficient degree of analysis to provide the County decision-makers with information about the project's physical effects in order to make a decision about the overall project. The EIR meets the requirements of the California

Quality Act otherwise known as CEQA in that it identifies significant effects on the environment of the proposed project. It evaluated a reasonable range of alternatives to the proposed project and it identifies feasible mitigation measures to mitigate or avoid significant effects of the proposed project. As required by CEQA, the Final EIR Volume II includes a response to comments submitted on the Draft EIR. The response to comments portion of the Final EIR is thorough providing master responses to comments to the many letters with common underlying themes and individual responses to more specific comments in comment letters. The responses provide a reasoned analysis addressed significant environmental issues raised in the comments and importantly explained why certain suggestions about the projects environmental effects are being rejected and for proceeding with the project despite the environmental effects. Volume I of the Final EIR includes the entirety of the Draft EIR with boldface underline and strike-out to where the text and one figure have been revised. I would note that these revisions primarily relate to new information to clarify existing information and do not constitute substantial change to the analysis and/or conclusions in the final EIR. It is for these reasons that I am recommending certification of the EIR to the next hearing body which would be the County Planning Commission. As a final note, I would recommend that Volume I of the Final EIR include a note that clearly indicates to the reviewer that the Draft EIR has been printed in its entirety with changes to the text that are signified by strikeout where text has been removed and by underlining bold text where the new text is added. I am normally accustomed to reviewing Final EIRs where it's just the portion of the Draft EIR that's been revised. In this case, our consultant chose to provide the entirety of the text of the Draft EIR. With that, I'm also recommending that the staff provide a table as a simple guide to enumerate by chapter where the text changes have occurred to make it simpler for decision makers and/or other reviews to track where these changes have occurred. With that, that concludes the Zoning Administrator's hearing. The next step in this process is the hearing before the County Planning Commission. Thank you.

RECEIVED 10/2/11

ZONING ADMINISTRATOR HEARING
AGENDA ITEM # 10

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October 3, 2011

Hearing Officer
Contra Costa County Dept. of
Conservation & Development
651 Pine Street, 4th Floor – North Wing
Martinez, Ca 94553

RE: Final Environmental Impact Report for New Sanctuary for Sufism Reoriented Project (SCH #2010032038).

Dear Hearing Officer,

I am writing on behalf of my client, the Saranap Homeowners Organization, to comment on the Final Environmental Impact Report ("FEIR") for the above-referenced project (hereinafter "Project'). While my client appreciates the time and effort that the County and its consultants have put into preparing the FEIR, We must protest the proposed certification of the FEIR as being adequate under the California Environmental Quality Act ("CEQA"). As explained more fully below, the FEIR fails to fully document the Project's potentially significant impact. Further, contrary to the FEIR's conclusions, the proposed mitigation is not sufficient to reduce all potentially significant project-associated impacts to a level of insignificance. Finally, especially because the FEIR cannot demonstrate, based on substantial evidence, that all project impacts can and will be mitigated to a level of insignificance, the FEIR is inadequate in its consideration of project alternatives. Each of these points will be explained in greater detail below.

THE FEIR FAILS TO IDENTIFY ALL POTENTIALLY SIGNIFICANT IMPACTS

I, and others, submitted numerous letters during the scoping of this EIR identifying potentially significant project impacts. When the Draft EIR was released, many comment letters, including one that I wrote on behalf of my client, were submitted. Both the scoping and comment letters identified potentially significant impacts beyond those the County identified in its Notice of Preparation and in the DEIR. Nevertheless, the FEIR has refused to acknowledge the additional potentially significant impacts, and has therefore failed to consider how these impacts might be mitigated or avoided. Potentially significant impacts that the FEIR failed to acknowledge include the following:

- Visual and aesthetic impacts
- Public services (fire protection) impacts
- Land use impacts

In terms of visual impacts, the FEIR claims that the large white domes making up the project will have no significant visual or aesthetic impact, other than a potentially significant night time impact as a source of glare. The FEIR fails to consider the Project's visibility and the inconsistency of the proposed architectural style and scale of the facility with the surrounding architectural style and scale. The FEIR also underestimates the visual impact of the Project buildings due to their scale and incongruous style, which will combine to make them "stick out like a sore thumb."

Unlike *Bowman v. City of Berkeley* (2004) 122 Cal.App.4th 572, 589-590, this project is not being placed in the midst of a highly-urbanized city center. Rather, it is being placed in the context of an existing residential community made up almost entirely of small, single-family homes. The proposed complex of large domed buildings, plus the very long, six-foot high white barrier wall surrounding the property, will be entirely out of keeping with the visual style and scale of the surrounding structures. Based on this, the EIR should have identified a potentially significant visual impact and should have considered, in its alternatives section, alternatives that might reduce that impact, including a project made up of structures with a reduced maximum height or with an architectural style more harmonious with the surrounding structures, as well as the proposed "campus" alternative that would reduce the Project's visual impact by spreading it through the community, rather than concentrating it at one site. As it stands, the Project fits in about as well as a modern office building would in historic Williamsburg.

As to public services impacts, it was pointed out in my DEIR comment letter that the proposed emergency vehicle access ("EVA") would use a driveway that is subject to a private easement. The FEIR points to a letter from the County fire marshal indicating that the proposed EVA would be acceptable <u>from a fire protection standpoint</u> so long as certain conditions were met. (FEIR Appendix C.) However, that letter does not address the question of whether the use of the driveway is feasible from a property impacts standpoint. As noted in my comment letter, extending the existing mutual private driveway easement, intended to service four private dwellings, to service a large religious complex would overburden the easement and be objectionable on that basis. The FEIR provides no evidence to indicate that the easement has been modified by the written and recorded mutual consent of all the participating property owners to allow its expansion to an EVA for the Project. Without that, the proposed EVA, in violation of the existing easement, cannot be considered feasible. The fire marshal's letter did not address the question of whether the Project would be acceptable without this EVA or an alternative EVA, but the implied answer (given his insistence on required conditions on the EVA) is that it would not. Thus, barring evidence showing use of the EVA would be feasible <u>from a property rights standpoint</u>, there is an unacknowledged significant fire protection impact.

Finally, as to land use impacts, the County's zoning ordinance specifies findings that must be made in order to grant the required use permit. In particular, the DEIR failed to address the non-religious uses that would be included within the Project and whether those uses would satisfy the requirements for a use permit. The failure to address these questions not only violates CEQA, it leaves the Planning commission without the necessary information to consider whether to grant the requested use permit.

THE PROPOSED MITIGATION MEASURES ARE INADEQUATE

For those uses identified as potentially significant, the FEIR sets forth mitigation measures which it claims will suffice to reduce Project impact to a level of insignificance. However, many of these mitigation measures are either inadequate on their face or include insufficient details or requirements to assure the mitigation of significant Project impacts. The mitigation measures need to be revisited or revised to assure that potentially significant Project impacts will be adequately mitigated.

Aesthetics (light & glare)

While the FEIR identifies the need to ensure that night time lighting of the domes does not result in significant light and glare, it does not identify how that mitigation measure will be monitored or enforced. Nor does it identify clear, objective, and enforceable standards for the mitigation that would assure mitigation of the Project's night time glare impacts[1]. These need to be identified in the EIR and included in the Mitigation Monitoring and Reporting Program ("MMRP"). The monitoring and enforcement needs to be such that it will continue to be effective in the long-term, (i.e., monitoring and compliance cannot be limited to assuring compliance prior to issuance of an occupancy permit, because the type of lights used and the timing of the lights turning on and off could be changed at a later time) and independent of County budget cutbacks.

Air Quality

During construction, either excavated soil should not be allowed to be stored on-site, or any on-site soil storage areas must be watered twice daily and covered to avoid creating dust. This mitigation measure needs to be added to those identified in the FEIR.

Geology & Soils

The mitigation measure requiring the applicant to repair or correct any damage caused to surrounding buildings due to soil shifting, subsidence, groundwater changes, or construction-related vibrations cannot be relied upon unless a sufficient bond is provided to assure that money will be available to make necessary repairs. The size of the bond should be identified through a licensed professional's consideration of the potential costs to repair the structures on lots close enough to the Project site to have a significant risk of structural damage due to any of the above-referenced project-related impacts. The bond should be held for a minimum of one year after the finish of construction to take into account the potential for delayed or latent damages.

Hydrology

The EIR notes that the Project will decrease impermeable surface coverage of the Project site, and assumes this, plus the SCP for the Project, will mitigate any groundwater impacts. As pointed out in my comment letter, both the pervious pavers and the SCP are intended to reduce <u>surface</u> stormwater run-off from the site. The presumption is that once stormwater goes below the surface and becomes groundwater, it is no longer of concern. This is incorrect. It is well know that, depending on the subsurface hydrology, groundwater can resurface elsewhere at a lower elevation as springs or seeps and re-enter the surface water system, potentially contributing to downstream flooding. This potential is neither considered nor analyzed. The FEIR includes no analysis of off-site groundwater flows and makes the unwarranted assumption that the additional stormwater run-off shunted underground through the use of pervious pavers will not have any significant impact on groundwater or surface water flows off-site. The analysis needs to be revised to explain what will happen to

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[1] The FEIR identifies loss of night sky visibility as the only significant impact to be mitigated. Night time visibility and visual obtrusiveness should also have been identified. Brightly lit monuments may be appropriate in Washington D.C., but they do not fit in a suburban residential community.

stormwater flows that are diverted underground, and provide assurance, especially with the disturbance in groundwater flows introduced by placement of the large underground foundation, that there will be no off-site impacts from increased or diverted groundwater flows.[2]

Traffic

The FEIR's analysis of the Project's potential traffic impacts was conducted under the assumption that the project's proposed TDM Program as well as on the location of most of the Project sponsor's members walking to and from activities occurring at the Project. However, there is no long-term requirement that members of the Project sponsor continue to walk to and from activities at the Project. A condition of approval needs to be added as a mitigation measure requiring that the Project sponsor demonstrate, on an annual basis, that the number of members driving to and from Project activities on a regular basis not exceed 200 during any peak hour period. Violation of this condition would require re-evaluation of the Project sponsor's TDM program and the imposition of additional requirements and incentives designed to reduce the number of vehicles entering or leaving the Project during peak hours. Incentives should include the potential to require paid parking for onsite parking spaces, at least during peak hours, with the proceeds to be used to promote alternative travel modes in the area.

ADDITIONAL ALTERNATIVES SHOULD HAVE BEEN CONSIDERED

Given the Project's significant visual and aesthetic impacts (see above), at least one alternative should have been considered that would have decreased these impacts. In particular, an alternative that reduced the maximum height of the Project's building and/or required that the Project buildings be redesigned to be less obtrusive in their architecture (e.g., building shape and color) should have been considered and discussed. As also noted above, a campus alternative should also have been discussed, rather than just being dismissed as not achieving all of the Project sponsor's objectives. Just because an alternative does not achieve all the project sponsor's objectives does not make it infeasible and is not a sufficient reason, in itself, for refusing to consider an alternative. (CEQA Guidelines §15126(d)(1); *Friends of the Eel River v. Sonoma County Water Agency* (2003) 108 Cal.App.4th 859, 873; *Citizens for Responsible Government v. City of Albany* (1997) 56 Cal.App.4th 1199, 1222.)

Given the potential infeasibility of the current proposed EVA, an alternative should have been added that looks at an alternative EVA or other way of mitigating the Project's potentially significant impact on fire safety and fire protection.

CONCLUSION

The current FEIR fails to meet CEQA's mandate of providing a good faith effort at full disclosure of significant project impacts and how they could feasibly be mitigated or

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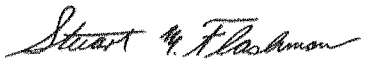
[2] It should be noted that comments from nearby neighbors indicate that there are already problems with basement flooding from existing subsurface flows. These problems are likely to be exacerbated if the project increases those flows. In addition, increased subsurface flows could increase slope instability, leading to the potential to foundation damage or even slides. These risks should have been investigated and discussed in the EIR.

avoided. The EIR should be rewritten to address the flaws identified in this letter and the revised EIR recirculated for additional public comments.

Most sincerely,



Stuart M. Flashman

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ZONING ADMINISTRATOR HEARING
AGENDA ITEM # 10

October 2, 2011

Ms. Catherine Kutsuris
Director, Department of Conservation and Development
Contra Costa County
651 Pine Street
North Wing, 4th Floor
Martinez, CA 94553

Subject: Proposed 66,074 sq. ft. Sanctuary Project in Contra Costa County, County File #'s LP082034 and MS090008

Dear Ms. Kutsuris:

This letter requests the County Zoning Administrator to not certify the current version of the Final EIR, for the above-reference proposed Sanctuary Project, because the off-street parking requirement is inadequate based on the following reasons:

1. Page 2-26 of the Final EIR, Volume II, Master Response 7, states, *"At about 5,000 square feet in area (including the space between pillars as well as the space encompassed by the pillars), the prayer hall would thus trigger a requirement of 125 parking spaces under County Code Section 82-16.018 ... **This application of County standards represents the manner in which the County typically applies and interprets its requirements, including the interpretation of "gross floor area" to encompass only the prayer hall space. County practice is not to include space that does not comprise part of the assembly area, such as hallways, foyers, or the ambulatory surrounding the prayer hall.**"* [Emphasis Added]

   I take exception to the typical application of Contra Costa County (CCC) Code Section 82-16.018 with regard to the Prayer Hall because this proposed building is not typical. It is highly unusual for an assembly area to be surrounded by such a large continuous areas (termed foyers in this instance) that is not being counted toward gross floor area in order to determine required off-street parking. The FEIR incorrectly claims that the Prayer Hall building only triggers a parking requirement of 125 spaces under CCC Code Section 82-16.018. I call into question the validity of following what was said to be the "typical" application of CCC County Code Section 82-16.018 in this particular instance where the foyers are a continuous part of the assembly area and amount to an additional 6,848 sq. ft. of assembly hall space (four continuous foyers at 1,737 sq. ft. each that are continuous with each other and are a part of the "assembly area"). Please refer to the photo below labeled Figure 1. Contra Costa County should not follow their stated "typical" application of the off-street parking code because the foyers are continuous and together dwarf the limited 5,000 sq. ft. of Prayer Hall "assembly area" space that CCC is using to calculate required off-street parking spaces for this project. When CCC is dealing with an "assembly hall" with no fixed seating, how many times have they encountered such large multiple foyers continuous with each other and a part of the "assembly area"? Contra Costa County Code Section 82-16.018, which is very clear about the off-street parking requirement, states: *"Assembly halls without fixed seats: **One space for each forty square feet of gross floor area**"* [emphasis added]. This CCC code makes no exception for hallways, foyers, or ambulatory surrounding area.

If CCC feels the design of the proposed sanctuary prayer hall is typical, I request CCC to provide an example of a religious facility where a continuous foyer, larger than the "calculated assembly area," was not included in the final calculation to determine required off-street parking places. I suggest that, in this particular case, the proposed prayer hall pillar design does not separate the continuous foyers from the assembly area adequately to qualify for what CCC says is a "typical" application of CCC Code regarding foyers. Based on CCC code, using the continuous gross floor area of the assembly area would require 246 off-street parking places instead of the 125 required off-street parking places stated as required with this FEIR. While someone may be able to understand or accept a minor exception to the CCC off-street parking code, it is not acceptable to evaluate parking requirements based on 5,000 sq. ft. of an "assembly area" when 11,948 sq. ft. of continuous and usable "assembly area" exists for planned events at the facility (such as weddings as mentioned in paragraph 2 below).

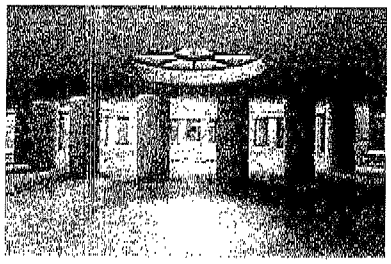

Figure 1. Interior of Prayer Hall building showing continuous foyers continuous and a part of the "assembly area"

2. Page 2-7 of the Final EIR, Volume II, Master Response 3, states, *"The Draft EIR evaluates the environmental effects of the project* ***based on the program of uses presented in Table 3-1.*** *Based upon* ***historical use*** *of the existing facility at 1300 Boulevard Way as well as uses in the surrounding neighborhood, this program of activities represents a reasonable forecast of the use of the new facility. The project does not include a large outdoor spring event.* ***Such events,*** *if proposed, would be subject to the County's Temporary Events Ordinance (Chapter 82-44). The comments proposing that activities may change or that membership may increase are not* ***relevant*** *to the significance of the environmental impacts of this project. The streets have sufficient capacity that even a theoretical, several-fold increase in membership would not cause traffic to exceed the established Level of Service Standard.* ***Such a theoretical event would affect the need for parking,*** *but as explained below, the need for parking is not an impact under CEQA." [Emphasis Added]*

This FEIR statement, in Master Response 3, explains that <u>an event mentioned in the Comments to the DEIR</u> (that is not currently listed in historical or surrounding uses within Table 3-1 of Volume I of the FEIR) <u>would affect the need for parking</u>. Regardless of this fact, CCC continues to limit its FEIR evaluation of required parking spaces to uses listed within Table 3-1 (historical use at 1300 Boulevard Way and uses in the surrounding neighborhood). Regarding the need for adequate parking at the proposed facility, CCC must consider **planned usage** information (which is not theoretical) provided by the applicant that was included on page B-8 of Appendix B to the DEIR which states the proposed facility ***"will also be used for special occasions, such as weddings, bazaars, the Meher Schools graduation dinners, and so forth."*** Also, on May 22,

2011, the applicant held a "Children's Spring Party" open to the general public at their current parsonage on Boulevard Way that was advertised to the general public via a large sign on the outside wall of their current sanctuary and could be read by all Boulevard Way drivers (approx. 4,500 Average Daily Traffic). At a minimum, Contra Costa County is required to take these types of events into account when calculating the required parking spaces for the proposed off-street parking lot. The uses I have mentioned above are historical SR activities or planned uses of the proposed facility and cannot be ignored when determining the appropriate number of spaces for the proposed off-street parking lot.

For the above reasons, the FEIR, as is, should not be certified.

Sincerely,

Joyce A. S. Coleman
781 Hilton Road
Walnut Creek, CA 94595
925-408-4638

cc: County Counsel Sharon L. Anderson
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Hon. Gayle B. Uilkema
Contra Costa County Board of Supervisors
Fax: 925-335-1076

Ms. Lashun Cross
Senior Planner
Fax: 925-335-1250

County Zoning Administrator
Department of Conservation and Development
Fax: 925-335-1250

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ZONING ADMINISTRATOR HEARING
AGENDA ITEM # 10

Perkins Coie

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September 27, 2011

VIA E-MAIL

Lashun Cross
Senior Planner
Contra Costa County
Department of Conservation and Development
651 Pine Street,4th Floor, North Wing
Martinez, CA 94553-1290

Re: Final EIR
SCH No. 2010032038
County File Nos. LP082034 and MS090008
Client-Matter No. 76921-0001

Dear Ms. Cross:

Thank you for publishing the comprehensive Final EIR. It appears that alternatives is one of the more commonly-raised issues for this project. The Final EIR clearly explains why off site and reduced density alternatives (including the no project alternative) would not be feasible. This discussion reveals why the impacts associated with grading and excavation cannot feasibly be avoided, and why any archeological or historic artifacts discovered during excavation cannot feasibly be preserved in place. We appreciate the County's thorough review of alternatives.

The Final EIR includes the entire Draft EIR redlined to show revisions to text. We have compiled a chart that indicates where in the Draft EIR the redlined pages can be found. We suggest making this letter, including its chart, part of the Final EIR so that the public and decisionmakers have this information handy.

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Perkins Coie LLP

New Sanctuary For Sufism Reoriented Project
Edits made to the Draft EIR in the Final EIR

FEIR Page Number(s)	Section Number (Unless Otherwise Noted)
Chapter 1 Introduction	
This chapter contains edits that merely reflect the substitution of references to the Final EIR for references to the Draft EIR	
Executive Summary **(Edits to this chapter are duplicative of edits to the text that is summarized)**	
2-4	Mitigation 4.1-1
2-5	Mitigation 4.2-1
2-5 to 2-6	Mitigation 4.2-2
2-6	Mitigation 4.3-1
2-8	Mitigation 4.4-1
2-11 to 2-13	Mitigation 4.5-2a
2-19 to 2-20	Mitigation 4.8-2
2-20 to 2-23	Mitigation 4.10-1
Chapter 3 Project Description	
3-5	3.4 Project Components
3-9	Table 3-2 Project Variants: Key Difference
3-10 to 3-11	Landscaping
3-12	Storm Drains
3-36 to 3-37	Figure 3-14, Revised Truck Haul Route
4.1 Aesthetics	
4.1-9	4.1.3 Impacts and Mitigation Measures
4.1-15	Revised Figure 4.1-7, Viewpoint 3: Existing and Simulated View
4.1-19	Mitigation 4.1-1
4.2 Air Quality	
4.2-1	4.2 Air Quality Introduction
4.2-8	4.2.2 Attainment Status
4.2-15	Mitigation 4.2-1
4.2-16	Impact 4-2.2
4.2-17 to 4.2-18	Mitigation 4.2-2, including Table 4.2-7
4.3 Biological Resources	
4.3-1	4.3 Biological Resources Introduction
4.3-3	4.3.1 Existing Conditions
4.3-4	Revised Figure 4.3-1 Existing Tree Locations
4.3-15	4.3.2 Project Consistency with General Plan and County Code
4.3-17	Impact 4.3-1

FEIR Page Number(s)	Section Number (Unless Otherwise Noted)
4.4 Cultural Resources	
4.4-2	4.4.1 Archaeological Resources
4.4-10	Mitigation 4.4-1
4.5 Geology and Soils	
4.5-13	Mitigation 4.5-2a
4.8 Hydrology and Water Quality	
4.8-1	4.8 Hydrology and Water Quality Introduction
4.8-17	Mitigation 4.8-2
4.10 Noise	
4.10-12 to 4.10-13	Mitigation 4.10-1
4.13 Traffic and Circulation	
4.13-7	4.13.1, Bicycle and Pedestrian Facilities
4.13-14	4.13.3 Footnote 7 (pertaining to posted speeds)
4.13-23	4.13.3, Effects on Local Streets
4.13-25	Impact 4.13-2
4.14 Utilities and Service Systems	
4.14-2	4.14.1, Solid Waste
4.14-4	4.14.2 Footnote 7 (re Cal Recycle data)
4.14-10	Mitigation 4.14-1
5.0 Alternatives	
5-7	5.3.3, Alternative 3: Modified Right-of-Way Alternative
5-20	5.5.3, Transportation

Thank you for your attention to these matters.

Very truly yours,

Marie A. Cooper

cc: Robert Carpenter
Sanford M. Skaggs
w/ encl., via email