

Chapter 4

Revisions to Draft EIS/EIR

Introduction

This Chapter summarizes the key revisions made to the Draft EIS/EIR in response to comments received during the public review of this document between September 2, 2005, and December 1, 2005. Document revisions also resulted from changes in the HCP/NCCP described in Chapter 3.

The reader is directed to Volume I of the Final EIS/EIR for the specifics of text edits, additions and subtractions. Minor revisions and clarifications are not summarized herein, but may be referenced in the responses to comments in Chapter 2.

Key Revisions to the EIS/EIR

Chapter 2 Proposed Project and Alternatives

Updates to the Proposed Project

The description of the Proposed Project was updated per the changes in the HCP/NCCP which are summarized in Chapter 3 of this volume.

Chapter 3 Affected Environment

Revisions to Land Cover Acreages in Inventory Area

Land cover acreages within the Inventory Area were updated based on additional ground surveys conducted in spring 2003 and 2004, new color aerial photographs taken in the spring of 2003 and 2004, and updates to urban land-cover in May 2005 and February 2006. Accordingly, land-cover data reflects current conditions in most of the inventory area as of spring 2004 and land-cover types as of February 2006. For the most part, revision in land cover acreages were only incremental changes with exception of aquatic habitat which was reduced by approximately 1,400 acres from that noted in the Draft EIS/EIR. This substantial reduction was the result of correcting a GIS data error, which had counted the Los Vaqueros Reservoir twice in the Inventory Area.

Revisions to Housing Information

The existing setting for housing was added in response to comments concerned about potential impacts of HCP/NCCP acquisition on the ability of local cities to meet future housing needs.

Chapter 4 Environmental Consequences

Impacts to Land Cover Types and Biological Resources

Impacts to annual grassland increased approximately 30 percent in the initial UDA and 5 percent in the maximum UDA from the acreages previously identified in the Draft EIS/EIR. Impacts to alkali grassland and oak woodland/savanna, wetlands/ponds/sloughs, and cropland/pasture were all reduced corresponding to a reduction in the overall acreage of these land cover types in the inventory area. There were no revisions to impact levels for chaparral/scrub and riparian woodland habitats.

As a result in changes in conservation strategy, permit area, and consideration of interim projects, the impacts to biological resources were updated to reflect updated levels of impact and updated levels of mitigation provided by conservation measures.

Land Use Impacts Discussion

The land use impact discussion was updated in response to comments concerned with the impact of the HCP/NCCP on areas of potential future development within the newly adopted City ULLs in the cities of Antioch and Pittsburg. The impact discussion was also updated to clarify potential impacts on the Sand Creek Focus Area in Antioch.

Housing Impacts Discussion

The housing impact discussion was expanded in response to comments concerned with the impact of the HCP/NCCP on the ability of Antioch, Brentwood, Pittsburg, and Oakley to meet future residential housing needs, including affordable housing. The available residentially designated areas within and outside current city limits were analyzed in terms of potential conflict with medium and high-priority areas for HCP/NCCP acquisition. Given the overall areas available for residential development now and in the future and the limited amount of potential conflict, the final EIS/EIR reaches the same conclusion as the draft EIS/EIR in that the HCP/NCCP is not likely to result in a serious displacement of residential use such that local municipalities will not be able to meet their short, medium, and long-term housing needs.

Agricultural Impacts Discussion

The agricultural impacts discussion was updated in response to comments concerned with the impact of the HCP/NCCP on farmland to provide quantitative estimates of amounts of

significant farmland (prime, unique, and farmland of state importance) within HCP/NCCP acquisition zones. The final EIS/EIR reaches the same conclusion as the draft EIS/EIR in that the HCP/NCCP would not result in a significant loss of agricultural land.

Water Quality Effects of Covered Activities and the HCP/NCCP

The water quality effects of the HCP/NCCP as a whole were disclosed in various locations in the draft HCP/NCCP and in the draft EIS/EIR, but Section 4.6 of the Draft EIS/EIR did not discuss the water quality impacts of covered activities in a focused, explicit manner.

The Final EIS/EIR includes revisions that provide a more focused, explicit discussion of the potential water quality effects of covered activities at a landscape level. Effects on water resources have also now been quantified on a subbasin level (see Appendix K in the Final HCP/NCCP).

As presented in the Final EIS/EIR, water quality effects of covered activities include the following:

- The direct impacts to aquatic, wetland, and riparian habitat and other beneficial uses;
- Generation of construction-related and post-construction pollutants;
- Alteration of flow regimes and groundwater recharge as a result of impervious surfaces and storm drain collection systems; and
- Disruption of watershed level aquatic functions, including pollutant removal, floodwater retention, and habitat connectivity.

As described in the Final EIS/EIR, several key elements of the HCP/NCCP serve as mitigation for these landscape-level water quality effects of covered activities:

- **Direct impacts** – The HCP/NCCP requires all covered activities to minimize impacts to aquatic, wetland, and riparian habitat. Two key minimization requirements are Conservation Measure 1.7, which expands the required stream setbacks throughout the permit area, and Conservation Measure 2.12, which includes specific avoidance, minimization, and mitigation measures regarding wetlands, ponds, and streams. Where impacts are unavoidable, the HCP/NCCP requires compensatory mitigation for loss of aquatic habitats.
- **Construction and Post-Construction pollutants** – Control of construction period pollutants is a project-level consideration. All projects are reviewed through project-level CEQA review and the requirements of the Clean Water Act Section 402 cover projects of any substantial (> 1 acre) size, including preparation of a storm water pollution prevention plan. Regarding post-construction pollutants, the HCP/NCCP requires avoidance and minimization (Conservation measure 2.12), establishment of stream setbacks (Conservation Measure 1.7) and maintenance and improvement of hydrologic conditions and minimization of erosion (Conservation Measure 1.10). Conservation

Measure 1.10 incorporates Provision C.3 of Contra Costa County Clean Water Program's amended NPDES Permit (Order R2-20030-0022; Permit No. CAS 002912) into the overall HCP/NCCP compliance. The C.3 standards include development of storm water treatment controls such as detention basin; implementation of a verification program; control of peak runoff flows and volumes through a Hydrograph Modification Management Plan; provision of compensatory mitigation where on-site mitigation is impractical; limit the use of storm water controls that function as infiltration devices to protect groundwater quality and local stream hydrographs.

- **Alteration of flow regimes and groundwater recharge** – Covered urban development in the lower part of the watersheds of project area subbasins could alter flow regimes and groundwater recharge. However, the relative impact of such development is attenuated due to the existing level of alteration within the cities that has already occurred. With the HCP/NCCP, large portions of the upper watershed of area subbasins will be conserved in perpetuity which will maintain the extant flow regimes and groundwater recharge in these conserved areas while Conservation Measures 1.7, 1.10, and 2.12 provide for additional protection of beneficial uses of aquatic resources in the permit area and protect stream hydrographs and groundwater quality in the lower watershed. Without the HCP/NCCP, there would likely be greater amounts of development within the upper watershed, which would result in a greater amount of flow alteration and further restriction of groundwater recharge. There also would be less stringent development controls in the lower watershed, which would result in greater amounts of runoff and/or direct infiltration of urban pollutants into groundwater. Given ongoing population growth and the requirement that cities meet their regional housing allocations, development will continue to occur within the eastern part of the County. By supporting development within and adjacent to existing developed areas on a broad basis, the hydrograph of local streams, groundwater infiltration potential, water quality, and riparian connectivity would be better maintained in the longer run.
- **Disruption of watershed level aquatic functions, including pollutant removal, floodwater retention, and habitat connectivity** - With the HCP/NCCP, there would be larger stream setbacks, protection of stream hydrographs and water quality in accordance with the C.3 provisions, minimization and avoidance of aquatic resources, and conservation of aquatic resources in a coordinated contiguous preserve system focused on the upper watersheds of local subbasins. Without the HCP/NCCP, conservation would not be coordinated and would continue to be provided on a case-by-case basis. Wetlands and other aquatic resources would be more likely to be scattered across the landscape and the subbasin watersheds with poorer habitat linkages and varying hydrologic, flooding, and water quality conditions between areas of development and preserves. Thus, the HCP/NCCP is likely to result in a better preservation of watershed level aquatic functions than existing conditions.

Chapter 5 Cumulative Impacts

Updates to the Concord Naval Weapons Station under Cumulative Impacts

- The Inland Area of the Concord Naval Weapons Station has been identified by the U.S. Department of Defense to be ultimately transferred under the Base Realignment and Closure (BRAC process) in September 2005. Reuse planning commenced in spring

2006, but is not yet sufficiently advanced to assess the type and extent of development that may occur on the property. This information has been added to Chapter 5.

Summary of Environmental Effects

The revisions to the Draft EIS/EIR provide for increased accuracy relative to existing land cover type acreages and biological impacts within the inventory area, and provide a more focused assessment of land use, housing, farmland, and water quality impacts. New significant impacts have not come to light as the result of these changes, nor has a substantial increase the severity of anticipated environmental effects described in the Draft EIS/EIR been identified. Therefore, pursuant to Section 15088.5 of CEQA Guidelines and 40 C.F.R. 1502.9, the Draft EIS/EIR does not require recirculation prior to certification.