

2. Introduction

Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(a), “Project,” the East Bay Regional Park District (District) Concord Hills Regional Park Land Use Plan (Plan) is considered a “project” subject to environmental review as its implementation is “an action [undertaken by a public agency] which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.” This Draft Environmental Impact Report (EIR) provides an assessment of the potential environmental consequences of implementation of the project, herein referred to as “proposed project.” Additionally, this Draft EIR identifies mitigation measures and alternatives to the proposed project that would avoid or reduce significant impacts. This Draft EIR compares the development of the proposed project with the existing baseline condition, described in detail in each section of Chapter 4.0, Environmental Analysis. The District is the lead agency for the proposed project. This assessment is intended to inform the District’s decision makers, other responsible agencies, and the public of the nature of the proposed project and its effect on the environment.

2.1 PROPOSED ACTION

The proposed Plan is intended to guide development of a future Regional Park through the 2050 buildout horizon of this Plan. The Plan describes the planned recreation facilities and conservation areas, where those land uses should be located, how those land uses may be accessed and connected, and how development of those uses should be managed so as to minimize impacts and maximize benefits to visitors. The Plan’s five goals guide the ongoing development and management of the Regional Park:

- **Biological Resources:** Develop and manage the Regional Park for the protection, enhancement and restoration of natural resources and reduced risk of wildfire.
- **Cultural and Historic Resources:** Develop and manage the Regional Park to benefit the overall landscape character of the parklands and specific cultural and historic resources.
- **Circulation and Trails:** Develop and manage the Regional Park to complete gaps in regional trails networks, provide a range of recreational trails throughout the Regional Park, and facilitate and encourage multi-modal access to the site (e.g. bike, pedestrian, vehicular, public transit).
- **Recreation and Education Facilities:** Develop and manage recreational and educational facilities that offer a range of opportunities to experience the unique natural, cultural, social, and military history of the CNWS and the Central Contra Costa County region.
- **Interpretive Facilities:** Establish a historical interpretation program and visitor center in partnership with the National Park Service, with support from and in collaboration with the Friends of Port Chicago and others, to honor the veterans who served at the CNWS, convey the significance of the events at Port Chicago, and provide displays on the history of Concord and the Diablo Valley region, and facilitates access to the National Park Service’s Port Chicago Naval Magazine National Memorial.

The Plan has been written to be consistent with the Contra Costa County, City of Pittsburg, and City of Concord General Plans as well as the City of Concord Reuse Project Area Plan.

2.2 ENVIRONMENTAL REVIEW PROCESS

2.2.1 DRAFT EIR

Pursuant to CEQA Guidelines Section 15063, “Initial Study,” the District determined that the proposed project could result in potentially significant environmental impacts and that an EIR would be required. In compliance with CEQA Guidelines Section 15082, “Notice of Preparation and Determination of Scope of EIR,” the District circulated the Notice of Preparation (NOP) of an EIR for the proposed project to the Office of Planning and Research (OPR) State Clearinghouse (SCH) and interested agencies and persons on June 23, 2017, for a 30-day review period. A public Scoping Meeting was held on June 29, 2017, at 6:30 p.m. at the Concord Senior Center. The NOP and scoping process solicited comments from responsible and trustee agencies as well as interested parties regarding the scope of the Draft EIR. Appendix A of this Draft EIR contains the NOP as well as the six comments received by the District in response to the NOP from the Contra Costa Mosquito & Vector Control District, the City of Concord, the Contra Costa Flood Control and Water Conservation District, the California Native Plant Society, and residents John Mercurio and Bruce Feld; all comments were considered by the District in preparing the Draft EIR.

2.2.2 DRAFT EIR ORGANIZATION

This Draft EIR is organized into the following chapters:

- **Chapter 1: Executive Summary.** Summarizes environmental consequences that could result from implementation of the proposed project, describes recommended mitigation measures, and indicates the level of significance of environmental impacts before and after mitigation.
- **Chapter 2: Introduction.** Provides an overview describing the Draft EIR document.
- **Chapter 3: Project Description.** Describes the proposed project in detail, including the characteristics, objectives, and the structural and technical elements of the proposed action.
- **Chapter 4: Environmental Evaluation.** Organized into 16 sub-chapters corresponding to the environmental resource categories identified in Appendix G of the CEQA Guidelines, this section provides a description of the physical environmental conditions in the vicinity of the proposed project as they existed at the time the NOP was published, from both a local and regional perspective. Additionally, this chapter provides an analysis of the potential environmental impacts of the proposed project, and recommended mitigation measures, if required, to reduce the impacts to less than significant where possible, and to reduce their magnitude or significance when impacts cannot be reduced to a less-than-significant level.
- **Chapter 5: Alternatives to the Proposed Project.** Considers alternatives to the proposed project, including the CEQA-required “No Project” Alternative and a Limited Footprint Alternative.
- **Chapter 6: CEQA-Mandated Sections.** Discusses growth inducing impacts, unavoidable significant effects, and significant irreversible changes as a result of the proposed project.

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- **Chapter 7: Organizations and Persons Consulted.** Lists the people and organizations that were contacted during the preparation of this EIR.
- **Appendices:** The appendices for this document contain the following supporting documents:
 - Appendix A: Notice of Preparation (NOP) and NOP Comment Letters
 - Appendix B: Air Quality and Greenhouse Gas Data
 - Appendix C: Biological Resources

2.2.3 CEQA IMPACTS

The scope of this EIR was established by the District through the EIR scoping process and includes an analysis of both the proposed project's impact and the cumulative impacts in the following issue areas

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources and Tribal Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services and Recreation
- Transportation and Traffic
- Utilities and Service Systems
- Wildfire
- CEQA-Mandated Assessment Conclusions:
 - Impacts Found Not To Be Significant
 - Significant Unavoidable Impacts
 - Growth-Inducing Impacts
 - Significant Irreversible Changes

The implementation of the proposed project was found to have no impacts related to Agricultural and Forestry Resources or Mineral Resources. A complete discussion of the impacts to Agricultural and Forestry Resources and Mineral Resources is provided in Chapter 7, CEQA-Mandated Assessment, of this Draft EIR.

2.2.4 FINAL EIR

Upon completion of the 45-day review period for the Draft EIR, the District will review all written comments received and prepare written responses to each comment on the adequacy of the Draft EIR. A Final EIR will then be prepared that contains all of the comments received, responses to comments raising environmental issues, and any changes to the Draft EIR. The Final EIR will then be presented to the East

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Bay Regional Park District Board for certification as the environmental document for the proposed project. All persons who commented on the Draft EIR will be notified of the availability of the Final EIR and the date of the public hearing before the District.

All responses to comments submitted on the Draft EIR by agencies will be provided to those agencies at least 10 days prior to certification of the EIR. The District will make findings regarding the extent and nature of the impacts as presented in the EIR. The EIR will need to be certified as having been prepared in compliance with CEQA by the District prior to making a decision to approve or deny the proposed project. Public meetings and hearings to consider the Land Use Plan and Final EIR will be held at the District's Board Executive Committee, the Parks Advisory Committee and at a regular Board of Directors hearing. Notice of the public meetings and hearings will be published on the District's webpage, emailed or mailed to individuals on the Concord Hills Regional Park contact list, and public comment is encouraged at all public hearings before the District.

After the District certifies the EIR, it may then consider action on the proposed project. If approved, the District will adopt and incorporate into the project all feasible mitigation measures identified in the EIR and may also require other feasible mitigation measures.

In some cases, the District may find that certain mitigation measures are outside the jurisdiction of the District to implement, or that no feasible mitigation measures have been identified for a given significant impact. In that case, the District will have to adopt a statement of overriding considerations that determines that economic, legal, social, technological, or other benefits of the proposed project outweigh the unavoidable, significant effects on the environment.

2.2.5 MITIGATION MONITORING

CEQA Guidelines Section 15097, "Mitigation Monitoring or Reporting," requires that the lead agency adopt a Mitigation Monitoring and Reporting Program (MMRP) for any project for which it has made findings pursuant to CEQA Guidelines Section 15091, "Findings," or adopted a Negative Declaration pursuant to CEQA Guidelines Section 15074, "Consideration and Adoption of a Negative Declaration or Mitigated Negative Declaration." Such a program is intended to ensure the implementation of all mitigation measures adopted through the preparation of an EIR or Negative Declaration. The MMRP for the proposed project will be completed as part of the environmental review process.

2.3 PROGRAM-LEVEL EIR

This Draft EIR is a program-level EIR that analyzes implementation of the proposed project. CEQA and the CEQA Guidelines allow lead agencies to prepare a number of types of EIRs for varying situations and intended uses. As described in Section 15161, "Project EIR," of the CEQA Guidelines, the most common type of EIR is a *project* EIR, which examines the environmental impacts of a specific development project. As described in Section 15168, "Program EIR," of the CEQA Guidelines, *program* EIRs are appropriate when a project consists of a series of actions characterized as one large project and are related geographically or in connection with the issuance of a plan.

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In this case, the proposed project that is the subject of this EIR consists of the Concord Hills Regional Park Land Use Plan, a long-term program to convert a former United States Naval weapons station into a regional park. The Plan will be implemented over a 31-year buildout horizon (e.g., 2019 to 2050) as policy documents guiding future development activities and District actions. No specific development projects are proposed as part of the project. Therefore, this EIR is a program-level EIR that analyzes the potential significant environmental effects of the adoption of the proposed Plan.

Where the program EIR addresses the program's effects as specifically and comprehensively as is reasonably possible and future development projects are within scope of the effects examined in the program EIR, then additional environmental review may not be required for those future projects. When a program EIR is relied on for a subsequent future development project, the lead agency must incorporate feasible mitigation measures and alternatives developed in the program EIR into the subsequent activities (CEQA Guidelines Section 15168(c)(3)).

However, as stated above, this program EIR is not project-specific, and does not evaluate the impacts of individual projects that may be proposed in the future. All future development projects within the Concord Hills Regional Park area that qualify as a "project" under CEQA are subject to compliance with CEQA, which may require additional, project-specific environmental analysis. Under a program-level EIR approach, in order to identify whether additional analysis would be necessary when a future development project is proposed, the District, acting as the lead agency, will need to determine the following:

- Whether the planned characteristics of the project are substantially different from those defined in the programmatic EIR;
- Whether the project would require additional mitigation measures; or
- Whether specific impacts were not evaluated in sufficient detail in the programmatic EIR.

If any of these conditions apply and the subsequent activity would have effects that are not within the scope of the program EIR, the lead agency must prepare a new Initial Study leading to a Negative Declaration, a Mitigated Negative Declaration, or an EIR, unless the activity qualifies for an exemption from the CEQA process.

For all subsequent environmental review documents, within or outside of the scope of the Plan, this program EIR will serve as the first-tier environmental analysis, which may serve to streamline future environmental review of subsequent projects.

2.4 STREAMLINED ENVIRONMENTAL REVIEW

The CEQA concept of "tiering" refers to the evaluation of general environmental matters in a broad program-level EIR, with subsequent focused environmental documents for individual projects. CEQA and the CEQA Guidelines encourage the use of tiered environmental documents to reduce delays and excessive paperwork in the environmental review process. This is accomplished in tiered documents by eliminating repetitive analyses of issues that were adequately addressed in the program EIR and by incorporating those analyses by reference.

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Section 15168(d) of the State CEQA Guidelines provides for simplifying the preparation of environmental documents by incorporating by reference analyses and discussions. Where an EIR has been prepared or certified for a program or plan, the environmental review for a later activity consistent with the program or plan should be limited to effects that were not analyzed as significant in the prior EIR or that are susceptible to substantial reduction or avoidance (CEQA Guidelines Section 15152(d)).

By tiering from the Concord Hills Regional Park Plan EIR, the environmental analysis for a future project would rely on the Plan EIR for the following:

- A discussion of general background and setting information for environmental topic areas;
- Overall growth-related issues;
- Issues that were evaluated in sufficient detail in the Plan EIR for which there is no significant new information or change in circumstances that would require further analysis;
- Assessment of cumulative impacts; and
- Mitigation measures adopted and incorporated into the Plan.

As previously stated, an Initial Study could be prepared for future projects to evaluate the potential environmental impacts of the future projects with respect to the Plan EIR to determine what level of additional environmental review, if any, is appropriate.

2.5 PUBLIC REVIEW AND PARTICIPATION PROCESS

Consistent with the requirements of CEQA, efforts have been made during the preparation of this Draft EIR to contact affected agencies, organizations, and individuals who may have an interest in the Project. As describe above, this effort included the circulation of the NOP on June 23, 2017 and a public scoping meeting on June 29, 2017 in Concord. Early consultation with relevant agencies, organizations and individuals assisted in the preparation of this Draft EIR.

This Draft EIR will be available for review by the public and interested parties, agencies, and organizations for a 49-day comment period starting October 18, 2019 and ending December 6, 2019.

One public meeting will be held on this Draft EIR during the review period to receive comments on the document as sated in the Notice of Availability accompanying this Draft EIR.

2.5.1 PUBLIC REVIEW AND MEETINGS

Hard copies of the Draft EIR can be reviewed at the locations listed below and an electronic version can be viewed online at the District website: <https://www.ebparcs.org/about/planning/cnws.htm>.

East Bay Regional Park District
Administrative Office
2950 Peralta Oaks Court
Oakland, California 94605-0381

Contra Costa County Library, Concord Branch
2900 Salvio Street
Concord, California 94519

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Contra Costa County Library, Pittsburg Branch
80 Power Avenue
Pittsburg, California 94565

Contra Costa County Library, Martinez Branch
740 Court Street
Martinez, California 94553

2.5.2 WRITTEN COMMENTS

During the comment period, the public is invited to provide written comments via mail or e-mail on the Draft EIR to the East Bay Regional Park Planning Division by 4:00 p.m. on Friday, December 6, 2019.

Written comments should be submitted to:

Devan Reiff, AICP, Principal Planner,
East Bay Regional Park District, Planning Division
2950 Peralta Oaks Court
P.O. Box 5581
Oakland, CA 94605
Phone: (510) 544-2325
Email: dreiff@ebparks.org with "Concord Hills Regional Park Plan EIR" as the subject.

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