CITY OF PITTSBURG
AGENDA

NOVEMBER 18, 2024

CITY HALL COUNCIL CHAMBER
65 CIVIC AVENUE, PITTSBURG, CA

CLOSED SESSION
5:30 P.M.

REGULAR MEETING
7:00 P.M.

CITY COUNCIL
PITTSBURG ARTS AND COMMUNITY FOUNDATION
PITTSBURG POWER COMPANY
SOUTHWEST PITTSBURG GEOLOGIC HAZARD ABATEMENT DISTRICT II
SUCCESSOR AGENCY

PRESIDING

Juan Antonio Banales, Mayor/Chair
Jelani Killings, Vice- Mayor/Chair
Dionne Adams, Council Member/Board Member
Angelica Lopez, Council Member/Board Member
Shanelle Scales-Preston, Council Member/Board Member

FOR HOUSING AUTHORITY:
S.L. Floyd, Housing Authority Member
Annie Hill Herring, Housing Authority Member

Pittsburg City Council regular meetings are held the first and third Mondays of each month at 7:00 p.m. The Housing Authority meets in conjunction with the City Council on the third Monday of each month. The Pittsburg City Council meets regularly in the Council Chamber at 65 Civic Avenue, unless otherwise noted above. The City Council also sits as the Board of Directors of several other City agencies. The stipends for all agency members conform to state statutes governing compensation amounts. All other Agencies meet on an as needed basis and will be listed above if applicable. Copies of the open session agenda packets, which are distributed to the City Council, are on file in the office of the City Clerk, 65 Civic Avenue, Pittsburg, California, and are available for public inspection, beginning 72 hours in advance, during normal business hours (8:00 a.m. – 5:00 p.m., Monday through Friday, except from noon to 1:00 p.m. and City holidays). The agenda and reports are also located on the City's website at www.pittsburgca.gov. Additionally, if any reports or documents, which are public records, are distributed to the City Council less than 72 hours before the meeting, those reports and documents will also be available for public inspection in the City Clerk's Office and on the day of the meeting in the Council Chamber at the public counter area below the dais.

AUDIENCE REMARKS

The Audience Remarks period is for the public to comment on any items scheduled to be heard during the Closed Session portion of the meeting, if applicable.

5:30 PM - CONVENE IN CLOSED SESSION

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Section 54957
   City Attorney and City Manager

2. CONFERENCE WITH LABOR NEGOTIATORS pursuant to Section 54957.6
   City Designated Representatives: Julie Mares, MRG, LLC
   Unrepresented Employee(s): City Attorney and City Manager

7:00 PM - CONVENE IN OPEN SESSION FOR REGULAR MEETING

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PRESENTATIONS

3. Opportunity Junction

CITY MANAGER REPORTS/REMARKS

The City Manager may make brief announcements or informal comments at this time and brief the Council on items of interest. (No Action Required)

PUBLIC COMMENTS

Members of the audience who wish to address the City Council or Agency Boards on issues that are not scheduled for the agenda and on any items listed as part of the Consent Calendar should complete a Speaker's Card available at the dais. Please read the card carefully in order to fill out the card properly. Submit the completed card to the City Clerk before the item is called, preferably before the meeting begins. Individuals will be given three minutes to address the Council unless additional time is allowed as provided for spokespersons. Prior to speaking, each member of the public shall state their name and business and City of residence in a clear and audible tone of voice. (No Action Required)

PUBLIC HEARING

4. Adoption of a City Council Resolution Approving an Update to the Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) Mitigation Fees

   On April 16, 2007, the City Council adopted Resolution 07-10745 approving the East Contra Costa County HCP/NCCP, a regional conservation and mitigation plan for natural resources in East County. HCP/NCCP Chapter 9, “Funding,” outlines estimated costs for implementing the HCP/NCCP and identifies development-based mitigation fees as a source of funding to offset development impacts to natural resources. The development mitigation fee amounts were established by City Council Resolution 07-10898 and have since been adjusted

annually according to housing and consumer price indices. The HCP/NCCP requires periodic audits in years three, six, 10, 15, 20 and 25 of implementation to assess whether changes in HCP/NCCP implementation costs require an additional adjustment of the mitigation fees.

COMBINED CITY COUNCIL AND PITTSBURG POWER COMPANY CONSIDERATION

5. Adoption of a City Council Resolution Authorizing the Development and Implementation of the Pittsburg Promise Community Scholarship and a Pittsburg Power Company Resolution Authorizing the Use of Funds

   Pursuant to a Future Agenda Item request by Mayor Juan Banales on March 20, 2023, the two resolutions will authorize development and implementation of the Pittsburg Promise Community Scholarship (Scholarship) for the purposes of promoting higher education in science, technology, engineering, and math (STEM) in the Pittsburg community and improving City of Pittsburg staff retention.

CONFLICT OF INTEREST STATEMENT

City Council/Agency Members may make any conflict of interest declarations pertaining to Consent Calendar items at this time.

COMBINED CITY COUNCIL, PITTSBURG ARTS AND COMMUNITY FOUNDATION, PITTSBURG POWER COMPANY, SOUTHWEST PITTSBURG GHAD II AND SUCCESSOR AGENCY CONSENT CALENDAR

6. Minutes of October 21, 2024 and November 4, 2024

7. Receive and File the Treasurer's Report for the Quarter Ending September 30, 2024

   Attached is the Treasurer's Report for the fiscal quarter ending September 30, 2024. The report includes the combined detailed information of the City and the Successor Agency's (Agency) investments, which are compliant with the City's and Agency's Investment Policies.

8. Adoption of a City Council Resolution Accepting Project 2231-W. Leland Rd. and Loveridge Rd. Phase II Rehabilitation as Complete and Authorizing the City Engineer to File a Notice of Completion

   Project 2231-West Leland Road and Loveridge Road Phase II Rehabilitation (the "Project") milled and overlayed, with hot mix asphalt, West Leland Road from Broadway Avenue to John Henry Johnson Parkway, West Leland Road from Crestview Drive to Railroad Avenue, and Loveridge Road from California Avenue to Pittsburg Antioch Highway. This resolution will accept the construction contract as complete and authorize the City Engineer to file a Notice of Completion.

9. Adoption of a City Council Resolution Accepting the Plans and Specifications, Reallocating Unused American Rescue Plan Act Funds, Allocating Additional Funds, and Awarding Project 3080 - Pittsburg Premier Fields

   Project 3080-Pittsburg Premier Fields (the "Project") will construct a multi-purpose

field with parking, landscaping, a traffic signal on W Leland Road, and walking trails near the intersection of West Leland Road and John Henry Johnson Parkway. If adopted, this Resolution will accept the project plans and specifications, reallocate unused American Rescue Plan Act (ARPA) project funds, allocate additional funding, and authorize the City Manager to execute a construction contract with Carone and Company, Inc.

10. Adoption of a City Council Resolution Accepting Project 2040 - 2023/24 Pavement Management as Complete and Authorizing the City Engineer to File a Notice of Completion

    Project 2040, 2023/24 Pavement Management (the “Project”) implemented various pavement treatments including overlay, three-layer treatment, cape seal, micro-surfacing, base repair, and crack sealing to rehabilitate local/residential streets. This resolution will accept the construction contract as complete and authorize the City Engineer to file a Notice of Completion.

11. Adoption of a City Council Resolution Accepting Project 2987 - East Third Street Remediation as Complete and Authorizing the City Engineer to File a Notice of Completion

    Project 2987 - East Third Street Remediation (the “Project”) removed lead and petroleum contaminated soil at East Third Street and replaced it with suitable material. This Resolution will accept the construction contract as complete and authorize the City Engineer to file a Notice of Completion.

12. Adoption of a City Council Resolution Authorizing the Execution of a First Amendment to an Agreement with the California Department of Transportation for Project 2019 BART Pedestrian and Bicycle Connectivity

    Project 2019 BART Pedestrian and Bicycle Connectivity (the “Project”) is for the construction of pedestrian and bicycle pathways to provide better access around the Pittsburg Center BART Station This Resolution will authorize the City Manager to execute Amendment No. One of the Project Specific Pedestrian and Bicycle Maintenance Agreement (PSMA) with the California Department of Transportation (Caltrans) per the attached revisions as specified in the Amendment.

13. Adoption of a City Council Resolution Accepting Project 2205 – West Leland Road Street Lighting as Complete and Authorizing the City Engineer to File a Notice of Completion

    Project 2205-West Leland Road Street Lighting Project (the “Project”) installed 30 new streetlight poles and luminaires on West Leland Road between Crestview Drive and Railroad Avenue. This resolution will accept the construction contract as complete and authorize the City Engineer to file a Notice of Completion.

14. Adoption of a City Council Resolution Approving Contra Costa Transportation Authority's Measure J Growth Management Program Compliance Checklist for Calendar Years 2022 and 2023

    The Contra Costa County Transportation Authority (CCTA) requires the City to submit a biennial Growth Management Program (GMP) Compliance Checklist to be eligible to receive a percentage of Local Street Maintenance and Improvement (LSM) Measure J funds. The Measure J GMP Compliance Checklist covering Calendar Years (CY) 2022 and 2023 is required to receive ongoing LSM funds for Fiscal Years (FY's) 2023/24 and 2024/25. If adopted, this Resolution will approve the stated checklist for CY 2022 and 2023.

15. Adoption of a City Council Resolution Accepting Project 3019-Reviving the Heart of Pittsburg Pride as Complete and Authorizing the City Engineer to File a Notice of Completion

    Project 3019-Reviving the Heart of Pittsburg Pride (the “Project”) installed a gateway sign, a “PITTSBURG” sign, a pocket park, art installations, and landscape upgrades at various locations along Railroad Avenue to beautify the main corridor leading to the downtown area. This resolution will accept the construction contract as complete and authorize the City Engineer to file a Notice of Completion.

16. Adoption of a City Council Resolution Authorizing the City Manager to Amend the Purchase Agreement for Meter Supplies with Badger Meter, Inc.

    Public Works employees maintain the City’s water meters and purchase the necessary supplies under an annual contract with Badger Meter, Inc. If adopted, the resolution will authorize the City Manager to increase the contract amount with Badger Meter for the purchase of water meters and related supplies for installation in new residential and commercial developments.

17. Adoption of a City Council Resolution Accepting Project 3118-Corporation Yard Fueling System Replacement as Complete and Authorizing the City Engineer to File a Notice of Completion

    Project 3118-Corporation Yard Fueling System Replacement (the “Project”) upgraded the City’s fueling system at the Environmental Center and installed monitoring wells at the Corporation Yard to meet requirements set by the California State Water Resources Control Board. This Resolution will accept the construction contract as complete and authorize the City Engineer to file a Notice of Completion.

18. Adoption of a City Council Resolution Authorizing California Beverage Container Recycling and Litter Reduction Act Funding Requests

    The State of California Department of Resources Recycling and Recovery (CalRecycle) maintains a funding program eligible to cities and counties for projects that promote beverage container recycling and litter clean up. The funding applications require a City Council Resolution for the City to be eligible to

receive this non-competitive funding.

19. Adoption of an Ordinance Assigning Zoning of Planned Development District to Properties Located Within the Pittsburg Technology Park Specific Plan Area and Adopting the Pittsburg Technology Park Specific Plan, AP-24-0028 (PD, SUBD, EIR)

    On November 4, 2024, the City Council held a public hearing certifying the Final Program Environmental Impact Report (EIR) for the Pittsburg Technology Park Specific Plan (Specific Plan), adopting the associated CEQA Findings of Fact and a Mitigation Monitoring and Reporting Program (MMRP), and approving a Vesting Tentative Map for a 12-lot Major Subdivision on an approximately 76.38-acre site located on the eastern half of the former Delta View Golf Course, south of West Leland Road.

    The City Council also introduced and waived further reading of an ordinance assigning zoning of Planned Development (PD) District to properties located within the Pittsburg Technology Park Specific Plan Area and adopting the Pittsburg Technology Park Specific Plan. The ordinance is now ready for City Council adoption.

COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

Council Members may request items to be considered for future agendas. An item will only be brought forward with a majority vote and will appear on a future agenda with staff recommendations for further Council consideration.

COUNCIL MEMBER REMARKS

Council Members may make brief announcements or informal comments at this time. (No Action Required)

ADJOURNMENT TO DECEMBER 9, 2024

NOTICE TO PUBLIC

GENERAL INFORMATION

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SPEAKER'S CARD

Members of the audience who wish to address the City Council on issues that are not scheduled for the agenda and on any items listed as part of the agenda should complete a Speaker's Card available at the dais. Please read the card carefully in order to fill out the card properly. Submit the completed card to the City Clerk before the item is called, preferably before the meeting begins. Individuals will be given up to three minutes to address the Council unless additional time is allowed as provided for spokespersons. Speakers are not permitted to yield their time to another speaker. Prior to speaking, each member of the public shall state their name and business and City of residence in a clear and audible tone of voice. Pursuant to the Brown Act, no action may be taken by the City Council on items not already scheduled on the agenda; however, the City Council may refer your comments/concerns to staff or request that the item be placed on a future agenda.

PUBLIC HEARINGS

Persons who wish to speak on Public Hearings listed on the agenda will be heard when the Public Hearing is opened, except on Public Hearing items previously heard and closed to public comment. After the public has commented, the item is closed to public comment and brought to the Council/Agency level for discussion and action. Further comment from the audience will not be received unless requested by the Council/Agency.

There is a 90-day limit for the filing of a challenge in the Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence, and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting.

NOTICE TO THE DISABLED AND VISUALLY OR HEARING IMPAIRED

In compliance with the Americans with Disabilities Act, the City of Pittsburg will provide special assistance for disabled residents. Upon request, an agenda for any meeting shall be made available in appropriate alternative formats. The Council Chamber is equipped with sound amplifier units for use by the hearing impaired. The units operate in conjunction with the Chamber's sound system. You may request the sound amplifier from the City Clerk for personal use during Council meetings. If you need special assistance to participate in this meeting, or are requesting a specially formatted agenda, please contact the City Clerk at (925) 252-4850. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format. (28 CFR 35.102-35.104 ADA Title II)

DISRUPTIVE CONDUCT

The Council requests that you observe the order and decorum of our Council Chamber by turning off or setting to vibrate all cellular telephones and electronic devices, and that you refrain from making personal, impertinent, or slanderous remarks. Boisterous and disruptive behavior while the Council is in session, and the display of signs in a manner which violates the rights of others or prevents others from watching or fully participating in the Council meeting, is a violation of our Municipal Code and any person who engages in such conduct can be ordered to leave the Council Chamber by the Mayor.

LIVE MEDIA BROADCASTING ADVISEMENT

City Council meetings are webcast live on the City's website at www.pittsburgca.gov on the Agendas and Live Meetings page. Past meetings and approved minutes are also archived on that webpage. Watch the live meeting via the City's webcast (www.pittsburgca.gov - Agendas and Live Meetings), on Comcast Channel 24 Delta TV, AT&T U-Verse Channel 99 Delta TV. Contact the City Clerk's office at (925) 252-4850 for more information

City Council Agency/Liaison/Subcommittee Assignments as of June 17, 2024

OUTSIDE AGENCY BOARDS	COUNCIL MEMBER(S)	TYPE	MEETS	TIME	STAFF
ABAG	Dionne Adams / Jelani Killings Alternate	Standing	Annual		G. Evans
Delta Diablo*	Juan Banales / Shanelle Scales-Preston Alternate	Standing	2nd Wednesday	4:30 PM	J. Samuelson
East Co. Co. County Habitat Conservancy	Angelica Lopez / Juan Banales Alternate	Standing	4th Monday Bi-Monthly	2:00 PM	J. Davis
East County Water Management	Juan Banales / Jelani Killings Alternate	Standing	Annual		J. Samuelson
MCE Clean Energy Board	Shanelle Scales-Preston / Angelica Lopez Alternate	Standing	Quarterly	7:00 PM	D. Buchanan
TRANSPLAN / ECCRFFA	Shanelle Scales-Preston / Juan Banales Alternate	Standing	2nd Thursday	6:30 PM	J. Samuelson
Tri-Delta Transit (2 reps)**	Shanelle Scales-Preston & Dionne Adams / Jelani Killings Alternate	Standing	4th Wednesday	4:00 PM	J. Samuelson

LIAISON TO	COUNCIL MEMBER(S)	TYPE	MEETS	TIME	STAFF
East Bay League of California Cities	Shanelle Scales-Preston / Jelani Killings Alternate	Standing	3rd Thursday		G. Evans
Los Medanos Health Advisory Committee	Shanelle Scales-Preston & Jelani Killings	Ad Hoc	As needed		M. Aliotti
Mayor's Conference	Juan Banales / Jelani Killings Alternate	Standing	1st Thursday	6:30 PM	G. Evans
Pittsburg Police Activities League (PAL)	Shanelle Scales-Preston & Angelica Lopez / Dionne Adams Alternate	Standing	Monthly		S. Albanese
School Districts Committee (2x2)	Jelani Killings & Angelica Lopez / Dionne Adams Alternate	Standing	Quarterly		M. Aliotti

SUBCOMMITTEES	COUNCIL MEMBER(S)	TYPE	MEETS	TIME	STAFF
Budget Sustainability	Juan Banales & Jelani Killings	Ad Hoc	As needed		G. Evans
Community and Economic Development	Jelani Killings & Dionne Adams / Juan Banales Alternate	Standing	2nd Wednesday	5:00 PM	J. Davis
Facilities Rental and Usage	Jelani Killings & Dionne Adams	Ad Hoc	As needed		G. Evans
Finance Management	Juan Banales & Jelani Killings / Shanelle Scales-Preston Alternate	Standing	3rd Friday	4:00 PM	P. Rodrigues
Government Performance	Juan Banales & Jelani Killings	Ad Hoc	4th Friday	4:00 PM	J. Brizel
Green Empowerment Zone	Dionne Adams/ Jelani Killings Alternate	Standing	3rd Friday Bi-monthly	9:30 AM	J. Davis
Infrastructure and Transportation	Shanelle Scales-Preston & Dionne Adams / Juan Banales Alternate	Standing	4th Thursday	5:30 PM	J. Samuelson
Life Enrichment	Dionne Adams & Angelica Lopez / Shanelle Scales-Preston Alternate	Standing	3rd Wednesday	5:30 PM	K. Simonton
Pittsburg Arts and Community Foundation	Shanelle Scales-Preston & Jelani Killings	Standing	As needed		K. Simonton
Public Safety	Shanelle Scales-Preston & Angelica Lopez / Jelani Killings Alternate	Standing	1st Wednesday	5:30 PM	S. Albanese
Tobacco, Cannabis, Alcohol Policy Review	Shanelle Scales-Preston & Jelani Killings	Ad Hoc	As needed		G. Evans

*Stipend of $170 per month
**Stipend of $100 per month

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Approving an Update to the Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) Mitigation Fees

MEETING DATE: November 18, 2024

EXECUTIVE SUMMARY

On April 16, 2007, the City Council adopted Resolution 07-10745 approving the East Contra Costa County HCP/NCCP, a regional conservation and mitigation plan for natural resources in East County. HCP/NCCP Chapter 9, "Funding," outlines estimated costs for implementing the HCP/NCCP and identifies development-based mitigation fees as a source of funding to offset development impacts to natural resources. The development mitigation fee amounts were established by City Council Resolution 07-10898 and have since been adjusted annually according to housing and consumer price indices. The HCP/NCCP requires periodic audits in years three, six, 10, 15, 20 and 25 of implementation to assess whether changes in HCP/NCCP implementation costs require an additional adjustment of the mitigation fees.

FISCAL IMPACT

There is no fiscal impact to the General Fund budget as a result of the mitigation fee audit and adjustment to the HCP/NCCP mitigation fees. Development-based mitigation fees that the City collects in accordance with the HCP/NCCP are passed through to the East Contra Costa County Habitat Conservancy ("Conservancy," implementing entity for the HCP/NCCP), to be used to pay for land acquisition, habitat restoration/creation and related construction costs, and management and monitoring costs associated with implementation of the HCP/NCCP. The City will continue to collect an administrative fee to cover its costs in staff time spent implementing the HCP/NCCP.

RECOMMENDATION

City Council adopt the attached Resolution adjusting the HCP/NCCP development fees to the amounts described in the Resolution.

BACKGROUND

On April 16, 2007, the City Council adopted Resolution 07-10745 making findings pursuant to the California Environmental Quality Act (CEQA) and approving the HCP/NCCP. Participating jurisdictions in the HCP/NCCP include Contra Costa County and the cities of Pittsburg, Brentwood, Clayton and Oakley. Chapter 9 of the HCP/NCCP Plan ("Plan"), "Funding," outlines estimated costs for implementing the HCP/NCCP and identifies development-based mitigation fees, state and federal funding programs, and grants as sources of funding for Plan implementation.

On November 19, 2007, the City Council adopted Ordinance 07-1293 adding Chapter 15.108, "Habitat Conservation Plan / Natural Community Conservation Plan Implementation," to the Pittsburg Municipal Code (PMC), thereby codifying the HCP/NCCP into local ordinance. PMC Section 15.108.070 authorized the collection of mitigation fees to offset impacts by development that disturbs open space, wetlands and waters, habitat, and sensitive special status species covered by the HCP/NCCP. The mitigation fee amounts were established by City Council Resolution 07-10898.

PMC Section 15.108.070 includes a provision for automatic adjustment of mitigation fees according to market inflation or deflation, by March 15 of each year, as required by the HCP/NCCP. A periodic audit and adjustment of the mitigation fees is required to be done in years three, six, 10, 15, 20 and 25 years of Plan implementation to assess whether changes in HCP/NCCP implementation costs over time require an additional adjustment of the mitigation fees.

The fee audit for year 10 occurred in 2017 but was subject to litigation that was not settled until January 2021. On February 22, 2021, the HCP Conservancy Governing Board adopted a 2017 Mitigation Fee Audit and Nexus Study reflecting updated mitigation fees.

On March 7, 2022, the City Council adopted Resolution No. 22-14061, updating mitigation fees in accordance with the adjustments resulting from the 2017 Fee Study.

On February 27, 2023, the HCP Conservancy Governing Board directed participating agencies to begin utilizing the most recent mitigation fees reflected in the 2022 Fee Study.

On May 9, 2023, the Contra Costa County Board of Supervisors adopted the 2022 Mitigation Fee Audit and Nexus Study and Ordinance No. 2023-10 to update HCP mitigation fees.

On August 7, 2023, the City Council adopted Resolution No. 23-14350, updating mitigation fees in accordance with the HCP/NCCP annual fee adjustment, according to housing and consumer price indices.

The East Contra Costa County HCP/NCCP Fee Schedule was adjusted on February 29, 2024.

The procedures included in the proposed ordinance for implementing the HCP/NCCP are unchanged from those adopted by the County in 2007.

SUBCOMMITTEE FINDINGS

This item was not presented to a Subcommittee.

STAFF ANALYSIS

HCP/NCCP development-based mitigation fees applicable to Pittsburg development projects are generally categorized into two categories: Development Fees and Wetland Fees. The former are collected on a per-acre basis as mitigation for impacts to open space, habitat and species covered by the HCP/NCCP, while the latter are collected on a per-foot basis as mitigation for impacts to jurisdictional wetlands and waters, riparian woodland/scrub, and stream buffers. Fees are higher for lands with higher habitat value (such as in open space areas south of the City) and lower for lands with less habitat value (such as disconnected or small infill sites without wetlands). All construction or capital improvement projects that would disturb specified undeveloped lands within the HCP/NCCP permit area are subject to payment of the Development Fee, while the Wetland Mitigation Fee would be added in the event that the project would also permanently disturb a wetland, stream or other water feature.

Each of the HCP/NCCP's participating agencies were required to take action to adopt the 2022 Mitigation Fee Audit and Nexus Study's updated fees, as adjusted to include automatic annual adjustments. In addition to the periodic fee audit, the mitigation fees are automatically adjusted annually based on the Consumer Price Index (CPI) and the Home Price Index (HPI) using a formula in the HCP/NCCP. The fees calculated in the Fee Study are for 2022. These have further been updated to reflect the current 2023 fee and the annual adjustments made in 2024, as shown in the table below. The updated Development Fees reflect an 2.30% increase from those currently charged by the County. The updated Wetland Mitigation Fees reflect a 2.62% increase.

2024 Mitigation Fee Schedule

Land Cover	Fee Basis	Current 2023 Fee	Updated 2024 Fee	Change from Current 2023 Fee
Development Fee				
Zone 1	per acre	$19,871.91	**$20,329.20**	2.30%
Zone 2	per acre	$39,743.83	**$40,658.39**	2.30%
Zone 3	per acre	$9,935.96	**$10,164.60**	2.30%
Wetland Mitigation Fee				
Riparian	per acre	$111,060.40	**$113,975.20**	2.62%
Perennial Wetland	per acre	$170,908.06	**$175,393.58**	2.62%
Seasonal Wetland	per acre	$401,479.18	**$412,016.09**	2.62%
Alkali Wetland	per acre	$405,871.63	**$416,523.83**	2.62%
Ponds	per acre	$221,421.23	**$227,232.49**	2.62%
Aquatic (Open Water)	per acre	$110,711.14	**$113,616.78**	2.62%
Slough / Channel	per acre	$156,815.09	**$160,930.74**	2.62%
Streams (<=25 ft. wide)	per ln ft.	$580.00	**$595.22**	2.62%
Streams (>25 ft. wide)	per ln ft.	$869.47	**$892.29**	2.62%

ATTACHMENTS

1. Proposed Resolution
2. East Contra Costa County HCP/NCCP Mitigation Fee Audit and Nexus Study, dated February 2023
3. East Contra Costa County Habitat Conservancy, Memorandum to Governing Board, February 27, 2023
4. Public Hearing Notice

Report prepared by: Kelsey Gunter, Associate Planner

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Approving an Update to the Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) Mitigation Fees	))))	RESOLUTION NO. 24-

WHEREAS, on April 16, 2007, the City Council adopted Resolution 07-10745 making findings pursuant to the California Environmental Quality Act (CEQA); approving the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP, or "Plan"); authorizing the City Manager to execute the Implementing Agreement for the HCP/NCCP; and authorizing the City Manager to execute the Joint Exercise of Powers Agreement Creating the East Contra Costa County Habitat Conservancy, the agency that performs the duties assigned to the Implementing Entity in the HCP/NCCP and Implementing Agreement; and

WHEREAS, the HCP/NCCP, as implemented in accordance with the Implementing Agreement, provides comprehensive species, wetlands, and ecosystem conservation and contributes to the recovery of endangered species within East Contra Costa County; balances open space, habitat, and urban development; encourages, where appropriate, multiple uses of protected areas; shares the costs and benefits of the HCP/NCCP as widely and equitably as possible; and protects the rights of private property owners; and

WHEREAS, the HCP/NCCP also reduces the cost and increases the clarity and consistency of federal and state permitting and consolidates and streamlines these processes into one, locally controlled plan. On July 25, 2007, and August 6, 2007, the United States Fish and Wildlife Services and California Department of Fish and Game issued permit numbers TE 160958-0 and 2835-2007-01-03 (respectively) to the City of Pittsburg, authorizing the City of Pittsburg to conduct and authorize activities that could result in take of threatened and endangered species subject to compliance with, and implementation of, the HCP/NCCP; and

WHEREAS, HCP/NCCP Chapter 9, "Funding," outlines estimated costs for implementing the HCP/NCCP and identifies mitigation fees on development; state and federal funding programs; and grants as sources of funding for Plan implementation; and

WHEREAS, on November 19, 2007, the City Council adopted Ordinance 07-1293 adding Chapter 15.108, "Habitat Conservation Plan / Natural Community Conservation Plan Implementation," to the Pittsburg Municipal Code (PMC), thereby codifying the HCP/NCCP into local ordinance; and

WHEREAS, PMC Section 15.108.070 authorizes the collection of mitigation fees to offset impacts by development that disturbs open space, wetlands and waters, habitat, and sensitive special status species covered by the HCP/NCCP. The mitigation fee amounts were established by City Council Resolution 07-10898; and

WHEREAS, PMC Section 15.108.070 includes an automatic adjustment of mitigation fees according to market inflation or deflation, by March 15 of each year, as provided in the HCP/NCCP. A periodic audit and adjustment of the mitigation fees is required to be done in years three, six, 10, 15, 20 and 25 years of Plan implementation to assess whether actual land costs and experience in implementing the HCP/NCCP since adoption of the Plan necessitate an additional adjustment of the mitigation fees; and

WHEREAS, the fee audit for year 10 occurred in 2017 but was subject to litigation that was not settled until January 2021; and

WHEREAS, on February 22, 2021, the HCP Conservancy Governing Board adopted the 2017 Mitigation Fee Audit and Nexus Study; and

WHEREAS, on March 7, 2022, the City Council adopted Resolution No. 22-14061 approving updated mitigation fees to reflect the 2017 Fee Study; and

WHEREAS, on February 27, 2023, the HCP Conservancy Governing Board directed participating agencies to adopt increases to mitigation fees; and

WHEREAS, on May 9, 2023, the Contra Costa County Board of Directors adopted the 2022 Mitigation Fee Audit and Nexus Study and Ordinance No. 2023-10 to update HCP mitigation fees; and

WHEREAS, each of the participating agencies in the East Contra Costa County HCP/NCCP adopted the 2022 Mitigation Fee Audit and Nexus Study's updated fees, as adjusted to include automatic annual adjustments since the 2022 performance of the audit, to facilitate consistency in implementation of the HCP/NCCP across the participating agencies; and

WHEREAS, on August 7, 2023, the City Council adopted Resolution No. 23-14350 updating mitigation fees in accordance with the HCP/NCCP annual fee adjustment, according to housing and consumer price indices; and

WHEREAS, the East Contra Costa County HCP/NCCP Fee Schedule was adjusted on February 29, 2024; and

WHEREAS, on or prior to November 8, 2024 notice of the November 18, 2024, public hearing was posted at City Hall, at the Pittsburg Library, at the City Housing Authority, and on the 'Public Notices' section of the city's website; was mailed via first class or electronic mail to local developers; and was published in the East County Times; and

WHEREAS, the City Council has reviewed and given consideration to all written material and spoken testimony presented before and during the hearing.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the following:

Section 1. Findings

Based on the Staff Report entitled, “Adoption of a City Council Resolution Approving an Update to the Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) Mitigation Fees,” dated November 18, 2024, and based on all the information contained in the Planning Division files on this item, incorporated here by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the City Council finds that:

A. The foregoing recitals are true and correct and are incorporated herein by reference.

B. For purposes of this Resolution, the terms defined in Section 15.108.020 of the PMC are incorporated by reference herein.

C. The purpose of the habitat conservation mitigation fees is to help fund the HCP/NCCP conservation strategy, to mitigate the impacts of development on covered species, and to contribute to the recovery of those species in the plan area.

D. Based on the 2022 Mitigation Fee Audit and Nexus Study, and the HCP/NCCP and the data and analyses referenced therein, there is a reasonable relationship between the use of the HCP/NCCP implementation updated fees authorized by this Resolution and the type of development projects subject to the fees. The fees updated herein were adopted and are implemented by the City Council in reliance on the comprehensive studies that have been prepared for the HCP/NCCP. The updated Development Fee will be used to implement the HCP/NCCP by funding the acquisition of land, the enhancement and management of habitat and the other activities to mitigate for impacts to open space, habitat and covered species caused by affected Development Projects. The updated Wetland Mitigation Fee will be used to implement the HCP/NCCP by funding the restoration, creation and management Jurisdictional Wetlands and Waters and riparian woodland/scrub and other actions to mitigate for impacts to Jurisdictional Wetlands and Waters and riparian areas caused by Affected Development Projects. The HCP/NCCP implementation updated fees will not apply to all types of Development Projects; rather, it will only apply to those Development Projects that impact open space, habitat suitable for one or more covered species, Jurisdictional Wetlands and Waters or riparian areas. In this way, the HCP/NCCP implementation updated fees will be used only for purposes reasonably related to the types of development projects that will be subject to the updated fees.

E. Based on the HCP/NCCP and the data and analyses referenced therein, there is a reasonable relationship between the need for the public facilities to be funded by the HCP/NCCP implementation fees and the type of development projects on which the fees are imposed because the need for these facilities, which include the acquisition of land and the management, enhancement, restoration, and creation of habitat, arises from the development projects to which the fees will apply, i.e., development projects of all types that disturb open space, habitat, Jurisdictional Wetlands and Waters or riparian areas.

F. Based on the HCP/NCCP and the data and analyses referenced therein, there is a reasonable relationship between the amount of the HCP/NCCP implementation fees and the cost of the public facilities or portion of the public facilities attributable to the development projects on which the fees will be imposed. The costs of the public facilities needed to mitigate cumulative impacts from development projects subject to the fees were estimated by projecting the extent of future development impacts, calculating the open space or habitat acreage to be acquired, managed, enhanced, restored, and created to offset these impacts, and estimating the overall costs of acquiring and preserving this acreage for the 30-year term of the state and federal permits. The fees were then calculated based on these costs, as follows:

1. The method of calculating the Development Fee amount for individual Affected Development Projects reflects the cost of the public facilities attributable to individual Affected Development Projects based on:

    a. Area of the Affected Development Project, as the cost of acquiring sufficient open space or habitat land to mitigate for the impacts of a particular development project is directly proportional to the acreage of that project; and

    b. Location of the Affected Development Project, as the need for the public facilities varies in proportion to the intrinsic habitat or open space value of the land impacted by the project. Thus, fees are tiered so that the highest fee amounts are imposed in Development Fee Zone II, which is deemed to have the highest intrinsic value per acre. A fee equal to 50 percent of the highest fee amount is imposed in Development Fee Zone I, which is deemed to have substantial but lower intrinsic value per acre, and a fee equal to 25 percent of the highest fee amount is required in Development Fee Zone III, which is deemed to have the lowest intrinsic value per acre.

2. The method of calculating the Wetland Mitigation Fee amount for individual Affected Development Projects reflects the cost of the public facilities attributable to those individual Affected Development Projects based on:

    a. Type of Jurisdictional Wetlands and Waters and riparian woodland/scrub to be impacted by the Affected Development Project, as the type of Jurisdictional Wetlands and Waters and riparian woodland/scrub to be restored or created must effectively replace the type being impacted by the particular project. The cost of restoring or creating Jurisdictional Wetlands and Waters and riparian woodland/scrub depends on (1) the specific construction tasks necessary to restore or create these areas and (2) the different mitigation ratios applicable to the restoration or creation of various types of Jurisdictional Wetlands and Waters and riparian woodland/scrub, these ratios having been established in the HCP/NCCP to require relatively more restoration or creation of those types of Jurisdictional Wetlands and Waters and riparian woodland/scrub that have a higher habitat value and function for covered species and/or are more difficult

to restore or create, and therefore must be restored or created in larger amounts to offset the anticipated failure of a portion of the acreage restored or created; and

b. Area of Jurisdictional Wetlands and Waters and riparian woodland/scrub to be impacted by the Affected Development Project, as the cost of restoring or creating Jurisdictional Wetlands and Waters and riparian woodland/scrub is directly proportional to the acreage being restored or created, which in turn is directly proportional to the acreage being impacted by the project.

G. On April 16, 2007, prior to approving the HCP/NCCP implementing ordinance and fees, the City Council City Council adopted Resolution 07-10745 making findings pursuant to the California Environmental Quality Act (CEQA) and approving the HCP/NCCP. This update of the adopted schedule of fees is an administrative action that is not considered a "project" pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5,) and is, therefore, exempt from CEQA.

H. Future individual affected development projects subject to this resolution will require separate project-specific CEQA review.

Section 2. Implementation Fees Imposed

A. The applicability and application procedure for the payment of the HCP/NCCP Development Fee and Wetland Mitigation Fee and procedure for payment of such fees shall remain as specified by Chapter 15.108 of Pittsburg Municipal Code.

B. Development Fee.

1. The Development Fee shall be based on each acre of land, or portion thereof, permanently disturbed and is set as follows:

Location of Affected Development Project	Development Fee
Development Fee Zone I	$20,329.20 per acre
Development Fee Zone II	$40,658.39 per acre
Development Fee Zone III	$10,164.60 per acre

2. The Development Fee Zones are set forth in Contra Costa County Board of Supervisors Ordinance No. 2023-10, Exhibit A to this Resolution.

C. Wetland Mitigation Fee. The Wetland Mitigation Fee is set forth in Exhibit B to this Resolution.

D. The Development Fee and Wetland Mitigation Fee shall on March 15 of each year be automatically adjusted as follows:

1. The Development Fee shall be adjusted as provided in Exhibit C and based on the formula in Exhibit D, as explained in Chapter 9.3.1 of the HCP/NCCP. As shown in Exhibit C and Exhibit D, both of which are incorporated herein by

reference, one portion of the Development Fee's amounts in effect before March 15 of each year shall be increased or decreased by the same percentage as the percentage of increase or decrease in the Office of Federal Housing Finance Agency Annual Home Price Index for the Oakland-Berkeley-Livermore, California Metropolitan Division for the prior calendar year. The remaining portion of the Development Fee's amounts shall be increased or decreased by the same percentage as the percentage of increase or decrease in the Consumer Price Index for the San Francisco-Oakland-Fremont Combined Statistical Area (U.S. Bureau of Labor Statistics) for prior calendar year.

2. The Wetland Mitigation Fee shall be adjusted as provided in Exhibit C. As shown in Exhibit C, the Wetland Mitigation Fee's amounts in effect before March 15 of each year shall be increased or decreased by the same percentage as the percentage of increase or decrease in the Consumer Price Index for the San Francisco-Oakland-Hayward Combined Statistical Area (U.S. Bureau of Labor Statistics) for the prior calendar year.

Section 3. Effective Date

The fees provided in this Resolution shall be effective 60 days after the adoption of this Resolution.

Section 4. Severability

All portions of this Resolution are severable. Should any provision of this Resolution be judged to be invalid and unenforceable, the remaining provisions shall be and continue to be fully effective, and the fees shall be fully effective except as to the portion that has been judged to be invalid.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 18th day of November 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Juan Antonio Banales, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

Exhibit A: Development Fee Zones - Pittsburg

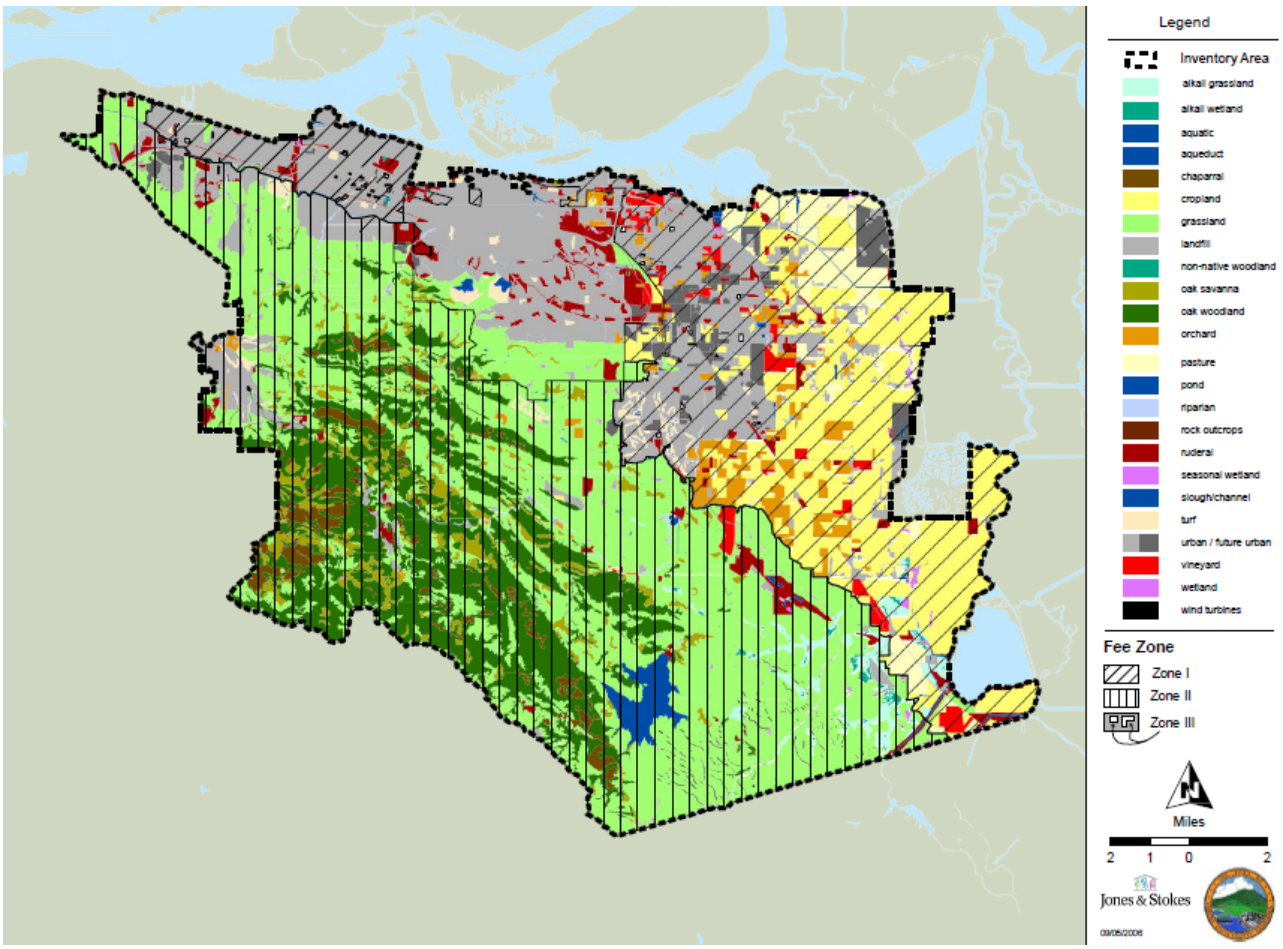

Exhibit B: Wetland Mitigation Fee and Acreage Determination Methods

(Adapted from Table 9-5 of the HCP/NCCP to reflect the fee amounts applicable after the effective date of this Resolution)

Land Cover Type	Fee per unit of Impact[1]	Required Compensation Ratio for Restoration/ Creation[1]	Method for Determining Fee Boundary
Riparian woodland/scrub	$113,975.20/acre	1:1	Limit of tree or shrub canopy (drip line)
Perennial wetlands	$175,393.58/acre	1:1	Jurisdictional wetland boundary of state or federal government [2], whichever is greater
Seasonal wetland	$412,016.09/acre	2:1	Same as above
Alkali wetland	$416,523.83/acre	2:1	Same as above
Ponds	$227,232.49/acre	1:1	Jurisdictional waters boundary of state or federal government[2] whichever is greater
Aquatic (open water)	$113,616.78/acre	0.5:1	Wetted area during normal rainfall year or jurisdictional waters boundary, whichever is greater
Slough/channel	$160,930.74/acre	1:1	Area of impact within banks
Streams			
Streams 25 feet wide or less	$595.22/linear foot	1:1	Stream length measured along stream centerline. Stream width measured between top of bank.
Streams greater than 25 feet wide [3]	$892.29/linear foot	1:1	Stream length measured along stream centerline. Stream width measured between top of bank.

[1] See Appendix G for calculation of fee by wetland type. Wetland fee takes required compensation ratio into account. Fees from Draft HCP/NCCP (in 2004 dollars) were updated for the Final HCP/NCCP using a 2005 CPI of2.0% per Table 9-7.

[2] Using methods for determining state and federal jurisdictional waters and wetlands at the time of HCP/NCCP approval.

[3] Impact fee for wider streams is 1.5 times the base stream fee to account for higher construction costs on wider streams.

Exhibit C: Fee Adjustment Indices

(Adapted from Table 9-7 of the HCP/NCCP to reflect the fee adjustment procedures applicable after the effective date of this Resolution)

Fee	Annual Adjustment Index[1]	Average Annual Rate (2006-2022) Example
Development Fee		
Portion for Land Acquisition[2] (59.53% initially[3])	Change in the annual Home Price Index (HPI) for the Oakland-Berkeley-Livermore, CA Metropolitan Division (MSAD) for the prior calendar year (Office of Federal Housing Finance Agency)[4]	3.85%
Portion for Preserve System Operation, Restoration, and Maintenance (40.47% initially[3])	Change in the Consumer Price Index for the San Francisco-Oakland-Fremont Combined Statistical Area for all urban consumers for the prior calendar year (U.S. Bureau of Labor Statistics)[5]	2.87%
Wetland Mitigation Fee	Change in the Consumer Price Index for the San Francisco-Oakland-Fremont Combined Statistical Area for all urban consumers for the prior calendar year (U.S. Bureau of Labor Statistics)[5]	2.87%

Note:

[1] HCP/NCCP fees to be adjusted automatically by March 15 of every year based on the indices for the prior calendar year. See Appendix G of the HCP/NCCP for more details on methodology and sources.

[2] Direct land acquisition costs only. Excludes costs associated with land transaction, site improvements, and due diligence (e.g., pre-acquisition surveys).

[3] The portion of the Development Fee that will be adjusted according to the HPI and CPI will vary over time. For the first annual automatic adjustment following the effective date of this Ordinance No. 2023-10, 59.53% of the initial fees will be adjusted according to the HPI and 40.47% will be adjusted according to the CPI. The apportionment in subsequent years will depend on the relative values of the indices, in accordance with the formula provided in Exhibit E.

[4] See https://www.fhfa.gov/DataTools/Downloads/Pages/House-Price-Index-Datasets.aspx#atvolData. Data for the prior calendar year are published in March. To calculate automatic adjustments, the change in the HPI for the prior calendar year will be used.

[5] Consumer Price Index, All Items, with base data year of 1982-1984 (i.e., 1982-1984 = 100), for all urban consumers (CPI-U), not seasonally adjusted. See https://www.bls.gov/eag/eag.ca_sanfrancisco_msa.htm.

Exhibit D: Automatic Development Fee Increase Formula

(Adapted from Table 9-7 of the HCP/NCCP to reflect the fee adjustment procedures applicable after the effective date of this Resolution)

$$Fee_n=[[L_{n-1}{}^{*}(HPI_{n-1}/HPI_{n-2})]+[S_{n-1}{}^{*}(CPI_{n-1}/CPI_{n-2})]]^{*}Z$$

Where:

n = year of HCP/NCCP Implementation [year 1 (n=l) is 2007, the calendar year in which the HCP/NCCP implementation ordinance was adopted; year 2 (n = 2) is 2008; etc. Year 0 (n=0) is 2006. Year 17 (n=17) is 2023.]

Fee_n = Development Fee for year n (the Development Fee for yearn applies from March 15 of year n through March 14 of the following year)

Fee_{17} = $39,743.83 for Zone II; $19,871.91 for Zone I; and $9,935.96 for Zone III

$L_n = [L_{n-1}{}^{*}(HPI_{n-1}/HPI_{n-2})]^{*}Z$

L_{n-1} = Land acquisition portion of development fee for the year prior to year n

L_{17} = 59.53% of $39,743.83 = $23,659.15

HPI_{n-1} = Home Price Index (HPI) for the Oakland-Berkeley-Livermore, CA Metropolitan Division (MSAD) at the end of the calendar year prior to year n as published by the Office of Federal Housing Finance Agency

$S_n = [S_{n-1}{}^{*}(CPI_{n-1}/CPI_{n-2})]^{*}Z$

S_{n-1} = Non-land acquisition portion of development fee for the year prior to year n

S_{17} = 40.47% of $39,743.83 = $16,084.67

CPI_{n-1} = Consumer Price Index for the San Francisco-Oakland-Fremont Combined Statistical Area for all urban consumers at the end of the calendar year prior to year n as published by U.S. Bureau of Labor Statistics

Z = Fee zone factor (based on which fee zone the project is in (see Figure 9-1 in the HCP)). The fee zone factors for the three zones are as follows:

Z = 1 for Zone II, the Natural Lands Zone

Z = 0.5 for Zone I, the agricultural lands zone

Z = 0.25 for Zone III, the infill zone

EAST CONTRA COSTA COUNTY HCP / NCCP MITIGATION FEE AUDIT AND NEXUS STUDY

Prepared For:

East Contra Costa County Habitat Conservancy

Prepared By:

Robert D. Spencer, Urban Economics

Sally E. Nielsen, Insight Data and Economic Analysis

February 2023

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EXECUTIVE SUMMARY

The purpose of this report is to present the findings, conclusions, and recommendations of an audit of mitigation fees that partially fund the *East Contra Costa Habitat Conservation Plan and Natural Community Conservation Plan* (HCP/NCCP or Plan). The purpose of this audit is to fulfill the requirements of the periodic audit requirements of the Plan. The audit also provides the basis for findings required by the Mitigation Fee Act (MFA) related to the mandatory five-year review and any action establishing, increasing, or imposing a fee (commonly referred to as a "nexus analysis").

Revenue sources to fund estimated HCP/NCCP costs during the 30-year permit term include four types of mitigation fees:

- Development fee
- Rural road fee
- Wetland mitigation fee
- Temporary impact fee.

Covered activities that cause permanent impacts to habitat pay the development fee (except rural transportation projects, see below). If the impact is to one of several wetland land cover types, then the wetland mitigation fee applies in addition to the development fee.

The rural road fee is a multiple of the development fee and applies to 18 identified rural transportation projects in the Plan. Covered activities that temporarily disturb habitat pay the temporary impact fee.

Table E.1 summarizes how the four types of mitigation fees are applied to covered activities based on the type of impact.

Table E.1: Mitigation Fees

Type of Impact	Mitigation Fee	Applicability
Permanent	Development fee	All permanent impacts except those subject to the rural road fee.
	Rural road fee	Permanent impacts from rural road projects specifically identified in Table 9-6 of the Plan.
	Wetland mitigation fee	Permanent impacts to wetland land cover types and streams, paid in addition to applicable development or rural road fee.
Temporary	Temporary impact fee	All temporary impacts and based on the associated development, rural road, or wetland mitigation fee adjusted for the length (in time) of the temporary impact and recovery.

Funding for post-permit term costs in perpetuity is required by the HCP/NCCP. The Plan allowed this cost obligation to be deferred until year 15 of implementation, or when half of the impacts allowed under the permits occur, whichever comes first. The prior audit completed in 2017 included estimates for an endowment to fund post-permit term costs. The endowment was established with the Regional Parks Foundation in 2020, year 13 of Plan implementation.

This audit like prior audits assumes that all development impacts allowed under the permits will occur by the end of the 30-year permit term in 2037. This approach is necessary to align funding sources to meet mitigation and conservation goals under the Plan, and to ensure sufficient funding for an endowment by the end of the permit term.

A significant finding of this audit is that only a minority of total development impacts allowed under the permits are likely to occur by the end of the 30-year permit term in 2037. This finding suggests that an extension to the permit term should be considered to align the term more closely with the timing of development impacts.

The audit was completed based on data through fiscal year 2021 so the calculated mitigation fees are comparable to the 2022 fee schedule. The audit results for the development fee are shown in **Table E.2**. The development fee is also the basis for the rural road and temporary impact fees so the same trends would apply to those fees as well.

Table E.2: Development Fee Comparison

Zone	2022 Fee Schedule	2022 Audit	Change
Zone 1	$18,938	$19,170	1.2%
Zone 2	$37,876	$38,340	1.2%
Zone 3	$9,469	$9,585	1.2%

Sources: Table 6.3.

The adjustment to the 2022 fee schedule is minor (1.2 percent). This indicates that the annual inflation adjustment process (since the prior 2017 audit) has been effective tracking the fee with changes in Plan costs. The fee includes necessary funding for the endowment.

The audit results for the wetland mitigation fees are shown in **Table E.3**. The wetland mitigation fees are also the basis for the wetland mitigation component of the temporary fee so the same trends would apply to the wetland component of that fee as well.

As shown in the table, the increase in the fee because of the audit is between 0.4 percent and 2.5 percent compared to the current fee, depending on the land cover type.

Table E.3: Wetland Mitigation Fee Comparison

Land Cover Type	Fee Basis	2022 Fee Schedule	2022 Audit	Change
Riparian	per acre	$105,516	$105,891	0.4%
Perennial Wetland	per acre	$159,912	$162,953	1.9%
Seasonal Wetland	per acre	$374,220	$382,792	2.3%
Alkali Wetland	per acre	$378,310	$386,980	2.3%
Pond	per acre	$205,924	$211,115	2.5%
Aquatic (open water)	per acre	$102,962	$105,558	2.5%
Slough / Channel	per acre	$147,029	$149,516	1.7%
Streams (<=25 ft. wide)	per linear foot	$543	$553	1.8%
Streams (>25 ft. wide)	per linear foot	$814	$829	1.8%

Sources: Table 5.2.

1. INTRODUCTION

The purpose of this report is to present the findings, conclusions, and recommendations of an audit of mitigation fees that partially fund the *East Contra Costa County Habitat Conservation Plan and Natural Community Conservation Plan* (HCP/NCCP or Plan). This introduction provides background on the Plan and the Mitigation Fee Act (MFA), the state enabling statute for mitigation fees. This chapter also describes the purpose and scope of this audit and explains the general approach taken to complete the audit.

Background

The HCP/NCCP was completed in 2006 after an extensive planning process initiated in 1999 that built on prior efforts begun in 1995.[1] The HCP/NCCP enables the protection of natural resources in east Contra Costa County while streamlining the environmental permitting process for impacts on endangered species covered by the Plan. Adoption of the Plan allowed state and federal wildlife agencies to issue various permits for a 30-year term (the permits). These permits allow the incidental take of endangered species by the projects and activities of the permittees under the Plan.[2] Covered activities include all ground- or habitat-disturbing activities within the Plan's urban development area (UDA), and other specifically named projects. These include, for example, urban development projects, public infrastructure projects, and ongoing infrastructure maintenance activities.

Implementation of the Plan preserves specified natural lands in eastern Contra Costa County in perpetuity (the Preserve System) to mitigate the impacts of covered activities on endangered species and contribute to their recovery.

The five local agencies responsible for implementing portions of the Plan that relate to the development entitlement process are the County of Contra Costa and the cities of Brentwood, Clayton, Oakley, and Pittsburg. The City of Antioch chose not to participate in the Plan. These five participating local agencies formed a joint powers authority (JPA) known as the East Contra Costa County Habitat Conservancy (the Conservancy) to perform the many implementation duties assigned to the "Implementing Entity" by the Plan.

[1] HCP/NCCP, Chapter 1, pp. 1-1 to 1-2.

[2] The permittees include Contra Costa County, the cities of Brentwood, Clayton, Oakley, and Pittsburg, the East Bay Regional Park District, the Contra Costa County Flood Control And Water Conservation District, and the East Contra Costa County Habitat Conservancy.

In late 2006 and through 2007 the local agencies formed the JPA, the Conservancy, permittees, and wildlife agencies executed the Implementing Agreement, and the wildlife agencies issued the permits. The local agencies and the Conservancy began collecting mitigation fees in 2008. The first full year of implementation was 2008. The Conservancy's fiscal year (FY) is from January 1 to December 31.

Consistent with the financial planning presented in Chapter 9 of the HCP/NCCP, 2007 is year 0, 2008 is year 1, and the permit term would end in 2037, year 30. This audit is conducted in 2022 (year 15) as required by the Plan and is based on data through FY 2021 (year 14). The next audit required by the Plan is in 2027 (year 20).

HCP/NCCP Mitigation Fees

Revenue sources to fund estimated HCP/NCCP costs during the 30-year permit term include four types of mitigation fees:

- Development fee
- Rural road fee
- Wetland mitigation fee
- Temporary impact fee.

The type of mitigation fee paid by a covered activity depends on fee zone, land cover type affected, and type of impact ("impact" and "covered activity" are used interchangeably in this report). Most covered activities occur within the UDA. The UDA is defined as (1) the County of Contra Costa urban limit line, or (2) the boundaries of the four cities implementing the Plan, whichever is larger.[3]

Applicants can dedicate land for the Preserve System or generate alternative special taxes, fees, or charges in lieu of paying a portion of the full development fee, subject to approval by the Conservancy.

Covered activities that cause permanent impacts to habitat pay the development fee (except rural road projects, see below). If the impact is to wetland land cover types, then the wetland mitigation fee applies in addition to the development fee. This additional fee applies because of the greater mitigation requirements (restoration and creation) associated with wetland impacts.

The Plan includes a separate rural road fee based on a multiple of the development fee for specifically-identified rural transportation projects in the Plan. These projects generally have a greater per-acre impact than other types of development projects.

[3] HCP/NCCP, Chapter 2, pp. 2-16 to 2-18, Figure 2-3. Excludes City of Antioch that is not covered under the Plan.

Covered activities that temporarily disturb habitat pay the temporary impact fee. The fee is calculated based on the permanent fee that otherwise would apply (development, rural road, or wetland) adjusted for the length of time of the temporary impact and its recovery.

Table 1.1 summarizes how the four types of mitigation fees are applied to covered activities based on the type of impact.

Table 1.1: Mitigation Fees

Type of Impact	Mitigation Fee	Applicability
Permanent	Development fee	All permanent impacts except those subject to the rural road fee.
	Rural road fee	Permanent impacts from rural road projects specifically identified in Table 9-6 of the Plan.
	Wetland mitigation fee	Permanent impacts to wetland land cover types and streams, paid in addition to applicable development or rural road fee.
Temporary	Temporary impact fee	All temporary impacts and based on the associated development, rural road, or wetland mitigation fee adjusted for the length (in time) of the temporary impact and recovery.

Audit Objectives and Scope

The objectives of this audit are defined by the requirements of the HCP/NCCP. The audit also provides the basis for findings required by the MFA related to the mandatory five-year review and any action establishing, increasing, or imposing a fee.

Periodic Audit Requirements of the HCP/NCCP

The HCP/NCCP calls for periodic audits of the mitigation fees in the following years: 2010 (year 3), 2013 (year 6), 2017 (year 10), 2022 (year 15), 2027 (year 20), and 2032 (year 25). The purpose of the audit is "[t]o ensure that the fees generated by development and other covered activities are adequately covering their share of Plan costs."[4]

Audits must compare current actual costs to the cost assumptions used in the current mitigation fee calculation. The audit must review actual land acquisition costs as well as costs to operate, manage, and maintain the Preserve System. The audit must recalculate fees based on this cost review. As with prior

[4] HCP/NCCP, Chapter 9, p. 9-31.

audits, this audit uses the same approach as the HCP/NCCP to calculate the development fee based on a specified fair share of total Plan costs (see Chapter 6 for more explanation).

In between periodic audits the Plan calls for automatic annual adjustments to the Plan's mitigation fees. Annual adjustments are based on two inflation indices weighted by the appropriate Plan cost component reflected by each index.[5] A real estate cost index is used to update the land acquisition cost component reflecting more than half of total plan costs. The Consumer Price Index is used to update the share of fees funding the balance of Plan costs.

Mitigation Fee Act Requirements

The mitigation fees collected pursuant to the HCP/NCCP are authorized by California law under the Mitigation Fee Act (MFA) found in Sections 66000 through 66025 of the *California Government Code*.

Section 66001

This audit provides a revised fee schedule based on updated cost data. If the audit results in an increase in fees, the audit must make the following four "reasonable relationship", or "nexus" findings required by the MFA:

> *Sec. 66001(a) In any action establishing, increasing, or imposing a fee as a condition of approval of a development project by a local agency, the local agency shall do all of the following:*
>
> *(1) Identify the purpose of the fee.*
>
> *(2) Identify the use to which the fee is to be put. If the use is financing public facilities, the facilities shall be identified. That identification may, but need not, be made by reference to a capital improvement plan as specified in Section 65403 or 66002, may be made in applicable general or specific plan requirements, or may be made in other public documents that identify the public facilities for which the fee is charged.*
>
> *(3) Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.*
>
> *(4) Determine how there is a reasonable relationship between the need for the public facility and the type of development on which the fee is imposed.*

[5] HCP/NCCP, Chapter 9, p. 9-30.

The following finding is not required though this audit makes this finding as well:

> *Section 66001(b) In any action imposing a fee as a condition of approval of a development project by a local agency, the local agency shall determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.*

Each of these findings are made in association with the analysis of each fee in Chapters 5, 6, and 7.

Section 66016.5

Section 66016.5(a) of the MFA includes certain requirements for nexus studies completed on and after January 1, 2022. These requirements and how this audit meets these requirements are presented below.

> *(1) Before the adoption of an associated development fee, an impact fee nexus study shall be adopted.*

This audit constitutes a nexus study for the purposes of this section of the MFA.

> *(2) When applicable, the nexus study shall identify the existing level of service for each public facility, identify the proposed new level of service, and include an explanation of why the new level of service is appropriate.*

This section is not applicable because this audit does not result in a change in the existing level of service.

> *(3) A nexus study shall include information that supports the local agency's actions, as required by subdivision (a) of Section 66001.*

As mentioned above, section 66001(a) findings are included in Chapters 5, 6, and 7.

> *(4) If a nexus study supports the increase of an existing fee, the local agency shall review the assumptions of the nexus study supporting the original fee and evaluate the amount of fees collected under the original fee.*

This audit evaluates the amount of fees collected under the current fee schedule and the underlying cost assumptions and finds revenue insufficient to fully fund new development's fair share of the Plan costs. See Chapters 5 and 6.

(5)(A) A nexus study adopted after July 1, 2022, shall calculate a fee imposed on a housing development project proportionately to the square footage of proposed units of the development. A local agency that imposes a fee proportionately to the square footage of the proposed units of the development shall be deemed to have used a valid method to establish a reasonable relationship between the fee charged and the burden posed by the development.

Application of the Plan's mitigation fees on housing development by square foot is not an appropriate nexus based on the findings presented below.

(B) A nexus study is not required to comply with subparagraph (A) if the local agency makes a finding that includes all of the following:

(i) An explanation as to why square footage is not appropriate metric to calculate fees imposed on housing development project.

As explained in Chapters 5, 6, and 7, the impact of development to species and natural habitats is measured in acres of disturbed land. Building square feet does not correlate with acres of disturbed land (or linear feet in the case of stream impacts) and therefore the amount of impacts.

(ii) An explanation that an alternative basis of calculating the fee bears a reasonable relationship between the fee charged and the burden posed by the development.

Mitigation fees are most appropriately imposed based on acres of disturbed land (or linear feet in the case of stream impacts) to have a reasonable relationship with the burden posed by (impacts from) development.

(iii) That other policies in the fee structure support smaller developments, or otherwise ensure that smaller developments are not charged disproportionate fees.

Because mitigation fees are imposed based on the amount of disturbed acres (or linear feet in the case of stream impacts) smaller developments pay a smaller fee.

(C) This paragraph does not prohibit an agency from establishing different fees for different types of developments.

Mitigation fees are imposed consistently across all types of development based on the amount of disturbed acres (or linear feet in the case of stream impacts).

(6) Large jurisdictions shall adopt a capital improvement plan as a part of the nexus study.

The permittees (excluding the Conservancy) have adopted the HCP/NCCP that is a "capital improvement plan" as defined in section 66002(a).

Funding Mitigation and Conservation Goals

A Natural Community Conservation Plan (NCCP) under California law provides unique regulatory benefits in addition to those provided by a Habitat Conservation Plan (HCP) under federal law. An NCCP must not only mitigate impacts to the maximum extent practicable as required by an HCP. An NCCP must also contribute to the recovery and continued viability of species whether or not those species are protected under the California Endangered Species Act.[6] This "conservation" component of the Plan is in addition to Plan "mitigation" requirements It is accomplished by protecting habitat, natural communities, and species diversity on a landscape or ecosystem level through the creation and long-term management of large habitat reserves.

A key objective of the nexus analysis in Chapters 5, 6, and 7 is to only allocate the mitigation share of total Plan costs to the development fees and other mitigation-related revenue sources. The updated funding plan presented in Chapter 8 ensures that other local, state, and federal funding is kept consistent with the Plan's estimates for funding to achieve the Plan's conservation goals.

Objectives and Scope

The findings required by the MFA described above are similar in intent to the HCP/NCCP's objectives for periodic audits. Both suggest the need to update the fee amount based on recent data and confirm the role of fee revenues in a feasible funding plan. To address both the periodic audit requirements of the Plan and the findings required by the MFA, the objectives and scope of this audit are:

1. Update cost assumptions underlying the mitigation fees
2. Recalculate fee amounts based on a reasonable relationship (nexus) between new development and the need for the fee, the amount of the fee, and the use of fee revenues
3. Update local, state, and federal revenue estimates consistent with the Plan's anticipated funding from these sources to achieve the Plan's conservation goals (contribute to the recovery of species and habitats)
4. Update the funding plan including an endowment for post-permit term costs that demonstrates the continued financial feasibility of the HCP/NCCP.

This audit uses the most recently available data on financial transactions and covered activities through December 31, 2021.

[6] *California Fish & Game Code*, Sections 2050 through 2089.25 and 2890 through 2835.

This audit is not a comprehensive audit of the Conservancy's finances. The Conservancy separately has an annual financial audit conducted by an outside auditor. The data and methods used by this audit are sufficient to achieve the objectives described above.

The HCP/NCCP states that the Conservancy will "hire an outside, independent financial auditor to conduct" the audit.[7] The expertise required to complete the audit is more closely related to maintaining compliance with mitigation fee legal statutes than with accounting standards. Consequently, the Conservancy has elected to engage a professional services firm with direct experience developing and implementing mitigation fee nexus studies in the context of regional habitat conservation plans rather than a certified public accountant.

Organization of the Audit

Covered activities (impacts) under the HCP/NCCP to date are summarized in Chapter 2 as well as remaining impacts through the 30-year permit term. The update to the cost model used to estimate implementation costs of the Plan is presented in Chapter 3. Chapter 4 describes post-permit term costs and funding of an endowment.

Updates to the four fees are presented in Chapters 5 through 7. The wetland mitigation fee is presented first in Chapter 5 because it is calculated independently of the other fees. The development fee is presented next in Chapter 6 based on urban development's fair share of total Plan costs net of the wetland mitigation fees and costs. The rural road and temporary impact fees are presented in Chapter 7 because they use the same rates as the development and wetland mitigation fees, adjusted for rural road or temporary impacts.

The updated 30-year funding plan based on revised cost and revenue estimates is presented in Chapter 8.

The appendices provide additional supporting documentation for the audit.

[7] HCP/NCCP, Chapter 9, p. 9-31.

2. IMPACTS

This section of the audit describes the impacts that have occurred to date during from 2008 through 2021 (years 1-14). This section also identifies the remaining impacts based on the total amount of impacts permitted under the HCP/NCCP.

This chapter will show that only a small amount of development relative to permit term limits allowed under the permits has occurred through 2021. This finding is used to support an audit recommendation for the Conservancy to seek an extension of the permit term (see *Permit Term Extension* in this chapter, below).

The Plan uses the amount of acreage from development projects and other activities as the primary unit of measurement for impacts. The Plan uses linear feet to measure stream impacts subject to the wetland mitigation fee.

Urban Development Area (UDA)

The boundaries of the UDA are subject to change over time based on local land use policy decisions by the five agencies implementing the HCP/NCCP. Thus, boundary changes could lead to changes in the land use capacity for, and eventual amount of, urban development.

To accommodate the uncertainty regarding the amount of urban development that would be covered under the Plan, the Plan uses two scenarios to "book end" the potential urban development levels:

- The initial UDA is defined by the County of Contra Costa urban limit line and the boundaries of the cities of Brentwood, Clayton, Oakley, and Pittsburg existing at the time the Plan was adopted.[8]
- The maximum UDA is the maximum development capacity for urban development under the terms of the permits. Although boundaries are not defined, the development capacity considers areas outside the initial UDA proposed for future development in the general plans of Brentwood, Clayton, Pittsburg, and the County.

The urban development area covered under the Plan at the end of the permit term could fall anywhere in the range defined by the initial urban development area and the maximum urban development area. The ultimate boundaries depend on local land use decisions occurring during the permit term. The conservation requirements of the Plan are greater for the maximum UDA

[8] Excluding some areas within the County urban limit line surrounding the Byron Airport. See HCP/NCCP, p. 2-17.

compared to the initial UDA to accommodate the greater impacts under the maximum UDA scenario.

Development Fee Zones

The development fee is implemented based on three fee zones defined by the HCP/NCCP.[9] A map of the zones is provided in Figure 9-1 of the Plan. The zones represent varying levels of impacts on covered species and natural habitats caused by development projects and activities. The development fee is lowest in the zone where development would have the least impacts and highest in the zone where development would have the greatest impacts. The zones generally correspond to the dominant land cover type and habitat and open space values. Below is a summary of the zones:

- Zone I: Cultivated and disturbed lands, primarily areas in agricultural use and some undeveloped areas within existing urban areas.
- Zone II: Natural areas where lands are dominated by natural land cover types.
- Zone III: Small vacant lots (less than 10 acres) within the initial UDA.

The lowest development fee is in Zone III because the habitat and open space value is lowest on vacant land within existing developed areas. As the Plan states in Chapter 4, "[d]evelopment of these areas will result in loss of open space and some habitat values, but impacts will be less than those in Zone I and substantially less than those in Zone II."[10] An acre of permanent impacts in Zone III is given a weight of **one** for the purposes of allocating the fair share of total plan costs to the development fee.

The highest fee is in Zone II because this predominantly natural area has the highest habitat value. The dominant land cover type is annual grassland and covers 34 percent of the land included in the Plan's inventory area. The greatest impacts in Zone II are in this land cover type. Chapter 4 of the Plan references the importance of annual grassland throughout its detailed analysis of impacts on covered species and critical habitats.[11] An acre of permanent impacts in Zone II is given a weight of **four** for the purposes of allocating the fair share of total plan costs to the development fee (four times the weight of impacts in Zone III).

The amount of the Zone I fee is between the fees in the other two zones because cultivated and other disturbed uses have greater habitat value than

[9] HCP/NCCP, Chapter 9, pp. 9-20 to 9-21.

[10] Ibid.

[11] HCP/NCCP, Chapter 4, pp. 4-14 to 4-22.

vacant lots but less value than natural areas. Chapter 4 of the Plan includes several findings to support this approach.[12] An acre of permanent impact in Zone I is given a weight of **two** for the purposes of allocating the fair share of total plan costs to the development fee (twice the weight of impacts in Zone III and half the weight of impacts in Zone II).

The fee zone map in the Plan (Chapter 9, Figure 9-1) is the sole determination of the fee zone applicable to a project or other covered activity.[13] Individual parcels within a zone will have greater or lesser impact on covered species, natural communities, and open space. An individual parcel in zone A, for example, may have characteristics like land cover types in zone B. However, the parcel's location adjacent to lands within zone A combined with the benefits of contiguous open space to meeting the Plan's objectives, provides reasonable justification to include the parcel in zone A. The mapping of the zones was completed at a level of detail sufficient to provide a reasonable relationship between all land within a specific zone and the relative weight of impacts assigned to that zone.[14]

Summary of Impacts to Date

Permanent impacts to date by zone are shown in **Table 2.1**. Temporary impacts are tracked by the Conservancy but not shown in Table 2.1 because they have no effect on the development or wetland fee calculations. Temporary impact fee revenue is included in the funding plan in Chapter 8. See **Table A.1** in Appendix A for a detailed list of covered activities to date.

Remaining Permanent Impacts Under the HCP/NCCP

The HCP/NCCP allows for a fixed amount of permanent impacts. Permanent impacts are used to calculate and update the development fee. The remaining permanent impacts allowed under the Plan until the permit term (years 15-30) are summarized in **Table 2.2** by subtracting impacts to date (Table 2.1) from the total impacts allowed for the 30-year permit term. The table applies the weighting factors by zone discussed above. The result is the total acreage of permanent impacts with the UDA remaining under the Plan weighted by the relative impact in each zone. Remaining impacts for the maximum and initial UDAs is used to allocate costs to the development fee in Chapter 6.

[12] HCP/NCCP, Chapter 4, pp. 4-6, 4-15, and HCP/NCCP, Appendix D, *Species Profiles*.

[13] HCP/NCCP, Chapter 9, p. 9-20.

[14] See, for example, HCP/NCCP, Chapter 3, pp. 3-2 to 3-5.

Table 2.1: Permanent Impacts, 2008 Through 2021

Location	Land Conversion	
Urban Development Area (UDA)		
Zone 1	931.44	acres
Zone 2	211.33	acres
Zone 3	34.05	acres
Subtotal UDA	1,176.82	acres
Rural (outside UDA)[1]	76.94	acres
Total Land Conversion	1,253.76	acres
Wetlands[2]		
Wetlands (except streams)	4.32	acres
Streams (linear feet)	1,089.31	linear feet

[1] Covered activities occurring outside the urban development area (UDA) could occur in either zones 1 or 2. Includes rural road projects as shown in Table 9-6 of the HCP/NCCP, plus rural infrastructure projects and activities, and activities within the Preserve System (see Sections 2.3.2 through 2.3.4 of the HCP/NCCP).

[2] Wetland impacts are included in land conversion impacts. Wetland impacts pay wetland fees in addition to the applicable development fee or rural road fee.

Sources: Appendix A, Table A.1.

Table 2.2 shows 12,979 acres for the permit limit under the maximum UDA. Table 4-3 in the Plan shows 13,029. There appears to be an addition error in the Table 4-3 that included an extra 50 acres. These 50 acres are excluded in Table 2.2. The Conservancy should consult with the permittees and the wildlife agencies to resolve this issue. The difference has no impact on any of the analyses for this audit, including the cost model update, the mitigation fee calculations, or other revenue estimates developed for the funding plan.

Remaining impacts to wetland land cover types (riparian, wetlands, ponds, and streams) are shown in **Table 2.3**. This audit contains the same adjustment made by prior audits to total acres of restoration/creation assumed in the Plan cost model to be consistent with Tables 5-16 and 5-17 in Chapter 5 of the Plan. Estimated compensatory restoration/creation acreage for seasonal wetlands under the maximum UDA scenario was adjusted to match the 2:1 mitigation ratio applied to the acres of impact shown in the tables. Also, consistent with Plan assumptions, a 30 percent reduction was made to the estimate of compensatory restoration/creation acreage (not contribution to recovery acreage) for the perennial, seasonal, and alkali wetlands to reflect overestimates due to mapping of these areas.[15]

[15] For seasonal wetlands, the total restored acreage for the initial [maximum] UDA scenario equals 45.2 [53.6] acres based on: (42 [56] impact acres x 2:1 mitigation ratio x 30 percent adjustment for mapping overestimate) + 20 acres contribution to recovery. See Tables 5-16 and 5-17 and Appendix G of the HCP/NCCP.

Table 2.2: Permanent Impacts (acres)

	Zone 1[1]	Zone 2	Zone 3	Subtotal	Share	Outside UDA	Total[2]	Share
Permit Limits (2008-2037)								
Initial UDA	6,198	2,306	166	8,670	100.0%	1,126	9,796	100.0%
Maximum UDA	7,507	4,180	166	11,853	100.0%	1,126	12,979	100.0%
Actual Impacts to Date (through 2021)								
Initial UDA	931	211	34	1,176	13.6%	77	1,253	12.8%
Maximum UDA	931	211	34	1,176	9.9%	77	1,253	9.7%
Remaining Impacts (2022-2037)								
Initial UDA	5,267	2,095	132	7,494	86.4%	1,049	8,543	87.2%
Maximum UDA	6,576	3,969	132	10,677	90.1%	1,049	11,726	90.3%
Impact Weighting Factor[3]	*2*	*4*	*1*					
Permit Limits - Equivalent Acres (2008-2037)								
Initial UDA	12,396	9,224	166	21,786	100.0%			
Maximum UDA	15,014	16,720	166	31,900	100.0%			
Actual Impacts to Date - Equivalent Acres (through 2021)								
Initial UDA	1,862	844	34	2,740	12.6%	Not Available[4]		
Maximum UDA	1,862	844	34	2,740	8.6%			
Remaining Impacts - Equivalent Acres (2022-2037)								
Initial UDA	10,534	8,380	132	19,046	87.4%			
Maximum UDA	13,152	15,876	132	29,160	91.4%			

Notes: "UDA" is the urban development area.

[1] The permit limits used to calculate the initial fees shown in Chapter 9, Table 9-4, and Appendix H of the HCP/NCCP are revised to control to the totals in Chapter 4, Tables 4-2 and 4-3 (corrected, see note 2), of the Plan (14 acres less for the Initial UDA and 26 acres less for the Maximum UDA). These adjustments are made to zone 1 though they could be allocated to any zone within the UDA.

[2] Table 4-3 in Chapter 4 of the HCP/NCCP appears to have a mathematical error for the maximum UDA permit limit, showing 13,029 acres instead of 12,979.

[3] Weighting factor reflects relative impacts by zone (see Plan, Appendix H). Equivalent acres for impacts outside the UDA not calculated because impacts occur in both zones 1 and 2.

[4] The HCP/NCCP did not identify the location of all covered activities occurring outside the UDA by zone, except for rural road projects (see HCP/NCCP, Table 9-6). Includes rural infrastructure projects and activities, and activities within the Preserve System (see NCP/NCCP, Sections 2.3.2 through 2.3.4).

Sources: HCP/NCCP, Tables 4-2 and 4-2, Table 9-4 (revised), and Appendix H, Table 1 (second memorandum); Table 2.1 (this report).

Table 2.3: Wetland Impacts

	Estimated Impacts (2008-2037)[1] (acres or linear feet)		Actual Wetland Impacts (2008-2021)[2]	Remaining Impacts (Years 2022-2037) (acres or linear feet)	
	Initial UDA	Maximum UDA		Initial UDA	Maximum UDA
Impacts Based on Acres					
Riparian	30.00	35.00	1.29	28.71	33.71
Perennial Wetland	22.20	22.50	0.07	22.13	22.43
Seasonal Wetland	12.60	16.80	1.61	10.99	15.19
Alkali Wetland	8.40	9.30	0.14	8.26	9.16
Pond	7.00	8.00	0.10	6.90	7.90
Aquatic (open water)	]12.00	12.00	0.47	11.53	11.53
Slough / Channel	72.00	72.00	0.65	71.35	71.35
Subtotal (acres)	164.20	175.60	4.32	159.88	171.28
Impacts Based on Linear Feet					
Streams (<=25 ft. wide)	21,120	26,400	685	20,435	25,715
Streams (>25 ft. wide)	3,168	4,224	404	2,764	3,820
Subtotal (linear feet)	24,288	30,624	1,089	23,199	29,535

Notes: "UDA" is the urban development area.

Impacts includes wetland impacts outside the UDA because these impacts are counted against the estimates of permanent impacts in the Plan (see Tables 5-16 and 5-17).

[1] Perennial, Seasonal, and Alkali wetland impacts reduced by 70 percent to account for overestimates in mapping analysis (see Tables 5-16 and 5-17, footnote 2.

[2] Assume ephemeral streams are equal to or less than 25 feet wide, and intermittent and perennial streams are greater than 25 feet wide.

Source: HCP/NCCP, Tables 5-16 and 5-17; Appendix A, Table A.1.

Permit Term Extension

As shown in Table 2.2, in terms of equivalent acres, 12.6 percent of impacts in the initial UDA allowed under the HCP/NCCP have occurred through 2021 (year 14). The comparable figure for the maximum UDA is 8.6 percent. Thus, with just over half of the permit term remaining (years 15 through 30), approximately 90 percent of the impacts have yet to occur. However, the HCP/NCCP does not provide a means to reduce estimated impacts and associated mitigation fee funding within the existing permit term.

The HCP/NCCP is a comprehensive plan that achieves both mitigation and conservation goals (see *Funding Mitigation and Conservation Goals* in Chapter 1). The HCP/NCCP does not provide the detail needed to separate mitigation

from conservation costs.[16] So the HCP/NCCP does not provide a basis to adjust conservation costs based on lower mitigation estimates and fee revenues without a reconsideration of Plan goals.

Moreover, the nexus analysis used to determine the mitigation share of total Plan costs is dependent upon achieving the Plan's overall goals.[17] Reducing estimated development impacts and associated mitigation fee funding would require significant reconsideration of the nexus analysis and the mitigation cost share used to calculate fees.

Thus, this audit like prior audits assumes that all development impacts allowed under the permits will occur by the end of the 30-year permit term in 2037. This approach is necessary to align funding sources to meet the mitigation and conservation goals under the Plan at the end of the permit term.

The most effective way to address the slower pace of impacts without fundamentally altering the HCP/NCCP cost model and funding plan would be to extend the permit term. A permit term extension would enable the cost model and funding plan to:

- Incorporate the effects of a more realistic planning horizon on costs and revenues
- Continue to demonstrate a feasible funding plan that achieves all Plan goals
- Avoid the need to reconsider Plan goals, costs, and funding based on a more constrained development scenario.

Based on this discussion, we recommend that the Conservancy work with members of the JPA, other permittees, and the wildlife agencies to extend the permit term.

[16] Only in the case of wetland restoration does the Plan have specific conservation goals in addition to mitigation requirements and that are costed out separately in the cost model (see HCP/NCCP, Chapter 5, Tables 5-16 and 5-17).

[17] HCP/NCCP, Appendix H, Table 1 (second memorandum).

3. COST MODEL

This chapter presents a summary of the updated cost models for the 30-year permit term. As shown in Appendix G of the HCP/NCCP separate cost models are used for the initial and maximum UDA scenarios to account for the difference in Preserve System size and other differences in Plan requirements. The two models are identical in structure. The difference in cost between the two models is primarily related to the effect of greater land acquisition and restoration requirements for the Preserve System under the maximum UDA scenario.

General Approach

The cost model was updated based on provisions in the Plan for periodic audits. The original model is documented in Appendix G of the Plan. For this audit, cost model revisions were made to the latest version of the model developed for the prior audit. The model for each scenario (initial and maximum UDA) includes multiple linked spreadsheets (see Appendix C and Appendix D of this report). Total costs for the permit term are the sum of actual costs to date (through FY 2021) and estimated remaining costs through the end of the permit term. All costs are expressed in 2021 dollars to support calculation of the mitigation fees.

Actual costs through December 31, 2021 were adjusted to 2021 dollars using changes in the Conservancy's mitigation fee schedule, thus replicating the same index used to reflect inflation in Plan costs. The Conservancy's fees are adjusted annually based on published price indices and periodically based on prior audits, as discussed in Chapter 1, *Periodic Audit Requirements of the HCP/NCCP*.[18]

Remaining costs through the end of the permit term were updated based on recent cost experience and application of appropriate inflation indices to assumptions in the prior audit cost model, as explained in more detail in the following section of this chapter.

The models provide budgets for the following nine cost categories related to Plan implementation:

1. Program administration
2. Land acquisition
3. Planning and design

[18] See also HCP/NCCP, Chapter 9, pp. 30-31 and Table 9-7, and Appendix F, Table F.1.

4. Habitat restoration/creation
5. Environmental compliance
6. Preserve management and maintenance
7. Monitoring, research, and adaptive management
8. Remedial measures
9. Contingency.

Post-permit costs are analyzed separately as part of the endowment model and are presented in the following chapter (Chapter 4).

Land Acquisition Costs

Land acquisition is the Plan's largest cost category representing about 65 percent of total costs excluding endowment costs. Substantial effort was expended during the audit to update costs to reflect current market conditions and recent Conservancy land acquisition experience. This audit uses an acquisition model developed and maintained by Conservancy staff to estimate the acres that need to be acquired to achieve the various habitat acquisition requirements of the Plan for both the initial and maximum UDA scenarios.

The Conservancy, working with East Bay Regional Park District (Park District), has been very successful in acquiring Preserve System lands since the Plan's implementation. Through 2021 (year 14) the Conservancy has acquired approximately 12,050 acres, or 40 and 50 percent of the Preserve System required under the maximum and initial UDA scenarios, respectively. These totals exclude:

- Acquired lands that cannot be credited to the Preserve System because of existing conservation easements mitigating habitat impacts that occurred prior to Plan adoption[19]
- Parts of acquired parcels that lie outside plan acquisition zones.

A database of over 100 land transactions in East Contra Costa County, all within the past ten years, was compiled from a variety of sources to estimate costs per acre for future Preserve System acquisitions. This database included Park District acquisitions (most of which were performed in partnership with the Conservancy), plus acquisitions by the Conservancy, Save Mount Diablo (local nonprofit land trust organization), and land transactions identified in the County Assessor's database. Land costs for developable parcels within the urban limit line that are part of the Conservancy's acquisition strategy were

[19] Unless those pre-Plan impacts were also counted against the Plan's permit limits.

updated based on current housing values. Detailed data on the transactions used to update the cost model land cost factors are provided in Appendix B.

As shown in **Table B.2** in Appendix B estimated land costs per acre have generally increased since 2017. Since then, prices for the largest parcels outside the urban limit line have increased about 40 percent, while the prices for mid-sized parcels (40 to 120 acres) remain unchanged. Prices for parcels under 40 acres have increased 20 to 25 percent. Inside the urban limit line, where a small fraction of the acquisition will occur and where prices more closely track changes in the housing market, estimated land costs have increased about 25 percent.

Consistent with changes made in prior audits, due diligence costs are estimated based on a flat three percent charge on land acquisition costs. Pre-acquisition surveys are a Conservancy staff cost. There is no contingency applied to land acquisition costs. Total remaining land acquisition costs to meet Preserve System requirements were evenly spread across the remaining 16-year period of the 30-year permit term.

Habitat Restoration/Creation Costs

Habitat restoration/creation is the second largest cost category of Plan implementation, representing about 10 percent of total costs excluding endowment costs. Unit costs (costs per acre) for restoration of specific habitats are the basis for the wetland mitigation fee. Review of restoration project costs since 2017 indicated that no extraordinary adjustments were required. All unit cost factors were update by applying the California Construction Cost Index.

Habitat restoration/creation mitigation unit costs for wetland land cover types estimated for this audit are shown in **Table 3.1**. The cost for open water is the same as the cost for ponds because the Plan calls for open water impacts to be mitigated by the creation of ponds. The table includes two costs for stream restoration, one based on stream widths of 25 feet or less, and one based on steam widths of greater than 25 feet.

Unit costs for habitat restoration/creation construction are augmented by three types of soft costs:

- Construction-related costs including restoration design, plans and specifications, bid assistance, construction oversight, post-construction maintenance, environmental compliance, pre-construction surveys, and construction monitoring
- Conservancy staff and related costs
- Contingency.

Table 3.1: Wetland Mitigation Unit Costs (2021 $)

Cost Category	Cost Factor	Riparian (per acre)	Perennial Wetland (per acre)	Seasonal Wetland (per acre)	Alkali Wetland (per acre)	Pond (per acre)	Aquatic (open water) (per acre)	Slough/ Channel (per acre)	Stream (per ln. ft.)
Construction		$51,800	$84,500	$100,800	$102,000	$112,100	$112,100	$76,800	$287
Construction-related costs									
Plans, specs., allowance for remedial measures[1]	33%	$17,094	$27,885	$33,264	$33,660	$36,993	$36,993	$25,344	$95
Bid assistance[1]	1.5%	$777	$1,268	$1,512	$1,530	$1,682	$1,682	$1,152	$4
Construction oversight[1]	10%	$5,180	$8,450	$10,080	$10,200	$11,210	$11,210	$7,680	$29
Post-construction maint.[1]	10%	$5,180	$8,450	$10,080	$10,200	$11,210	$11,210	$7,680	$29
Environmental compliance[2,3]	$6,500	$6,500	$6,500	$6,500	$6,500	$6,500	$6,500	$6,500	$22
Pre-construction surveys[2,4]	$1,400	$1,400	$1,400	$1,400	$1,400	$1,400	$1,400	$1,400	$5
Construction monitoring[2,4]	$3,200	$3,200	$3,200	$3,200	$3,200	$3,200	$3,200	$3,200	$11
Staff and related costs[2,5]	$4,400	$4,400	$4,400	$4,400	$4,400	$4,400	$4,400	$4,400	$15
Subtotal		$95,531	$146,053	$171,236	$173,090	$188,695	$188,695	$134,156	$495
Contingency[1]	20%	$10,360	$16,900	$20,160	$20,400	$22,420	$22,420	$15,360	$57
Total Unit Cost		$105,891	$162,953	$191,396	$193,490	$211,115	$211,115	$149,516	$553
Adjustment Factor for Streams >25 Feet Wide									1.50
Total Unit Cost (Streams >25 feet wide)									$829

[1] Percentage applied to construction costs.

[2] Stream costs per linear foot estimated based on the average percent of construction costs for the respective cost category across all the other wetland land cover types.

[3] Based on CEQA, CWA 401, CDFG 1602, and other permit costs for "small" project, divided by two (assume a two-acre project). NHPA permit unlikely to be applicable.

[4] Cost Model estimate divided by two (estimate based on a two-acre project).

[5] Midpoint of staffing costs per acre (all costs except construction and contractors) between initial and maximum UDA cost models for habitat restoration/creation cost category.

Sources: Appendices C and D (Habitat Restoration/Creation table).

Consistent with prior audits, four of the construction-related cost line items (plans and specifications, bid assistance, construction oversight, and post-construction maintenance) are estimated as a percent of construction costs based on experience with how contractors structure their bids. Soft cost percentages remain the same as in the 2017 audit.

The remaining three line items (environmental compliance, pre-construction surveys, and construction monitoring) are estimated as dollar amounts per acre. These assumptions were updated for inflation and current environmental compliance fee schedules.

Conservancy staff and related costs are updated based on current hourly costs per position and experience with allocation of staff time for habitat restoration/creation projects. This update assigns some Conservancy staffing in the environmental compliance cost category to wetland fee costs to capture actual Conservancy experience with permitting restoration/creation projects.

The contingency of 20 percent on habitat restoration/creation construction costs remains unchanged from the Plan and prior audits. The contingency applies to habitat construction costs only and not soft costs or staff costs. The contingency is higher than the five percent rate applied to other Plan implementation activities because of the high degree of cost variation and uncertainty associated with habitat restoration/creation projects.

Updates to Other Cost Categories

Cost model changes to the other seven cost categories besides land acquisition and habitat restoration/creation are summarized in the following subsections.

Program Administration

The original 2006 model estimated staff costs based on direct salary costs plus benefits, and separately estimated overhead costs (human resources, information technology, office space, etc.). With the 2013 audit, staff costs were budgeted based on a fully burdened hourly rate that includes benefits and all overhead costs and this audit maintains that approach. The staffing plan is updated to reflect experience with staff allocation by function and the ability to rely on fractions of a full-time employee. Other overhead costs such as travel, insurance, legal, and financial analysis and audits that are not included in staff hourly rates are updated based on actual costs and projected needs.

Planning and Design

Costs include Conservancy staff and overhead and contractor services. Costs are based on current Conservancy budgeting and expectations of management planning needs over the remainder of the permit term.

Environmental Compliance

Estimates of Conservancy staff time are based on actual experience with permitting Preserve System activities. Legal services and other technical support services are included in this cost category because of the need for legal assistance and other specialized consulting services to complete regional wetland permitting activities anticipated over the next 10 years of the permit term. Contractor costs are increased based on the Employment Cost Index and permit fees are updated based on current fee schedules and calculators.

Preserve Management and Maintenance

The schedule of land under management continues to reflect the fact that the pace of acquisition exceeds actual mitigation and conservation targets when compared to impacts.[20] Costs to date are low reflecting land-banking of many acquired lands pending the level of impacts necessary to manage them as part of the Preserve System.

Future preserve management costs are based on preliminary estimates prepared by Park District staff in coordination with the Conservancy using the implementation activities outlined in the *Vasco Hills / Byron Vernal Pools Preserve Management Plan*.[21] Detailed cost categories include: invasive plant and invasive wildlife control; grazing and wildfire management; maintenance of fences, gates, roads, and trails; trash and debris removal; equipment, supplies, and infrastructure maintenance and replacement; and annual reporting. Recreation management costs and costs for security and patrol of recreational trails are not included.

This update shifts the cost of law enforcement for habitat and species protection from the program administration cost category to the preserve management cost category. Costs are based on the current contract between the Contra Costa Water District and the Contra Costa County Sheriff to provide law enforcement services at the 20,000-acre Los Vaqueros watershed.

[20] See "Acres Acquired, Managed, and Restored within HCP/NCCP Preserves for Initial/Maximum Urban Development Area" tables in Appendix C and Appendix D.

[21] *Vasco Hills / Byron Vernal Pools Preserve Management Plan* (draft), prepared by ICF for the East Contra Costa County Habitat Conservancy, November 2018.

Monitoring, Research, and Adaptive Management

Contractors are the most significant component of monitoring costs. Costs are based on review of current contracting and assumptions about how that activity will intensify over time. Monitoring activity is expected to increase with the completion of more restoration projects and with implementation of preserve management plans and associated monitoring protocols.

Remedial Measures

The total cost for remedial measures is based on (1) a percent of total cost of habitat restoration/creation costs, (2) a cost per acre for remedial measures applied to a percent of total Preserve System acres acquired, and (3) a lump sum cost for other remedial measures. No changes were made in these cost assumptions for this audit.

Contingency

Contingency costs reflect changes in other cost categories. The estimated rate remains at five percent and is applied to total Plan costs net of total land acquisition and total habitat restoration/creation costs.

Summary of Cost Model Results

Table 3.2 and **Table 3.3** summarize changes in total costs by cost category for the Plan for the initial and maximum UDA, respectively. The tables compare the results of this audit to costs estimated in the HCP/NCCP costs and the prior 2017 audit in 2021 dollars. Adjusted for inflation, total costs are in the range of seven to nine percent lower than costs in the 2017 audit and nearly equal to costs estimated in the Plan.

Though costs have remained in line with the Plan's original estimates there have been significant changes among cost categories:

- Habitat restoration/creation costs are higher because the unit cost (costs per acre) assumptions in the Plan were significantly lower than the Conservancy's actual experience.
- Ongoing costs for (1) preserve management and maintenance and (2) monitoring, research, and adaptive management are significantly lower because costs to date are lower than estimated in the Plan. As discussed in *Preserve Management and Maintenance* above and *Permit Term Extension* in Chapter 2, impacts have occurred at a much slower pace than anticipated by the Plan.

Table 3.2: Cost Model Comparison – Initial Urban Development Area (2021 $)

Cost Category	2006 Plan	2017 Fee Audit	2022 Fee Audit	2022 Audit vs. 2006 Plan		2022 Audit vs. 2017 Audit	
Program Administration	$27,590,000	$37,380,000	$35,240,000	$7,650,000	28%	($2,140,000)	(6%)
Land Acquisition	$291,330,000	$305,380,000	$304,960,000	$13,630,000	5%	($420,000)	(0%)
Planning and Design	$9,350,000	$10,960,000	$8,260,000	($1,090,000)	(12%)	($2,700,000)	(25%)
Habitat Restoration/Creation	$31,000,000	$60,960,000	$50,020,000	$19,020,000	61%	($10,940,000)	(18%)
Environmental Compliance	$3,560,000	$5,110,000	$3,650,000	$90,000	3%	($1,460,000)	(29%)
Preserve Management & Maintenance	$50,230,000	$40,690,000	$37,320,000	($12,910,000)	(26%)	($3,370,000)	(8%)
Monitoring, Research, & Adaptive Management	$28,550,000	$18,090,000	$9,760,000	($18,790,000)	(66%)	($8,330,000)	(46%)
Remedial Measures	$2,400,000	$4,320,000	$3,280,000	$880,000	37%	($1,040,000)	(24%)
Contingency	$7,630,000	$6,010,000	$4,480,000	($3,150,000)	(41%)	($1,530,000)	(25%)
Total Plan Implementation	**$451,640,000**	**$488,900,000**	**$456,970,000**	**$5,330,000**	**1%**	**($31,930,000)**	**(7%)**

Notes: HCP/NCCP and 2017 Fee Audit costs are inflated to 2021 dollars using the inflation index in Appendix F.

Sources: HCP/NCCP, Table 9-1; 2017 Audit, Table 3.2; Appendix C (Summary table).

Table 3.3: Cost Model Comparison – Maximum Urban Development Area (2021 $)

Cost Category	2006 Plan	2017 Fee Audit	2022 Fee Audit	2022 Audit vs. 2006 Plan		2022 Audit vs. 2017 Audit	
Program Administration	$27,710,000	$37,450,000	$37,990,000	$10,280,000	37%	$540,000	1%
Land Acquisition	$358,290,000	$377,110,000	$367,260,000	$8,970,000	3%	($9,850,000)	(3%)
Planning and Design	$9,470,000	$10,960,000	$8,260,000	($1,210,000)	(13%)	($2,700,000)	(25%)
Habitat Restoration/Creation	$34,800,000	$72,640,000	$60,240,000	$25,440,000	73%	($12,400,000)	(17%)
Environmental Compliance	$3,560,000	$5,110,000	$3,650,000	$90,000	3%	($1,460,000)	(29%)
Preserve Management & Maintenance	$55,400,000	$50,040,000	$42,370,000	($13,030,000)	(24%)	($7,670,000)	(15%)
Monitoring, Research, & Adaptive Management	$32,050,000	$20,890,000	$10,860,000	($21,190,000)	(66%)	($10,030,000)	(48%)
Remedial Measures	$2,580,000	$5,120,000	$3,950,000	$1,370,000	53%	($1,170,000)	(23%)
Contingency	$8,290,000	$6,860,000	$5,100,000	($3,190,000)	(38%)	($1,760,000)	(26%)
Total Plan Implementation	**$532,150,000**	**$586,180,000**	**$539,680,000**	**$7,530,000**	**1%**	**($46,500,000)**	**(9%)**

Notes: HCP/NCCP and 2017 Fee Audit costs are inflated to 2021 dollars using the inflation index in Appendix F.

Sources: HCP/NCCP, Table 9-1; 2017 Audit, Table 3.3; Appendix D (Summary table).

4. ENDOWMENT MODEL

The HCP/NCCP requires funding for post-permit term costs in perpetuity for the management and monitoring of the Preserve System.[22] Post-permit term costs would be funded by a portion of mitigation fee and other revenues transferred to an endowment over time. The endowment would grow with re-invested earnings through year 30. No withdrawals would be made from the endowment to fund HCP/NCCP during the permit term. At the end of the permit term, the endowment generates ongoing earnings sufficient to fully fund post-permit management and monitoring costs in perpetuity and adjusted for inflation.

The approach taken to estimate post-permit term costs and endowment funding is like that used in other recent Northern California regional habitat plans, including the San Joaquin Multi-Species Habitat Conservation and Open Space Plan, Santa Clara Valley Habitat Plan, the Yolo Habitat Conservation Plan, and the Placer County Conservation Program. The approach fully complies with applicable statutes regarding investment of public funds for long-term stewardship of conservation lands.[23]

Endowment Creation

The Conservancy conducted a process to select an endowment manager in 2019 and engaged the Regional Parks Foundation (Foundation) for this purpose. The Foundation is an independent nonprofit organization whose mission is to support the Park District through fundraising. The Conservancy and the Foundation entered into an endowment agreement in 2020 that specifies the responsibilities of both parties.[24]

The Foundation will manage and invest endowment funds and use its best efforts to achieve a reasonable long-term rate of return on investment consistent with the endowment model assumptions discussed below (see *Investment Earnings* in this chapter). Before the HCP/NCCP permits expire, a separate agreement will be negotiated between the Conservancy and the Foundation to establish the terms and conditions for distribution of funds from the endowment for preserve management and monitoring in perpetuity. For endowment management services, the Conservancy will pay the

[22] HCP/NCCP, Chapter 9, pp. 9-40 to 9-42 and Table 9-9.

[23] See Mitigation Lands: Nonprofit Organizations (*California Government Code*, section 65965-65968) and the Uniform Prudent Management of Institutional Funds Act (*Probate Code*, section 18501 et seq.).

[24] *East Contra Costa County HCP/NCCP Endowment Agreement*, October 2020.

Foundation a management fee of 0.55 percent of assets on deposits up to $10 million and 0.50 percent of assets on deposits above $10 million.

Post-permit Term Costs

Annual post-permit funding needs from the endowment were developed based on guidance provided in Chapter 9 of the HCP/NCCP. Total post-permit term costs were estimated based on a percent of annual costs in the final five-year period of the plan (years 26-30) for the following cost categories:

- 40 percent (maximum UDA) to 44 percent (initial UDA) of program administration costs
- 100 percent of preserve management and monitoring costs
- 50 percent of monitoring, research, and adaptive management costs

Endowment Funding

Four revenue sources build the endowment fund balance through year 30:

1. An opening balance as of December 31, 2021
2. Revenues from mitigation fees and other mitigation payments from development projects
3. Lease revenues from private activities on preserve lands
4. Re-invested earnings from endowment investments.

These funding sources are discussed in the subsections that follow.

Opening Fund Balance

The Conservancy started an endowment in 2020 with funds accumulated by:

- The California Wildlife Foundation from prior development project mitigation payments
- The Park District from revenues generated by residences, communication facilities, wind turbines, and agricultural leases on preserve lands.

See **Table F.2** in Appendix F for details.

Investment earnings on those endowment contributions has resulted in a fund balance of $3.9 million by December 31, 2021.

Development Project Revenue

Development project revenue, particularly mitigation fees generated by the HCP/NCCP, will provide the primary contributions to the endowment through the end of the permit term. Other types of development project revenue applied to the endowment include specific one-time and ongoing payments from development projects typically paid in lieu of the development fee (see **Table F.3** in Appendix F for details).

Development project revenue is critical for the endowment because many other revenue sources such as state and federal sources are restricted to land acquisition, restoration/creation, or research. Though development project revenue will fund a larger share of endowment costs, state and federal sources will fund a larger share of land acquisition costs. This approach results in each type of funding (mitigation versus conservation funding) only contributing their appropriate share of total Plan costs (see *Funding Mitigation and Conservation Goals* in Chapter 1 for more discussion).

The endowment model assumes that the Conservancy will make contributions from development fee revenue at a constant rate on an annual basis through the end of the permit term. Fee revenues will fluctuate above and below this annual average from year to year depending on development market activity. Periodic audits (such as this one) adjust the endowment funding plan as needed to ensure an adequate fund balance by the end of the permit term.

Lease Revenues

The Park District had 13 active leases on preserve lands as of the end of FY 2021 and generated $572,000 for 2021. Eight of these leases are for communication facilities that the endowment assumes will continue in perpetuity. The remaining leases are for wind turbines, residences, and agricultural uses that are assumed to expire at various intervals during the permit term based on the terms of the specific lease agreement. See **Table F.4** in Appendix F for details.

The Conservancy and the Park District entered into a lease revenue allocation agreement in 2020 that allocates revenue to the following HCP/NCCP costs:

- Land acquisition
- Preserve management
- Endowment.[25]

[25] *Lease Revenues Allocation Agreement between the East Bay Regional Park District and the East Contra Costa County Habitat Conservancy*, October 2020.

The endowment model assumes that at the end of the permit term all lease revenue will directly offset post-permit term preserve management costs.

Investment Earnings

The endowment model assumes a long-term average annual return on investment (ROI) of 7.25 percent. For comparison, other funds with similar long range investment horizons such as university endowments, pension funds, and hospital endowments, have average annual earnings objectives of six to nine percent.

Based on an ROI goal of 7.25 percent, the endowment model assumes that inflation is 3.00 percent and endowment manager fees are 1.00 percent. As shown in **Table 4.1**, this results in an annual real return on endowment fund balances of 3.25 percent. The real rate of return is also known as the "capitalization rate". Thus, the endowment can be expected to generate funding for post-permit term costs, adjusted for inflation and management fees, at a constant rate of 3.25 percent of the fund balance that is achieved by the end of the permit term in 2037.

Table 4.1: Investment Earnings

Allocation of Annual Investment Earnings on Endowment Fund Balance	Percent of Endowment Fund Balance
Average Annual Return on Investment Goal[1]	7.25%
Reinvested Earnings to Offset Inflation	3.00%
Available for Annual Distributions	4.25%
Endowment Manager Fees[2]	1.00%
Average Annual Real Rate of Return to Fund Post-Permit Term Costs	**3.25%**

[1] Total average annual investment earnings are net of investment management fees (including custodial and audit costs) and are separate from endowment manager fees (see note 2).

[2] The endowment model assumes that the Conservancy will engage an outside endowment fund manager instead of staffing this function in-house. Endowment manager fees would fund administration, accounting, and reporting costs directly associated with the Conservancy's account.

These assumptions are based on a current habitat endowment management program operated by the National Fish and Wildlife Foundation (NFWF) under agreements with the California Department of Fish and Wildlife. These programs assume a long-range real rate of return of 3.25 percent to 3.50 percent. The endowment model for this audit uses the more conservative rate of 3.25 percent. This rate is the same rate being used for endowment modeling by the Santa Clara Valley Habitat Plan, the Yolo Habitat Conservation Plan,

and the Placer County Conservation Program mentioned at the start of this chapter.

Lower investment earnings, higher inflation, or higher endowment manager fees would require increased endowment funding and higher mitigation fees. Higher investment earnings, lower inflation, or lower endowment manager fees would require less endowment funding and lower mitigation fees. Future periodic fee audits will evaluate these assumptions and adjust mitigation fees and other revenues allocated to the endowment as needed to maintain adequate funding.

Endowment Model Results

A summary of the endowment models for the initial UDA and maximum UDA scenarios is shown below in **Table 4.2**.

Table 4.2: Post-Permit Funding

	Initial UDA	Maximum UDA
Endowment Contributions (through FY 2021)	$3,548,946	$3,548,946
Investment Earnings (through FY 2021)[1]	$368,684	$368,684
Endowment Opening Balance (2022)	$3,917,630	$3,917,630
Development Project Revenue (2022-2037)[2]	$52,968,429	$64,960,541
Lease Revenue (2022-2037)[3]	$1,747,957	$1,747,957
Investment Earnings (2022-2037)[4]	$18,948,234	$22,365,352
Endowment Fund Balance (2037)	**$77,582,249**	**$92,991,480**
Annual Distribution Rate (post-permit)[4]	3.25%	3.25%
Investment Earnings (post-permit)[4]	$2,521,423	$3,022,223
Development Project Revenue (post-permit)[2]	$366,571	$366,571
Lease Revenue (post-permit)[3]	$270,605	$270,605
Annual Preserve Management Costs (post-permit)	**$3,158,600**	**$3,659,400**

[1] Earnings net of fees for endowment manager (Regional Parks Foundation) and investment management.

[2] Development project revenue primarily from Plan development fees during Plan implementation, plus several development mitigation payments that will continue in perpetuity.

[3] Lease revenue from 13 leases as of 2021 with eight assumed to continue in perpetuity.

[4] Investment earnings based on real return on investment equal to 3.25% that is net of inflation and all administrative and investment management fees.

Source: Appendix E, Tables E.1 and E.2; Appendix F, Table F.2.

See **Table E.1** and **Table E.2** in Appendix E for detailed output of the endowment model for the initial and maximum UDA scenarios, respectively.

5. WETLAND MITIGATION FEE

This chapter presents the updated wetland mitigation fee schedule and the reasonable relationship findings required by the MFA and explained in Chapter 1. Unless the applicant chooses to perform their own restoration or creation dedicated to the Preserve System, the wetland mitigation fee is applied to covered activities that generate permanent impacts on wetland land cover types whether inside or outside the UDA.[26] Wetland mitigation fees are calculated based on only the surface area of the wetland land cover type impacted, or by linear feet for stream impacts. The wetland mitigation fee is therefore typically applied to a small portion of the total impacts of a covered activity.

Updated Fee Schedule

The wetland mitigation fee is based on the unit costs (cost per acre or cost per linear foot for streams) presented in the prior chapter multiplied by a mitigation ratio established by the HCP/NCCP. The mitigation ratio represents the restoration area needed to mitigate one acre (or one linear foot in the case of streams) of impact. Most mitigation ratios are one-to-one, that is one acre of impact requires one acre of wetland restoration/creation to mitigate impacts. Several land cover types require a higher or lower mitigation ratio to adjust for the relative ability of restoration projects to mitigate the types of impacts associated with a given land cover type. The updated wetland mitigation fees based on mitigation ratios by land cover type are shown in **Table 5.1**.

Consistent with the habitat restoration/creation cost estimates explained in Chapter 3, above, the wetland mitigation fee is only related to the one-time activity of restoration or creation of wetland land cover types. The three other fees presented in the following two chapters of this report address the other Plan costs to mitigate the impacts of covered activities on wetland land cover types. These other costs include, for example, acquisition of sites for wetland, pond, and stream restoration/creation, preservation of existing wetland, pond, and stream habitat and long-term management, maintenance, and monitoring of habitat restoration/creation sites.

[26] HCP/NCCP, Chapter 9, pp. 9-23 to 9-24 and Table 9-5.

Table 5.1: Wetland Mitigation Fee Schedule

Land Cover Type	Habitat Restoration / Creation Cost		Mitigation Ratio	Wetland Mitigation Fee	
Riparian	$105,891	per acre	1:1	$105,891	per acre
Perennial Wetland	162,953	per acre	1:1	162,953	per acre
Seasonal Wetland	191,396	per acre	2:1	382,792	per acre
Alkali Wetland	193,490	per acre	2:1	386,980	per acre
Ponds	211,115	per acre	1:1	211,115	per acre
Aquatic (open water)	211,115	per acre	0.5:1	105,558	per acre
Slough / Channel	149,516	per acre	1:1	149,516	per acre
Streams (<=25 ft. wide)	553	per linear foot	1:1	553	per linear foot
Streams (>25 ft. wide)	829	per linear foot	1:1	829	per linear foot

Sources: HCP/NCCP, Tables 5-16 and 5-17; Table 3.1 (this report).

Table 5.2 compares the updated wetland mitigation fees to current fees. Wetland mitigation fees increase slightly compared to current fees because of updates to the cost model discussed in Chapter 3. The automatic annual inflation adjustment since the prior audit has largely kept the fee in line with changing Plan costs.

Table 5.2: Wetland Mitigation Fee Comparison

Land Cover Type	Fee Basis	2022 Fee Schedule	2022 Audit	Change
Riparian	per acre	$105,516	$105,891	0.4%
Perennial Wetland	per acre	$159,912	$162,953	1.9%
Seasonal Wetland	per acre	$374,220	$382,792	2.3%
Alkali Wetland	per acre	$378,310	$386,980	2.3%
Ponds	per acre	$205,924	$211,115	2.5%
Aquatic (open water)	per acre	$102,962	$105,558	2.5%
Slough / Channel	per acre	$147,029	$149,516	1.7%
Streams (<=25 ft. wide)	per linear foot	$543	$553	1.8%
Streams (>25 ft. wide)	per linear foot	$814	$829	1.8%

Sources: ECCC Habitat Conservancy, *Annual Mitigation Fee Adjustment Summary* (PDF); Table 5.1.

Estimated restoration costs and revenues associated with wetland land cover impacts are shown in **Table 5.3**. The table multiplies the wetland land cover acreage impacts from Table 2.3 by the update fee schedule in Table 5.1. The 30-year revenue estimates in the table are used in the development fee calculation presented in Chapter 6.

Table 5.3: Wetland Mitigation Fee Revenue

Land Cover Type	Wetland Mitigation Fee		Fee Revenue (2022-2037) Initial UDA	Fee Revenue (2022-2037) Maximum UDA
Riparian	$105,891	per acre	$3,040,000	$3,570,000
Perennial Wetland	$162,953	per acre	$3,610,000	$3,660,000
Seasonal Wetland	$382,792	per acre	$4,210,000	$5,810,000
Alkali Wetland	$386,980	per acre	$3,200,000	$3,550,000
Ponds	$211,115	per acre	$1,460,000	$1,670,000
Aquatic (open water)	$105,558	per acre	$1,220,000	$1,220,000
Slough / Channel	$149,516	per acre	$10,670,000	$10,670,000
Subtotal			$27,410,000	$30,150,000
Streams (<=25 ft. wide)	$553	per ln. ft.	$11,300,000	$14,220,000
Streams (>25 ft. wide)	$829	per ln. ft.	$2,290,000	$3,170,000
Total			$41,000,000	$47,540,000

	Fee Revenue (2008-2037) Initial UDA	Fee Revenue (2008-2037) Maximum UDA
Actual (2008-2021)	$1,570,000	$1,570,000
Estimated (2022-2037)	$41,000,000	$47,540,000
Total (2008-2037)	$42,570,000	$49,110,000

Notes: "UDA" is the urban development area.

Sources: Tables 2.3, 5.1, and Appendix F, Table F.5.

Mitigation Fee Act Findings

The following findings are required by the MFA and were presented in Chapter 1.

Section 66001(a)(1)

The wetland mitigation fee is intended to pay the full cost of restoration or creation of wetland land cover types, including design, implementation, post-construction monitoring, and remediation. The development fee described in the next chapter will fund acquisition of the site for the restoration or creation and the management and monitoring after the wetland is fully functioning. Restoration of oak savanna is also required by the HCP/NCCP, but the cost of this restoration is included in the development fee because it is not associated with jurisdictional wetlands and waters.

Section 66001(a)(2)

The wetland mitigation fee will fund the capital costs associated with wetland restoration/creation the mitigate related wetland impacts. Chapter 5 of the HCP/NCCP explains the conservation strategy for wetland restoration/creation, and Chapter 9 explains the costs associated with implementing the strategy.

Section 66001(a)(3)

A reasonable relationship exists between the use of wetland mitigation fee revenue and covered activities that would pay the fee. Only covered activities that have wetland impacts (impacts on species and natural communities within wetland land cover types) pay the fee, and fee revenues fund implementation of the conservation strategy designed to mitigate those impacts. Specific elements of the strategy from Chapter 5 of the HCP/NCCP that relate to the restoration or creation of wetlands, ponds, and streams include:

- Conservation methods such as:
  - Biological goals and objectives that include the restoration and creation of wetlands, ponds, and streams.
  - Mitigation of impacts on state and federal jurisdictional wetlands and waters.
- Conservation measures such as:
  - Conservation Measure 2.3. Restore Wetlands and Create Ponds
  - Conservation Measure 2.10. Restore Streams and Riparian Woodland/Scrub to Compensate for Habitat Loss and to Increase Biodiversity.

The cost model summarized in Chapter 9 and presented in detail in Appendix G of the HCP/NCCP explains the costs associated with the restoration or creation of wetlands, ponds, and streams. Updated costs are shown in Table 3.1 in Chapter 3 of this report and include:

- All costs associated with the habitat restoration/creation cost category (includes construction costs and staff-related costs)
- The share of environmental compliance costs associated with one-time costs for habitat restoration/creation

- Costs for pre-construction surveys and construction monitoring for restoration sites (costs included in the monitoring, research and adaptative management tab in the cost model).

Section 66001(a)(4)

A reasonable relationship exists between the need for the wetland mitigation fee and covered activities that would pay the fee. Chapter 3 of the HCP/NCCP explains the relationship between the 17 animal and 11 plant species covered under the HCP/NCCP and wetland land cover types (see Table 3-9 in Chapter 3 of the Plan). Chapter 4 of the Plan explains the impacts of covered activities on these animal and plant species, and more broadly on natural communities. The importance of wetland land cover types is demonstrated by:

- The eight wetland land cover types provide habitats for all 17 animal species covered under the Plan.
- Individual wetland land cover types provide habitat for at least three and, in the case of seasonal wetlands, as many as 11 covered animal species.
- Vernal pools are an essential habitat for four covered species and 11 covered plants.

Section 66001(b)

A reasonable relationship exists between the amount of the wetland mitigation fee on a specific covered activity and the proportionate share of HCP/NCCP costs based on the fee schedule shown in Table 5.1. The fee schedule reflects the type of land cover that is affected because both mitigation ratios and per acre mitigation costs vary by land cover. The total fee for a covered activity is proportional to the amount of the impact based on the number of acres of wetland or pond, or linear feet of stream affected.

6. DEVELOPMENT FEE

This chapter presents the updated development fee schedule and the reasonable relationship findings required by the MFA and presented in Chapter 1. The development fee is applied to covered activities that generate permanent impacts. The only exception are permanent impacts caused by a specified list of rural infrastructure projects that pay the rural road fee based on a multiplier applied to the development fee (see Chapter 7).[27] Applicants can dedicate land for the Preserve System or generate alternative special taxes, fees, or charges in lieu of paying the mitigation fees subject to approval by the Conservancy.

Updated Fee Schedule

The development fee is based on all covered activities funding a fair share of total HCP/NCCP implementation costs. The fair share is based on the total amount of lands dedicated to habitat preservation in Eastern Contra Costa County, both lands existing prior to the HCP/NCCP and lands added by the Preserve System through implementation of the Plan. The Plan apportioned this total land area for habitat preservation between urban development existing prior to the Plan and urban development anticipated to occur during the 30-year permit term of the Plan. The fair share of costs allocated to the development fee under the maximum UDA scenario is 52 percent as documented in Appendix H of the Plan. The Plan requires that the periodic audit use this fair share amount to update the development fee, and that the fee cannot make up for shortfalls in revenue from other local, state, and federal sources.[28]

As explained in Chapter 1, all covered activities pay the development fee unless the applicant provides their own mitigation. In cases where wetland land cover types are affected, the wetland mitigation fee is also paid. As explained in Chapter 3, the wetland mitigation fee will fund costs of habitat restoration/creation associated with impacts on wetlands, ponds, and streams. Therefore, total Plan costs subject to the fair share calculation are calculated net of wetland mitigation fee revenue. This approach avoids double-charging covered activities for the same Plan costs.

Table 6.1 shows that share of total HCP/NCCP costs allocated to the development fee. Costs are shown net of estimated wetland mitigation fee revenue drawn from Table 5.3 in the prior chapter. Development fee revenue

[27] HCP/NCCP, Chapter 9, pp. 9-17 to 9-22, Figure 9-1, Table 9-4.

[28] HCP/NCCP, Chapter 9, p. 9-31.

to date is deducted from the fair share allocated to the development fee to calculate the net revenue still required from the development fee for the remainder of the permit term. Using this approach ensures that at the end of the permit term covered activities would have paid the fair share of plan costs as determined by the nexus analysis in the Plan.

Table 6.1: Development Fee Fair Share Analysis (2021 $)

	Maximum Urban Development Area		Initial Urban Development Area	
	Formula	Amount	Formula	Amount
Plan Implementation Costs	*a*	$539,680,000	*q*	$456,970,000
Wetland Mitigation Fee Revenue	*b*	($49,110,000)	*p*	($42,570,000)
Endowment Contribution[1]	*c*	$70,260,000	*d*	$58,270,000
Net Cost Subject to Fair Share Allocation	*d (sum)*	$560,830,000	*m (sum)*	$472,670,000
Development Fair Share Allocation[2]	*e*	52%	*l = k / m*	43%
Development Fair Share Costs	*f = d * e*	$291,630,000	*k = m - i*	$203,470,000
Development Fee Revenue To Date	*g*	($17,450,000)	*g*	($17,450,000)
Remaining Development Fair Share Costs (2022-2037)	***h = f - g***	**$274,180,000**	***j = k + g***	**$186,020,000**
Other Plan Funding	*i = d - f*	$269,200,000	*i*	$269,200,000

Notes: This table does not show rural road fee revenue, as shown in the HCP/NCCP, Appendix H, because impacts and associated fee revenues are in addition to impacts mitigated by the development fee. Impacts from rural (outside UDA) projects and activities other than those covered by the rural road fee are included in the development fee.

[1] Endowment contributions during permit term excluding investment earnings.

[2] "Development Fair Share Allocation" factor for maximum UDA based on HCP/NCCP, Appendix H, Table 1, consistent with procedures required for periodic audit (HCP/NCCP, Chapter 9, p. 9-31). Also, consistent with the HCP/NCCP, the initial UDA Development Fair Share Allocation factor is based on holding non-fee revenue sources constant with the maximum UDA scenario. This approach reasonably assumes that other federal, state, and local funding over the permit term will not be affected by the amount of urban development area impacts.

Sources: HCP/NCCP, Appendix H, Table 1 (second memorandum); Tables 3.2, 3.3, 4.2, 5.3, and 8.1 (this report).

A range of federal, state, and local sources fund the remaining costs for HCP/NCCP implementation, including rural road fees and temporary impact fees. Fair share costs allocated to the development fee under the initial UDA scenario are calculated by holding constant total funding from these other sources. It is reasonable to assume that the level of development under the Plan would not affect the level of funding from these other sources.

The updated development fee is shown in **Table 6.2**. The fee is based on the fair share costs calculated in Table 6.1 divided by the equivalent acres of impact remaining under each scenario from Table 2.2. The bottom of Table 6.2 shows the fee per acre by zone based on the weighting factors explained in Chapter 2.

Table 6.2: Development Fee Schedule (2021 $ for 2022 Fee Schedule)

		Initial UDA	Maximum UDA	Mid-Point
Fee per Equivalent Acre (based on remaining costs & impacts, 2022-2037)				
Remaining Development Fair Share Costs		$186,020,000	$274,180,000	
Remaining Development Impacts (equivalent acres)		19,046	29,160	
Development Fee (per equivalent acre)		$9,767	$9,403	**$9,585**
Fee Schedule (per acre of impact)	*Weight*			
Zone 1	2	$19,534	$18,806	**$19,170**
Zone 2	4	$39,068	$37,612	**$38,340**
Zone 3	1	$9,767	$9,403	**$9,585**

Source: Tables 2.2 and 6.1.

Table 6.2 also shows the average fee for the initial and maximum UDA scenarios. Use of the average development fee for the two scenarios was approved by the Conservancy Board when adopting the 2013 Audit recommendations (June 27, 2013).

Consistent with the prior audits, these equivalent acres do not discount for lands within the UDA that remain undeveloped during the permit term, as was done in the Plan to calculate the original development fee. Doing so would make the nexus analysis inconsistent with allowable permit term impacts.

Comparison with Original and Current Fee

In **Table 6.3** the updated fee based on the average of the two scenarios is compared with the current adopted fee. As shown in the table, the recommended development fee is just over one percent higher than the current fee schedule. The automatic annual inflation adjustment since the prior audit has been able to keep the fee in line with changing Plan costs without any significant revision needed based on the current audit.

Mitigation Fee Act Findings

The following findings are required by the MFA and were presented in Chapter 1.

Table 6.3: Development Fee Comparison (fee per acre)

Zone	2022 Fee Schedule	2022 Audit[1]	Change
Zone 1	18,938	19,170	1.2%
Zone 2	37,876	38,340	1.2%
Zone 3	9,469	9,585	1.2%

[1] Uses average development fee of initial and maximum UDA scenarios as approved by Conservancy Board when adopting the 2013 Audit recommendations (June 27, 2013).

Sources: ECCC Habitat Conservancy, *Annual Mitigation Fee Adjustment Summary* (PDF); Table 6.2.

Section 66001(a)(1)

The development fee is intended to pay the fair share cost of the HCP/NCCP associated with permanent impacts except impacts from a specified list of rural transportation projects (see Chapter 7) and excluding habitat restoration/ creation costs for wetland land cover types funded by the wetland mitigation fee.

Section 66001(a)(2)

The development fee will fund a fair share of all HCP/NCCP costs except costs funded by the wetland mitigation fees. Chapter 5 of the Plan explains the conservation strategy for the Plan and Chapter 9 explains the costs associated with implementing the strategy.

Section 66001(a)(3)

A reasonable relationship exists between the use of development fee revenue and covered activities that would pay the fee. Chapter 5 of the HCP/NCCP explains the conservation strategy and Chapter 9 explains the costs associated with implementing the strategy.

The conservation strategy in Chapter 5 of the Plan identifies biological goals and objectives that are supported by specific conservation measures: five measures related to landscape-level conservation, nine measures related to natural community-level conservation (excluding two measures related to wetland, pond, and stream restoration/creation discussed in the prior chapter of this report), and nine measures related to species-level conservation.

The cost model summarized in Chapter 9 of the Plan and presented in detail in Appendix G of the Plan explains and estimates the costs associated with implementation. Updated costs are shown in Chapter 3 of this report and include nine cost categories necessary to implement the Plan: program

administration, land acquisition, planning and design, habitat restoration/creation, environmental compliance, preserve management and maintenance, monitoring, research, and adaptive management, remedial measures, and contingency fund. As explained in the Chapter 3 of this report costs related to wetland, pond, and stream habitat restoration/creation are not included in the development fee.

Section 66001(a)(4)

A reasonable relationship exists between the need for the development fee and covered activities that would pay the fee. Chapter 3 of the HCP/NCCP explains the relationship between the 17 animal species, 11 plant species, and associated habitats covered under the Plan and terrestrial land cover types (see Table 3-9 in Chapter 3 of the Plan). Chapter 4 of the Plan explains the impacts of covered activities by land cover type on these animal and plant species, and more broadly on their habitats and natural communities.

Section 66001(b)

A reasonable relationship exists between the amount of the development fee on a specific covered activity and the proportionate share of HCP/NCCP costs based on the fee schedule shown in Table 6.2 for three reasons:

- The fee is based on a fair share of HCP/NCCP costs as determined by the share of development occurring under the Plan compared to total development (existing plus new) under the maximum UDA scenario. As stated in the Plan: "this analysis considers the pace of open space acquisition relative to the pace of development before and after adoption of the HCP/NCCP and assigns the land acquisition requirements of the HCP/NCCP according to the premise that future development should mitigate impacts in the inventory area proportionate to its share of the overall habitat impacts in the inventory area (i.e., impacts in the past and the future)."[29]
- As explained in detail in Chapter 2, *Development Fee Zones*, the fee is adjusted for three zones that reflect the relative amount of impact from urban development on natural habitats and covered species. The mapping of the zones was completed at a level of detail sufficient to provide a reasonable relationship between all land within a specific zone and the relative weight of impacts assigned to that zone.
- The total fee for a covered activity is proportional to the amount of the impact based on the number of acres affected.

[29] HCP/NCCP, Chapter 5, p. 5-51.

7. RURAL ROAD AND TEMPORARY IMPACT FEES

This chapter presents the updated fee schedule for the rural road fee and the temporary impact fee, and the reasonable relationship findings for each fee required by the MFA and explained in Chapter 1.

Rural Road Fee

The rural road fee is applied to 18 specified rural transportation projects.[30] These projects pay a multiple of 1.00 to 2.25 of the development fee. These projects fragment habitat, create substantial barriers and hazards to wildlife movement, and generally have a greater per-acre impact than other types of development projects. The extent of these additional impacts depends on whether the proposed facility is new or expanded, on the length of the facility, on the type of habitat traversed by the road, and other factors. The fee multiple is lower if the project implements wildlife-friendly design measures.

Funding from the rural road fee is shown in **Table 7.1**.

Table 7.1: Rural Road Fee Revenue

	Year	Amount
HCP/NCCP Estimate	2006	$7,431,600
Inflation Index		0.6578
Current Estimate (2021 $)	2021	$11,300,000
Rural Road Fee Revenue To Date		($2,510,000)
Remaining Rural Road Fee Revenue		$8,790,000

Notes: Revenue estimate assumes that all wildlife-friendly design measures are implemented.

Appendix H of the HCP/NCCP also includes a revenue estimate of $1,500,000 for unspecified "rural infrastructure fees" from the development fee applied to projects and activities outside the UDA such as flood protection projects, utility projects, and related maintenance activities. Revenue from these projects and activities are included in the development fee (see Chapter 6).

Sources: HCP/NCCP, Chapter 9, Table 9-6 and Appendix H, Table 1 (second memorandum); Appendix F, Table F.1.

Mitigation Fee Act Findings

The following findings are required by the MFA and were presented in Chapter 1.

[30] HCP/NCCP, Chapter 9, pp. 9-24 to 9-25, Table 9-6.

Section 66001(a)(1)

The rural road fee is intended to pay the costs of the HCP/NCCP associated with mitigating permanent impacts from specified transportation projects outside the urban development area, excluding habitat restoration/creation costs for wetland land cover types funded by the wetland mitigation fee.

Section 66001(a)(2)

The rural road fee will fund HCP/NCCP costs to mitigate permanent impacts from specified transportation projects outside the urban development area, excluding habitat restoration/creation costs for wetland land cover types funded by the wetland mitigation fee. Chapter 5 of the Plan explains the conservation strategy for the Plan and Chapter 9 explains the costs associated with implementing the strategy.

Section 66001(a)(3)

A reasonable relationship exists between the use of rural road fee revenue and covered activities that would pay the fee. Chapter 5 of the HCP/NCCP explains the conservation strategy and Chapter 9 explains the costs associated with implementing the strategy.

The conservation strategy in Chapter 5 of the Plan identifies biological goals and objectives that are supported by specific conservation measures: five measures related to landscape-level conservation, nine measures related to natural community-level conservation (excluding two measures related to wetland, pond, and stream restoration/creation discussed in the prior chapter of this report), and nine measures related to species-level conservation.

The cost model summarized in Chapter 9 and presented in detail in Appendix G of the Plan explains the costs associated with implementation. Updated costs are shown in Chapter 3 of this report and include nine cost categories: program administration, land acquisition, planning and design, habitat restoration/creation, environmental compliance, preserve management and maintenance, monitoring, research, and adaptive management, remedial measures, and contingency fund. As explained in the prior chapter of this report costs related to habitat restoration/creation on wetland land cover types are not included in the development fee.

Section 66001(a)(4)

A reasonable relationship exists between the need for the rural road fee and covered activities that would pay the fee. Chapter 3 of the HCP/NCCP explains the relationship between the 17 animal species, 11 plant species, and

associated habitats covered under the Plan and terrestrial land cover types (see Table 3-9 in Chapter 3 of the Plan). Chapter 4 of the Plan explains the impacts of covered activities by land cover type on these animal and plant species, and more broadly on their habitats and natural communities.

Section 66001(b)

A reasonable relationship exists between the amount of the rural road fee and the proportionate share of HCP/NCCP costs for the following reasons:

- The fee is based on the development fee discussed in Chapter 6 and applied to the permanent disturbance of land associated with a specific list of transportation projects.
- The fee is adjusted by a multiplier applicable to each specified transportation project to reflect each project's level of additional effects on the fragmentation of habitat and creation of barriers and hazards to wildlife movement.
- The total fee for a covered activity is proportional to the amount of the impact based on the number of acres affected.

Temporary Impact Fee

The temporary impact fee is applied to all temporary impacts from covered activities both inside and outside the UDA. The temporary impact fee is based on the development fee described in the prior chapter and shown in the fee schedule in Table 6.2. Where applicable the fee is also based on the wetland mitigation fee described in Chapter 5 and shown in the fee schedule in Table 5.1.

As described in Chapter 2 of the HCP/NCCP there are many covered activities that are short duration or intermittent and result in temporary impacts on natural land cover types. As described in Chapter 4 of the Plan some covered activities are expected to have substantial temporary impacts on covered species due to their large footprint, linear nature, location in the inventory area, effect on local soils or hydrology, or a combination of these factors. Temporary impacts are defined as any impact on vegetation or habitat that does not result in permanent habitat removal.

Chapter 9 of the Plan provides a detailed explanation of the calculation of the temporary impact fee. Covered activities with temporary impacts pay a fee based on the development fee. In addition, covered activities with temporary impacts on wetland land cover types also pay a fee based on the wetland mitigation fee. The temporary impact fee is calculated based on the frequency of the temporary impact and habitat recovery over the 30-year permit term;

the amount of the fee is equal to the applicable development or wetland mitigation fee multiplied by the proportion of the Plan's 30-year term affected by the temporary impact.

Mitigation Fee Act Findings

The following findings are required by the MFA and were presented in Chapter 1.

Section 66001(a)(1)

The temporary impact fee is intended to pay for costs of the HCP/NCCP associated with mitigating temporary impacts.

Section 66001(a)(2)

The temporary impact fee will fund HCP/NCCP costs to mitigate temporary impacts. Chapter 5 of the Plan explains the conservation strategy for the Plan and Chapter 9 explains the costs associated with implementing the strategy.

Section 66001(a)(3)

A reasonable relationship exists between the use of temporary impact fee revenue and covered activities that would pay the fee. Chapter 5 of the HCP/NCCP explains the conservation strategy and Chapter 9 explains the costs associated with implementing the strategy.

The conservation strategy in Chapter 5 of the Plan identifies biological goals and objectives that are supported by specific conservation measures: five measures related to landscape-level conservation, 11 measures related to natural community-level conservation, and nine measures related to species-level conservation.

The cost model summarized in Chapter 9 and presented in detail in Appendix G of the Plan explains the costs associated with implementation. Updated costs are shown in Chapter 3 of this report and include nine cost categories: program administration, land acquisition, planning and design, habitat restoration/creation, environmental compliance, preserve management and maintenance, monitoring, research, and adaptive management, remedial measures, and contingency fund.

Section 66001(a)(4)

A reasonable relationship exists between the need for the temporary impact fee and covered activities that would pay the fee. Chapter 3 of the HCP/NCCP

explains the relationship between the 17 animal and 11 plant species covered under the Plan and all land cover types (see Table 3-9 in Chapter 3 of the Plan). Chapter 4 of the Plan explains the impacts of covered activities on these animal and plant species.

Section 66001(b)

A reasonable relationship exists between the amount of the temporary impact fee on a specific covered activity and the proportionate share of HCP/NCCP costs based on the fee schedules shown in Table 5.1 and Table 6.2 for three reasons:

- As explained in Chapter 5 regarding the wetland mitigation fee and Chapter 6 regarding the development fee, the fees are based only on Plan costs associated with permanent impacts. Temporary impacts are reasonably like permanent impacts when adjusted for the duration of the temporary impact, so it is reasonable to establish the temporary fee based on the wetland mitigation and development fees.
- As explained in detail in Chapter 2, *Development Fee Zones*, the fee is adjusted for three zones that reflect the relative amount of impact from urban development on natural habitats and covered species. The mapping of the zones was completed at a level of detail sufficient to provide a reasonable relationship between all land within a specific zone and the relative weight of impacts assigned to that zone.
- The total fee for a covered activity is proportional to the amount of the impact based on the number of acres affected.
- The total fee is proportional to the duration of the temporary impact.

8. FUNDING PLAN

This chapter provides an updated funding plan for the HCP/NCCP based on the HCP/NCCP cost and mitigation fee revenue analysis presented in the prior chapters. This chapter provides the remaining two findings required by the MFA and explained in Chapter 1:

- Identify all sources and amounts of funding anticipated to complete financing of improvements to be funded by the fee.
- Designate the approximate dates when funding is expected to complete financing of improvements to be funded by the fee.

Revenue Sources

The funding plan tracks total revenues to date and estimates revenue for the remaining permit term. All amounts are shown in 2021 dollars. This section reviews the assumptions used to estimate each revenue source in the funding plan for the remaining 16 years of the permit term.

Mitigation Fees

- **Development fee** revenue for the remaining permit term is based on the "Remaining Fair Share Development Costs" shown in Table 6.2. All other mitigation payment revenue associated with specific agreements between land developers and the permittees is allocated to the endowment (see Chapter 4).
- **Wetland mitigation fee** revenue for the remaining permit term is based on the amounts shown in Table 5.3.
- **Rural road fee** revenue for the remaining permit term is based on the amount shown in Table 7.1.
- **Temporary impact fee** revenue for the remaining permit term equals the prior five-year annual average.

Consistent with prior audits, mitigation fee revenues assume that total impacts allowed under the permit occur by the end of the 30-year permit term. The permit term likely will need to be extended because impacts are occurring at a slower pace than anticipated by the HCP/NCCP. The funding plan will continue to use a 30-year planning horizon for occurrence of all allowable impacts until a permit term extension is approved by the permittees and the wildlife agencies. See Chapter 2, *Permit Term Extension*, for more discussion.

Other Fees and Exactions

- **Administrative charges** are for costs associated with processing mitigation fees paid by participating special entities. Participating special entities generate impacts covered by the Plan but are not one of the permittees.[31] Revenue for the remaining permit term equals the prior five-year annual average.
- **Payments for non-covered activities** are reduced to zero over the permit term because this revenue cannot be used for impacts under the Plan and must be used for additional conservation measures.
- **Other development exactions** are primarily from participating special entities and are for conservation beyond the mitigation requirements of the Plan ("contribution to recovery"). Revenue for the remaining permit term equals the prior five-year annual average.

State and Federal Funds and Local Capital Funds

The HCP/NCCP anticipated that state and federal funds and local capital funds would be used for land acquisition to build the Preserve System. Through 2021 state and federal funds have been used nearly exclusively for land acquisition along with a limited amount of funding for activities such as the planning and design of restoration projects. Local capital funds are comprised mostly of foundation grants and land acquisition funding from the Park District. A limited amount of funding from foundation grants and other local sources has been used for research. Park District funding comes from voter-approved tax measures and lease revenues (see Chapter 4, *Lease Revenues*, and **Table F.4** in Appendix F). Over 90 percent of the funding from these sources combined through 2021 has been used for land acquisition.

The HCP/NCCP converted estimated funding from these sources into estimates of acres acquired.[32] The Plan states that state and federal funding must be measured in terms of acreage rather than dollars.[33] The audit applies this same acreage approach for measuring funding from local capital funds.

These funding sources have declined substantially in the past five years. The 10-year average for these sources combined is more than double the five-year average (see **Table F.5** in Appendix F). Funding for the remainder of the

[31] Entities not subject to the jurisdiction of the permittees under the Plan may request coverage under the Plan for covered activities. Such organizations may include, for example, school districts, water districts, other utilities or special districts, or private companies. These entities, known as participating special entities, can receive coverage under the HCP/NCCP during Plan implementation on a case-by-case basis and by paying the appropriate fees as determined by the Conservancy.

[32] HCP/NCCP, Chapter 9, pp. 9-33 and 9-36.

[33] HCP/NCCP, Chapter 9, p. 9-37.

permit term is estimated to be more than the prior five-year average and less than the 10-year average (130 and 160 percent of the five-year average for state and federal funds and local capital funds, respectively). This level of funding is estimated such that:

- The Plan remains fully funded based on total plan resources (total revenues plus FY 2021 ending fund balance) versus total plan costs
- Total funding from each source over the permit term for land acquisition, when converted to acreage based on average costs per acre, does not exceed the land acquisition estimates for each source included in the Plan.

To balance total plan revenues against total plan costs, the funding plan for this audit was able to hold funding from these sources to between 87 and 90 percent of the amount estimated in the Plan, based on acreage acquired and average cost per acre, depending on the funding source and scenario (initial or maximum UDA).

Local Operating Funds

The Plan anticipated that the Park District would be a significant funding partner not only in land acquisition but also in preserve management.[34] Indeed, the Park District holds title to all but one of the acquisitions completed through 2021 to build the Preserve System.[35] In addition to land purchase costs, the Park District has funded a share of due diligence and closing costs for land acquisitions and a share of costs for preserve management. Park District funding sources include an allocation of lease revenues on preserve lands (see **Table F.4** and **Table F.5** in Appendix F).

The Conservancy and the Park District are currently negotiating a cost sharing agreement for preserve management. Guiding principles for this agreement are the Park District fund land management at a level sufficient "to achieve its internal management standards". Other sources (such as the Conservancy) would fund "those costs related to implementing the HCP/NCCP that would not otherwise be incurred by the Park District to manage its lands."[36] Applying these principles, local operating funds from the Park District are estimated based on the Park District funding 41 percent of total preserve management costs for the remainder of the permit term. This estimate is based on a preliminary estimate provided by Conservancy and subject to negotiation between EBRPD and the Conservancy.

[34] HCP/NCCP, Chapter 9, pp. 9-33 to 9-34 and Appendix H (first memorandum).

[35] The only acquisition that is not held by the Park District is the 165-acre Viera North Peak parcel.

[36] *Implementing Agreement for the East Contra Costa County HCP/NCCP*, January 22, 2007, p. 22.

The Park District has also funded a share of due diligence and closing costs for land acquisitions. Based on funding and costs to date (through 2021), the District's funding has equaled one percent of total land acquisition costs. The funding plan assumes that the District will continue to fund these costs at this same level through the remainder of the permit term.

Future local operating funds from the Park District are shown in **Table 8.1**. Total funding is between $14 million and $17 million, depending on the scenario. Net funding after deducting lease revenues is $6 million to $8 million.

Table 8.1: Future Local Operating Funds (Park District) (2022-2037)

	Initial UDA	Maximum UDA
Preserve Management & Maintenance		
2022-2026 Costs (yrs. 15-19)	$7,430,000	$7,990,000
2027-2031 Costs (yrs. 20-24)	$9,340,000	$10,820,000
2032-2037 Costs (yrs. 25-30)	$13,900,000	$16,910,000
Total	$30,670,000	$35,720,000
Park District Share[1]	41.0%	41.0%
Park District Preserve Management Funding	$12,570,000	$14,650,000
Due Diligence & Closing (funded by Park District)[2]	$1,520,000	$2,120,000
Total Park District Funding	$14,090,000	$16,770,000
Lease Revenue Subject To Allocation Agreement[3]	($5,100,000)	($5,100,000)
Grazing Lease Revenue[4]	($2,960,000)	($3,470,000)
Net Additional Park District Funding (yrs. 15-30)	$6,030,000	$8,200,000

[1] EBRPD share based on preliminary estimate provided by Conservancy and subject to negotiation between EBRPD and the Conservancy.

[2] Equal to one percent of total future land acquisition costs. The one percent factor is based on Park District share of funding for those costs to date ($1.5 million of District funding and $139 million of land acquisition costs through 2021).

[3] The Conservancy and EBRPD have entered into a lease revenue allocation agreement that allocates revenue from leases (primarily from communication and wind power facilities) on preserve lands. The amount shown here represents the share of those revenues allocated to preserve management and maintenance costs excluding grazing leases.

[4] Based on cost model estimates of grazing management costs. Costs are assumed equal grazing lease revenue.

Sources: Appendices C and D (Summary, Land Acquisition, and Preserve Management & Maintenance tables); Appendix F, Tables F.4 and F.5.

Other Funds

Other funds include interest earnings and miscellaneous revenue. Revenue from these sources for the remaining permit term equals the prior five-year annual average.

Funding Plan Summary

Table 8.2 presents the updated funding plan under the initial and maximum UDA scenarios. Actual revenues for 2007 through 2021 are inflated to 2021 dollars and added to estimates of remaining revenues for each scenario to calculate total revenues for the 30-year permit term. The ending fund balance for 2021 is included to calculate total resources available to fund the Plan. Plan costs are drawn from Chapters 3 and 4.

Tables 8.3 and 8.4 compare the updated funding plan with the HCP/NCCP and the 2017 audit for the initial and maximum UDA scenarios, respectively, in 2021 dollars. Three revenue sources, development fees, state and federal funds, and local capital funds, continue to fund over 80 percent of the Plan. The share of total revenue provided by each of these sources continue to remain constant across the three funding plans (+/- two percent).

Table 8.2: Funding Plan (2021 dollars)

		Initial UDA		Maximum UDA	
	2007-2021	2022-2037	Total	2022-2037	Total
	Actual	*Estimate*	*Estimate*	*Estimate*	*Estimate*
PLAN FUNDING					
Mitigation Fees					
Development Fee	$17,450,000	$186,020,000	$203,470,000	$274,180,000	$291,630,000
Wetland Mitigation Fee	$1,570,000	$41,000,000	$42,570,000	$47,540,000	$49,110,000
Rural Road Fee	$2,510,000	$8,790,000	$11,300,000	$8,790,000	$11,300,000
Temporary Impact Fee[2]	$3,710,000	$3,520,000	$7,230,000	$3,520,000	$7,230,000
Subtotal	$25,240,000	$239,330,000	$264,570,000	$334,030,000	$359,270,000
Other Fees & Exactions					
Administrative Charges[2]	$990,000	$1,460,000	$2,450,000	$1,460,000	$2,450,000
Non-Covered Activities[3]	$5,070,000	($5,070,000)	$0	($5,070,000)	$0
Other Mitigation Fees[2]	$4,740,000	$1,870,000	$6,610,000	$1,870,000	$6,610,000
Subtotal	$10,800,000	($1,740,000)	$9,060,000	($1,740,000)	$9,060,000
Local, State & Federal Funds					
State & Federal Funds[4]	$106,530,000	$50,150,000	$156,680,000	$50,150,000	$156,680,000
Local Capital Funds[4]	$39,110,000	$16,610,000	$55,720,000	$16,610,000	$55,720,000
Local Operating Funds	$10,270,000	$14,090,000	$24,360,000	$16,770,000	$27,040,000
Subtotal	$155,910,000	$80,850,000	$236,760,000	$83,530,000	$239,440,000
Other Funds					
Interest Earnings[2]	$540,000	$650,000	$1,190,000	$650,000	$1,190,000
Miscellaneous[2]	$30,000	$30,000	$60,000	$30,000	$60,000
Subtotal	$570,000	$680,000	$1,250,000	$680,000	$1,250,000
Total Revenue	**$192,520,000**	**$319,120,000**	**$511,640,000**	**$416,500,000**	**$609,020,000**
Fund Balance[5]	$3,960,000	$0	$3,960,000	$0	$3,960,000
Total Resources	**$196,480,000**	**$319,120,000**	**$515,600,000**	**$416,500,000**	**$612,980,000**
PLAN COSTS					
Plan Implementation (Permit Term)			$456,970,000		$539,680,000
Endowment Fund Contribution			$58,270,000		$70,260,000
Total Costs			**$515,240,000**		**$609,940,000**
Surplus / (Deficit)			**$360,000**		**$3,040,000**

[1] Total years 0-30 revenue estimated based on adjusting HCP/NCCP estimate of $8,930,000 by the inflation index for 2006.

[2] Future year estimates based on annual average actual revenue for prior five years (2017-2021), except Other Mitigation Fees prior annual average excludes extraordinary CWF 2020 endowment contribution (see Table F.4),

[3] Prior year revenue deducted from future years because funding must augment and not substitute for Plan obligations (see Chapter 9 of the Plan).

[4] Future year estimate used to balance total resources with total costs while ensuring that total revenue does not exceed HCP/NCCP estimates of preserve acquisition funded by these sources, tracked based on acres acquired and average cost per acre.

[5] As of December 31, 2021.

Sources: Tables 3.2, 3.3, 5.3, 6.1, 7.1, and 8.1, Appendix F, Table F.5, ECCC Habitat Conservancy (fund balance).

Table 8.3: Funding Plan Comparison – Initial Urban Development Area (2021 $)

	2006 Plan		2017 Fee Audit		2022 Fee Audit		2022 Audit vs. 2006 Plan		2022 Audit vs. 2017 Audit	
Mitigation Fees										
Development Fee	$179,660,000	40%	$212,450,000	38%	$203,470,000	39%	$23,810,000	13%	($8,980,000)	(4%)
Wetland Mitigation Fee	$33,810,000	7%	$51,310,000	9%	$42,570,000	8%	$8,760,000	26%	($8,740,000)	(17%)
Rural Road Fee	$13,580,000	3%	$13,570,000	2%	$11,300,000	2%	($2,280,000)	(17%)	($2,270,000)	(17%)
Temporary Impact Fee	$0	0%	$6,570,000	1%	$7,230,000	1%	$7,230,000	NA	$660,000	10%
Subtotal	$227,050,000	50%	$283,900,000	51%	$264,570,000	51%	$37,520,000	17%	($19,330,000)	(7%)
Other Fees & Exactions										
Administrative Charges	$0	0%	$1,670,000	0%	$2,450,000	0%	$2,450,000	NA	$780,000	47%
Non-Covered Activities	$0	0%	$0	0%	$0	0%	$0	NA	$0	NA
Other Mitigation Fees	$0	0%	$4,910,000	1%	$6,610,000	1%	$6,610,000	NA	$1,700,000	35%
Subtotal	$0	0%	$6,580,000	1%	$9,060,000	2%	$9,060,000	NA	$2,480,000	38%
Local, State & Federal Funds										
State & Federal Funds	$143,660,000	32%	$176,870,000	32%	$156,680,000	30%	$13,020,000	9%	($20,190,000)	(11%)
Local Capital Funds	$53,210,000	12%	$64,810,000	12%	$55,720,000	11%	$2,510,000	5%	($9,090,000)	(14%)
Local Operating Funds	$30,400,000	7%	$25,180,000	5%	$24,360,000	5%	($6,040,000)	(20%)	($820,000)	(3%)
Subtotal	$227,270,000	50%	$266,860,000	48%	$236,760,000	46%	$9,490,000	4%	($30,100,000)	(11%)
Other Funds										
Interest Earnings[1]	$0	0%	$670,000	0%	$1,190,000	0%	$1,190,000	NA	$520,000	78%
Miscellaneous[1]	$0	0%	$30,000	0%	$60,000	0%	$60,000	NA	$30,000	100%
Subtotal	$0	0%	$700,000	0%	$1,250,000	0%	$1,250,000	NA	$550,000	79%
Fund Balance	$0	0%	Not Included	0%	$3,960,000	1%	$3,960,000	NA	$3,960,000	NA
Total Funding	**$454,320,000**	100%	**$558,040,000**	100%	**$515,600,000**	100%	$61,280,000	13%	($42,440,000)	(8%)
Total Costs	**$451,640,000**		**$556,470,000**		**$515,240,000**		$63,600,000	14%	($41,230,000)	(7%)
Surplus / (Deficit)	**$2,680,000**		**$1,570,000**		**$360,000**		($2,320,000)		($1,210,000)	

Note: HCP/NCCP and 2017 Audit revenues are inflated to 2021 dollars using the inflation index in Appendix F.

Sources: HCP/NCCP, Table 9-8 and Appendix H; 2017 Fee Audit, Table 8.2, p. 51; Table 8.2 (this report).

Table 8.4: Funding Plan Comparison – Maximum Urban Development Area (2021 $)

	2006 Plan		2017 Fee Audit		2022 Fee Audit		2022 Audit vs. 2006 Plan		2022 Audit vs. 2017 Audit	
Mitigation Fees										
Development Fee	$258,010,000	48%	$317,110,000	47%	$291,630,000	48%	$33,620,000	13%	($25,480,000)	(8%)
Wetland Mitigation Fee	$36,500,000	7%	$59,240,000	9%	$49,110,000	8%	$12,610,000	35%	($10,130,000)	(17%)
Rural Road Fee	$13,580,000	3%	$13,570,000	2%	$11,300,000	2%	($2,280,000)	(17%)	($2,270,000)	(17%)
Temporary Impact Fee	$0	0%	$6,570,000	1%	$7,230,000	1%	$7,230,000	NA	$660,000	10%
Subtotal	$308,090,000	58%	$396,490,000	59%	$359,270,000	59%	$51,180,000	17%	($37,220,000)	(9%)
Other Fees & Exactions										
Administrative Charges	$0	0%	$1,670,000	0%	$2,450,000	0%	$2,450,000	NA	$780,000	47%
Non-Covered Activities	$0	0%	$0	0%	$0	0%	$0	NA	$0	NA
Other Mitigation Fees	$0	0%	$4,910,000	1%	$6,610,000	1%	$6,610,000	NA	$1,700,000	35%
Subtotal	$0	0%	$6,580,000	1%	$9,060,000	1%	$9,060,000	NA	$2,480,000	38%
Local, State & Federal Funds										
State & Federal Funds	$143,660,000	27%	$176,870,000	26%	$156,680,000	26%	$13,020,000	9%	($20,190,000)	(11%)
Local Capital Funds	$53,210,000	10%	$64,810,000	10%	$55,720,000	9%	$2,510,000	5%	($9,090,000)	(14%)
Local Operating Funds	$30,400,000	6%	$25,180,000	4%	$27,040,000	4%	($3,360,000)	(11%)	$1,860,000	7%
Subtotal	$227,270,000	42%	$266,860,000	40%	$239,440,000	39%	$12,170,000	5%	($27,420,000)	(10%)
Other Funds										
Interest Earnings[1]	$0	0%	$670,000	0%	$1,190,000	0%	$1,190,000	NA	$520,000	78%
Miscellaneous[1]	$0	0%	$30,000	0%	$60,000	0%	$60,000	NA	$30,000	100%
Subtotal	$0	0%	$700,000	0%	$1,250,000	0%	$1,250,000	NA	$550,000	79%
Fund Balance	$0	0%	Not Included	0%	$3,960,000	1%	$3,960,000	NA	$3,960,000	NA
Total Funding	**$535,360,000**	100%	**$670,630,000**	100%	**$612,980,000**	100%	$77,620,000	14%	($57,650,000)	(9%)
Total Costs	**$532,140,000**		**$669,060,000**		**$609,940,000**		$77,800,000	15%	($59,120,000)	(9%)
Surplus / (Deficit)	**$3,220,000**		**$1,570,000**		**$3,040,000**		($180,000)		$1,470,000	

Note: HCP/NCCP and 2017 Audit revenues are inflated to 2021 dollars using the inflation index in Appendix F.

Sources: HCP/NCCP, Table 9-8 and Appendix H; 2017 Fee Audit, Table 8.3, p. 52; Table 8.2 (this report).

APPENDIX A: DEVELOPMENT IMPACTS

The following tables provide detail for impacts from covered activities for 2008 through 2021 of the HCP/NCCP.

Table A.1 provides detail for permanent land conversion impacts

Table A.2 provides detail for wetland impacts.

Temporary impacts are not shown because they do not affect audit calculations of the development fees.

Table A.1: Permanent Land Conversion Impacts (2008-2021) *(acres)*

Fiscal Year	Project / Description	Zone 1	Zone 2	Zone 3	Outside UDA[1]
2009	CCC LP07-2033: Verizon Wireless Martin Cell Tower Project				1.39
2009	CCC LP09-2002: US Coast Guard/SBA Cell Tower Project				1.158
2009	PSE: State Route 4 Bypass, Segment 4, Phase 2	24.69	23.81		
2010	PSE: CalTrans SR4 Median Buffer & Shoulder Widening Project				7.34
2010	CCC PWD: Vasco Road Safety Improvements				6.201
2010	CCC LP09-2033: Horizon Cell Tower Project				1.19
2010	PSE: eBart Phase 1 Project	0.3			
2011	CCC LP10-2070: Morgan Territory Rd Telecommunications Facility Project				0.901
2011	CCC LP09-2037: Camino Diablo Vasco Telecommunications Facility Project				2.35
2011	CCC LP10-2082: J4 Byron Hot Springs Communications Facility				0.8
2011	CCC PWD: Balfour Rd Culvert Repair Project				0.01
2011	CCC PWD: Byron Hwy Shoulder Widening Project-Phase 1				0.44
2011	CCC PWD: Vasco Camino Diablo Intersection				1.94
2011	PSE: ConocoPhillips Line 200 Repair & Anode		0.003		
2011	City of Oakley: Stonewood III-Unit #1 Sub #9183	2.21			
2011	City of Pittsburg: Trash Capture Demonstration Project	0.02			
2011	City of Brentwood: New Meetinghouse Brentwood			3.4	
2012	CCC PWD: Deer Valley Road Safety Improvement Project				0.53
2012	CCC PWD: Marsh Creek Should Widening near Round Valley Regional Preserve Project				2.79
2012	CCC BIG12-0004598: EBRIX Los Vaqueros Communication Facility				0.026
2012	CCC LP10-2009: Clayton Regency Mobile Home Park Emergency H2O Pipeline Extension				0.5

Table A.1: Permanent Land Conversion Impacts (2008-2021) *(acres) (continued)*

Fiscal Year	Project / Description	Zone 1	Zone 2	Zone 3	Outside UDA[1]
2012	EBRPD Round Valley Pedestrian Bridge Project				0.15
2012	City of Oakley: iPark Oakley Project	9.14			
2012	PSE: eBart Phase II Extension	37.91			
2012	PSE: eBart Phase II Extension-1st & 2nd Amend	2.56			
2012	Upper Sand Creek Detention Basin Expansion		6.89		
2013	City of Brentwood: AutoZone Store 4136	0.9			
2013	City of Oakley: Emerson Ranch	138.25			
2013	CCC: Clayton Regency Mobile Home Park Stormdrain Outfall				0.2
2013	PSE: SR160/SR4 Bypass Phase II Connectors	18.01			
2013	PSE: Chevron Pipeline KLM Site 1357 Repair		0.007		
2014	City of Brentwood: Ferro/Ronconi	42.23			
2014	CCC PWD: Pacifica Ave Sidewalk	0.204			
2014	CCC PWD: Marsh Creek Bridge Scour Repair				0.003
2014	CCC PWD: Marsh Creek 142 Wingwall Repair				0.009
2014	CCC PWD: Deer Valley Road Shoulder Widening				1.77
2014	CCC PWD: Marsh Creek Detention Center Bridge Replacement				0.18
2014	CCC PWD: Marsh Creek Road Safety Improvements				1.3
2014	CCC LP13-2097: Verizon Wireless Bethel Island	0.036			
2014	CCC LP13-2111: AT&T Co-location Marsh Creek Monopine				0.000226
2014	CCC LP13-2069: Marsh Creek Cell Tower				0.019
2015	City of Brentwood: Bella Fiore	13.5			
2015	City of Brentwood: Celebration Preschool	0.87			
2015	City of Brentwood: Mangini	9.77			
2015	CCC LP14-2044: Mariner's Discovery Church	3.49			
2015	City of Oakley PW: Marsh Creek Pedestrian Bridge	0.02			
2015	City of Brentwood: Mission Grove	15.6			
2015	City of Brentwood: Palmilla Phase I	20.64			
2015	Duane Martin Jr. Vasco Caves				0.1
2015	City of Pittsburg: Greystone Place			4.9	
2015	Hess Water Trough Installation				0.01
2015	City of Brentwood PW: John Muir Parkway-Phase II	0.33	2.36		
2015	Vaquero Farms S. Wetland Creation & Repair				0.01
2015	CCC PWD: Vasco Road Embankment Repair				0.02
2015	CCC PWD: Marsh Creek Safety Improvement Project (Fed. No. HRRL-5928 (095))		0.76		
2016	City of Brentwood: Maffeo	9.1			
2016	City of Brentwood: Palmilla Phase II	38.7			
2016	City of Brentwood: Sparrow at Marsh Creek	6.71			
2016	City of Brentwood: Cornerstone Church	4.51			
2016	City of Brentwood: Elite (Pacific Union) Self Storage	4			
2016	City of Oakley: Verizon Wireless Empire Oakley Road	0.33			

Table A.1: Permanent Land Conversion Impacts (2008-2021) *(acres) (continued)*

Fiscal Year	Project / Description	Zone 1	Zone 2	Zone 3	Outside UDA[1]
2016	City of Pittsburg: Sonic Drive-In Project			1.22	
2016	City of Brentwood: Tractor Supply Project			2.8	
2016	City of Pittsburg: Delta Gateway Pad No. 12	1.8			
2016	CCC PWD: Port Chicago Hwy-Willow Pass Sidewalk Improvements	0.156		0.143	
2016	CCC PWD: Canal Road Sidewalk and Bike Lanes Project	0.4709			
2016	CCC LP15-2029: Timber Rd Communication Facility				0.05
2016	CCC TP12-0026: Moita Road Improvement Project		0.36		0.9
2016	PSE: Oakley Generating Station (Original-3rd Amendment) Project	16.72	[see footnote 2]		
2016	PSE: SR4/Balfour & First Amendment	29.58	[see footnote 2]		
2017	Canal Road Bridge Replacement Project	0.01			
2017	Morgan Territory Road Slide Repair and Temporary Access Road Alignment				0.03
2017	Palermo Subdivision	18.84			
2017	Sellers Pointe Subdivision	13.82			
2017	Verna Way			1.96	
2017	Oakley Recreation Center	4.294			
2017	Gilbert Property Phase I	51.91			
2017	Oakley Gateway	3.63			
2017	iPark Oakley Phase 2: Executive RV and Boat Storage	0.67			
2017	PG&E Walnut Crossover Rebuild Project				0.1
2018	Kirker Pass Road Northbound Truck Climbing Lane - Inside				3.12
2018	Marsh Creek Road Bridge #141 Replacement Project				0.09
2018	Sciortino Ranch Development	51.94			
2018	Bella Verde Development	6.1			
2018	Tri-City Plaza - Parcel D			0.87	
2018	Shops at Lone Tree (Center Pointe Commercial Development)	7.64			
2018	City of Brentwood Recycled Water Project - Phase 1	0.9			
2018	Cypress Self Storage Project	3.24			
2018	Bay Point Family Apartments (DP15-3023)			7.61	
2018	Shell Pipeline AC Mitigation Site at Valve 158				0.03
2018	Empire Ave Development - Hovnanian Homes Project	8			
2018	30 Technology Court	1.46			
2018	PG&E RMSCC15-303 Project				0.48
2018	Gilbert Property Phase 2	70.626			
2019	Marsh Creek Road Traffic Safety Improvements Project				0.00015
2019	Alicante (The Village at Main)	20.06			
2019	The Vines at Oakley	9.9			
2019	Liberty Residential Subdivision	4.24			
2019	Praxair Pittsburg Cylinder Storage Facility - Phase 1			0.16	

Table A.1: Permanent Land Conversion Impacts (2008-2021) *(acres) (continued)*

Fiscal Year	Project / Description	Zone 1	Zone 2	Zone 3	Outside UDA[1]
2019	Praxair Pittsburg Cylinder Storage Facility - Phase			4.93	
2019	eBART Phase II Extension - 4th Amendment	0.21			
2019	EBRPD FEMA Pond Repair Projects 2019				0.002
2020	Quick Quack Car Wash and 7-11	2.64			
2020	Brentwood Goddard School	0.86			
2020	The Groves	19.47			
2020	Silvergate Condominium Community	8.35			
2020	City of Brentwood Recycled Water Project Phase 2 - Non-Potable Water Distribution System	0.17			
2020	Oakley Logistics Center	66.046			
2020	Acacia Development	12.56			
2020	Twin Oaks Senior Residence			6.06	
2020	Diablo Energy Storage	10.41			
2020	Tuscany Meadows		168.86		
2020	Department of Water Resources Old Banks Landfill Cap Project				6.49
2020	CCTA Mokelumne Trail Bicycle/Pedestrian Overcrossing Project	1.85			
2021	Tuscany Estates Project- at the Baldocchi Property	23.26			
2021	Mt. Diablo Resource Recovery Park	10.26			
2021	Diablo Meadows Residential Development		8.28		
2021	Byron Highway Solar Project				34.13
2021	Byron Highway/Byer Road Safety Improvements Project				0.18
2021	Rotten Robbie Brentwood	2.11			
2021	Amber Lane Apartments	13.91			
2021	Orchard Trails (Walnut Villas)	27.88			
2021	Zip Thru Car Wash	1.42			
	Total	931.44	211.33	34.05	76.94

Notes: Only includes impacts subject to permit limits.

"PSE" is participating special entity. "CCC" is Contra Costa County.

[1] Includes covered activities outside the urban development area (UDA) that pay either the zones 1 or 2 fee. Includes rural road projects as shown in Table 9-6 of the 2006 Plan.

[2] These covered activities occurred over multiple years. Total impacts and last year of impacts are shown here.

Sources: ECCC Habitat Conservancy.

Table A.2: Permanent Wetland Impacts, 2008 Through 2021

Fiscal Year	Project / Description	Wetlands								Streams	
		Total	Riparian/ Woodland	Permanent Wetland	Seasonal Wetland	Alkali Wetland	Pond	Aquatic	Slough	≤ 25 ft	> 25 ft
		(acres)								(linear feet)	
2008	CCC PWD: Marsh Creek Emergency Bridge Repair Project										0.3096
2009	PSE: State Route 4 Bypass, Segment 4, Phase 2	**0.19**	0.19								
2010	PSE: CalTrans SR4 Median Buffer & Shoulder Widening Project	**0.41**	0.05		0.29				0.07		6
2010	CCC PWD: Vasco Road Safety Improvements	**0.007**		0.006	0.001					110	22
2011	CCC PWD: Balfour Rd Culvert Repair Project										12
2011	CCC PWD: Byron Hwy Shoulder Widening Project-Phase 1										47
2011	City of Pittsburg: Trash Capture Demonstration Project	**0.02**		0.02							
2012	CCC PWD: Deer Valley Road Safety Improvement Project	**0.13**				0.13					
2012	CCC PWD: Marsh Creek Should Widening near Round Valley Regional Preserve Project	**0.064**			0.064					29	
2012	Upper Sand Creek Detention Basin Expansion	**0.17**	0.11	0.04	0.02					295	
2013	CCC: Clayton Regency Mobile Home Park Stormdrain Outfall	**0.1**	0.1								
2013	PSE: Chevron Pipeline KLM Site 1357 Repair	**0.007**				0.007					
2014	CCC PWD: Pacifica Ave Sidewalk	**0.044**	0.044								36
2014	CCC PWD: Marsh Creek Bridge Scour Repair	**0.003**	0.003								23
2014	CCC PWD: Marsh Creek 142 Wingwall Repair	**0.009**	0.009								
2014	CCC PWD: Deer Valley Road Shoulder Widening	**0.1**					0.1				
2014	CCC PWD: Marsh Creek Detention Center Bridge Replacement	**0.132**	0.132								60

Table A.2: Permanent Wetland Impacts, 2008 Through 2021 *(continued)*

Fiscal Year	Project / Description	Wetlands								Streams	
		Total	Riparian/ Woodland	Permanent Wetland	Seasonal Wetland	Alkali Wetland	Pond	Aquatic	Slough	≤ 25 ft	> 25 ft
2014	CCC PWD: Marsh Creek Road Safety Improvements									148	
2015	City of Oakley PW: Marsh Creek Pedestrian Bridge										15
2015	City of Brentwood: Palmilla Phase I										25
2015	CCC PWD: Marsh Creek Safety Improvement Project (Fed. No. HRRL-5928 (095)	**0.02**	0.02							29	
2016	CCC PWD: Canal Road Sidewalk and Bike Lanes Project	**0.0039**	0.0034		0.0005					21	
2016	CCC TP12-0026: Moita Road Improvement									45	
2016	PSE: SR4/Balfour & First Amendment	**0.42**	0.42								
2017	CCC PWD: Garin Ranch Basin and Heron Park Basin Improvements	**0.469**						0.469			
2017	City of Oakley: Gilbert Property Phase I	**0.703**			0.126				0.577		
2018	CCC PWD: Kirker Pass Road Northbound Truck Climbing Lane	**0.046**	0.046								
2018	CCC PWD: Morgan Territory Road Bridges 4.30 and 4.40 Scour Repair	**0.002**	0.002								65
2018	CCC PWD: Marsh Creek Road Bridge #141 Replacement	**0.16**	0.16								93
2018	City of Oakley: Gilbert Property Phase 2	**0.124**			0.124						
2019	EBRPD FEMA Pond Repair Projects 2019									8	
2020	City of Oakley: Oakley Logistics Center	**0.984**			0.984						
	Total	**4.32**	1.29	0.07	1.61	0.14	0.10	0.47	0.65	685.00	404.31

Notes: Only includes impacts subject to permit limits.
"PSE" is participating special entity. "CCC" is Contra Costa County.
Wetland impacts are included in land conversion impacts (Table A.1). Wetland impacts are subject to the additional wetland fee.

Sources: ECCC Habitat Conservancy.

APPENDIX B: LAND ACQUISITION COST ANALYSIS

The following tables provide detail for the land acquisition cost analysis update.

Table B.1

REMAINING LAND ACQUISITION BY COST CATEGORY, Acres and Estimated Total Cost
EAST CONTRA COSTA COUNTY HCP/NCCP
2022 Update

		Initial Urban Development Area				Maximum Urban Development Area			
Acquisition Cost Category	**Parcel Size**	**Acres**	**% of Total**	**Estimated Cost**	**% of Total**	**Acres**	**% of Total**	**Estimated Cost**	**% of Total**
OUTSIDE THE URBAN LIMIT LINE									
1	120 + acres	9,389	70%	$85,441,820	56%	13,778	72%	$125,376,779	59%
2	40 - 120 acres	1,822	14%	20,445,821	13%	3,074	16%	34,461,669	16%
3	10 - 40 acres	322	2%	8,852,800	6%	459	2%	12,612,600	6%
4	5 - 10 acres	15	0%	726,620	0%	33	0%	1,538,498	1%
5	< 5 acres	-	0%	-	0%	4	0%	288,420	0%
6	ALL, steep slopes	480	4%	2,016,000	1%	489	3%	2,055,480	1%
INSIDE THE URBAN LIMIT LINE		1,342	10%	34,513,035	23%	1,385	7%	35,559,843	17%
TOTAL		**13,371**	**100%**	**$151,996,096**	**100%**	**19,222**	**100%**	**$211,893,289**	**100%**

Note: includes acres that may be acquired outside the Inventory Area and outside Acquistion Analysis zones that do not count towards preserve targets but are part of larger preserve parcels.

Source: East Contra Costa County Habitat Conservancy and Insight Data & Economic Analysis

Table B.2

LAND ACQUISITION COST FACTOR
EAST CONTRA COSTA COUNTY HCP/NCCP
2022 Update

OUTSIDE THE URBAN LIMIT LINE — **Per Acre Land Value Factor**

Acquisition Cost Category	Parcel Size	Slope Characteristics (percent of parcel)	2003 Valuation	2005 Valuation	2006 Valuation	2012 Valuation	2017 Valuation	2022 Valuation	Change from 2017
1	120 + acres	< 26%	$3,500	$4,800	$5,600	$5,300	$6,400	$9,100	42%
2	40 - 120 acres	< 26%	$6,000	$8,200	$9,600	$7,500	$11,200	$11,200	0%
3	10 - 40 acres	< 26%	$20,000	$27,400	$31,900	$18,600	$22,000	$27,500	25%
4	5 - 10 acres	< 26%	$35,000	$48,000	$56,000	$49,000	$38,000	$47,000	24%
5	< 5 acres	< 26%	$50,000	$68,600	$80,000	$70,000	$55,000	$66,000	20%
6	ALL	> 26%	$3,000	$3,300	$3,800	$4,200	$4,500	$4,200	-7%

INSIDE THE URBAN LIMIT LINE — **Per Acre Land Value Factor**

Acquisition Cost Category	Currently Designated for Development (Yes/No)	Slope Characteristics (percent of parcel)	2003 Valuation	2005 Valuation	2006 Valuation	2012 Valuation	2017 Valuation	2022 Valuation	Change from 2017
7	No	<15%	$14,500	$18,300	$21,300	**$11,000**	**$19,000**	**$24,000**	26%
8	No	15-26%	$10,100	$12,700	$14,800	**$6,600**	**$11,400**	**$14,400**	26%
9	No	>26%	$3,600	$4,500	$5,200	**$2,800**	**$4,800**	**$6,000**	25%
10	Yes	<15%	$45,000	$56,800	$66,200	**$35,000**	**$60,000**	**$74,000**	23%
11	Yes	15-26%	$31,500	$39,760	$46,400	**$21,000**	**$36,000**	**$44,400**	23%
12	Yes	>26%	$11,300	$14,263	$16,600	**$8,800**	**$15,000**	**$18,500**	23%
INSIDE THE URBAN LIMIT LINE - BYRON AIRPORT									
13	na	na	$8,000	$8,800	$10,300	$6,200	$10,700	**$13,200**	23%

Note: The 2022 land cost factor for the Byron Airport Area is based on the $8,000 per acre value estimated in 2003, adjusted by the 2022 percentage change from values originally estimated in 2003 for Cost Category 10--about 65 percent.

Source: East Contra Costa County Habitat Conservancy and Insight Data & Economic Analysis

Table B.3

LAND ACQUISITION ANALYSIS - Price per acre for parcels > 120 acres (nominal dollars)
EAST CONTRA COSTA COUNTY HCP/NCCP
2022 Update

Transaction ID	Project/Property Name	Year of Sale	Acres	Purchase Price/Market Value	Price/Value per acre
EBRPD/ECCC Habitat Conservancy Land Acquisitions in the last 10 years					
19	Vaquero Farms Central	2012	319.9	$1,855,700	$5,800
23	Thomas North	2012	135.0	$863,900	$6,400
26	Smith	2014	960.0	$5,376,000	$5,600
27	Roddy Ranch (part)	2014	994.5	$13,500,000	$13,575
28	Viera/Perley	2015	260.0	$1,950,000	$7,500
30	Nunn	2016	646.0	$6,072,000	$9,400
32	Coelho	2016	199.4	$1,495,750	$7,500
34	Viera North Peak	2017	165.0	$1,080,000	$6,545
36	Casey	2017	320.0	$2,400,000	$7,500
37	Roddy Ranch Golf Course	2018	230.0	$1,955,000	$8,500
Weighted Average					**$8,641**
Save Mount Diablo					
SMD 23	Curry Canyon Ranch	2013	1,080.5	$7,173,800	$6,639
Comparables from 2017 - 2021 Appraisals					
Marciel Road, San Ramon		2016	181.32	$1,250,000	$6,894
Patterson Pass Road, unincorporated Alameda Co.		2014	155.76	$1,200,000	$7,704
Bollinger Canyon Road, Moraga		2014	251.00	$1,824,840	$7,270
Chadbourne Road, Brentwood Road		2014	640.00	$4,500,000	$7,031
Off Marsh Creek Road, Antioch		2015	400.00	$3,140,000	$7,850
Christensen Road, Livermore		2014	188.77	$950,000	$5,033
Byron Hot Springs Road, Byron		2014	205.55	$2,450,000	$11,919
Tesla Road, Livermore		2016	158.40	$455,000	$2,872
Altamont Pass Road, Livermore[1]		2010	139.83	$1,294,500	$9,258
Morgan Territory Road, San Ramon		2017	343.82	$2,063,000	$6,000
Contra Costa County Assessor's Data - Agricultural land use, unimproved or improvements less than 5 percent of value)					
Assessor 1	Brentwood	2018	1,566.25	$20,000,000	$12,769
Assessor 2	Knightsen	2017	411.56	$3,900,000	$9,476
Assessor 3	Antioch	2021	400.00	$2,720,000	$6,800
Assessor 4	Byron	2019	291.82	$1,400,000	$4,797
Assessor 5	Byron	2020	251.31	$3,945,000	$15,698
Assessor 6	Knightsen	2017	141.53	$2,820,000	$19,925
Assessor 7	Byron	2020	135.96	$3,711,500	$27,298
Overall Weighted Average					**$9,070**
				Land Cost Factor for 2022 Update:	**$9,100**

Notes:

1. This is a relatively old sale but is included as a comparable because it was an abandoned golf course in an "agricultural" area in the same region, purchased for mitigation.

Sources: East Contra Costa Habitat Conservancy, Save Mount Diablo, Contra Costa County Assessor, and Insight Data & Economic Analysis

Table B.4

LAND ACQUISITION ANALYSIS - Price per acre for parcels > 40 - 120 acres (nominal dollars)
EAST CONTRA COSTA COUNTY HCP/NCCP
2022 Update

Transaction ID	Project/Property Name	Year of Sale	Acres	Purchase Price/Market Value	Price/Value per acre
EBRPD/ECCC Habitat Conservancy Land Acquisitions in the last 10 years					
20	Galvin	2012	61.7	$370,000	$5,999
25	Adrienne Galvin	2013	112.0	$884,400	$7,900
31	Hanson Hills	2016	76.5	$730,000	$9,547
33	Campos	2017	80.0	$520,000	$6,500
38	Poppi/Halstead (Lucas)	2018	72.0	$725,000	$10,071
39	Olesen/Duke	2019	120.0	$1,080,000	$9,000
42	Civic Rancho Meadows	2021	80.0	$1,500,000	$18,750
Weighted Average					**$23,229**
Save Mount Diablo					
SMD 20	Highland Springs	2012	105.0	$495,000	$4,714
SMD 22	Marsh Creek 8	2013	51.1	$690,684	$13,506
Comparables from 2017 - 2021 Appraisals					
Altamont Pass Road, unincorporated Alameda Co.		2015	110.70	$262,500	$2,371
North Vasco Road, unincorporated Alameda Co.		2014	79.02	$550,000	$6,960
N Bruns Road, Byron Highway, Byron		2016	68.76	$760,000	$11,053
Morgan Territory Road/Highland Springs, Livermore		2012	105.00	$495,000	$4,714
Marsh Creek Road, Clayton		2015	76.46	$690,000	$9,024
Wirthman Lane, Clayton		2015	41.04	$470,000	$11,452
Crane Ridge Road, unincorporated Alameda Co.		2014	60.00	$500,000	$8,333
Ruess Road, unincorporated Alameda Co.		2017	100.21	$900,000	$8,981
Deer Valley Road, Brentwood		2016	50.25	$375,000	$7,463
Deer Valley Road, Brentwood		2017	50.25	$490,000	$9,751
Whispering Pines Road, Clayton		2017	95.41	$800,000	$8,385
Alhambra Valley Road, Martinez		2020	48.48	$1,154,000	$23,804
Franklin Canyon Road, Martinez		2019	118.00	$1,225,000	$10,381
Marsh Creek Road, Clayton		2019	50.81	$1,650,000	$32,474
Contra Costa County Assessor's Data - Agricultural land use, unimproved or improvements less than 5 percent of value)					
Assessor 8	Byron	2020	115.34	$2,700,000	$23,409
Assessor 9	Byron	2021	87.37	$1,589,500	$18,193
Assessor 10	Byron	2020	70.45	$1,450,000	$20,582
Assessor 11	Byron	2021	65.61	$1,100,000	$16,766
Overall Weighted Average					**$11,228**
				Land Cost Factor for 2022 Update:	**$11,200**

Sources: East Contra Costa Habitat Conservancy, Save Mount Diablo, Contra Costa County Assessor, and Insight Data & Economic Analysis

Table B.5

LAND ACQUISITION ANALYSIS - Price per acre for parcels 10 - 40 acres (nominal dollars)
EAST CONTRA COSTA COUNTY HCP/NCCP
2022 Update

Transaction ID	Project/Property Name	Year of Sale	Acres	Purchase Price/Market Value	Price/Value per acre
EBRPD/ECCC Habitat Conservancy Land Acquisitions in the last 10 years					
21	Moss Rock	2012	20.5	$410,000	$20,010
22	Fan	2012	21.0	$220,000	$10,476
35	Roddy Home Ranch	2017	40.0	$1,536,000	$38,400
Weighted Average					**$26,580**
Comparables from 2017 - 2021 Appraisals					
	Byron Hwy, Brentwood	2016	14.45	$490,000	$33,910
	Marsh Creek Road, Clayton	2014	20.30	$625,000	$30,788
	Crow Canyon Road, unincorporated Alameda Co.	2015	22.86	$650,000	$28,434
	Knightsen Avenue, Oakley	2017	10.00	$500,000	$50,000
	Willow Way, Byron	2017	16.77	$599,000	$35,719
	Marsh Creek Road, Clayton	2017	17.00	$220,000	$12,941
	Camino Diablo, Byron	2017	18.27	$875,000	$47,893
	Altamont Pass Road, unincorporated Alameda Co.	2018	36.24	$295,000	$8,140
	Bragdon Way, Clayton	2018	38.54	$558,000	$14,478
	Deer Valley Road & Balfour Road, Antioch	2018	40.00	$680,000	$17,000
	Sunset Road, Knightsen	2019	10.04	$425,000	$42,331
	Kellogg Creek Road, Byron	2020	13.66	$525,000	$38,433
	Briones Valley Road, Brentwood	2020	25.55	$600,000	$23,483
	Silver Hills Drive, Byron	2019	10.00	$425,000	$42,500
	Morgan Territory Road, Clayton	2020	28.73	$650,000	$22,624
Contra Costa County Assessor's Data - Agricultural and Vacant Rural land use, unimproved or improvements less than 5 percent of value)					
Assessor 12	Brentwood	2020	38.80	$850,000	$21,907
Assessor 13	Clayton	2019	21.78	$500,000	$22,957
Assessor 14	Brentwood	2021	13.22	$530,000	$40,091
Assessor 15	Byron	2021	12.78	$400,000	$31,299
Assessor 16	Knightsen	2021	11.35	$600,000	$52,863
Assessor 17	Livermore	2020	10.64	$349,000	$32,801
Assessor 18	Brentwood	2017	10.00	$550,000	$55,000
Assessor 19	Knightsen	2018	10.00	$252,500	$25,250
Assessor 20	Knightsen	2018	10.00	$302,500	$30,250
Assessor 21	Knightsen	2020	10.00	$399,000	$39,900
Assessor 22	Brentwood	2021	10.00	$425,000	$42,500
Overall Weighted Average					**$27,452**
				Land Cost Factor for 2022 Update:	**$27,500**

Sources: East Contra Costa Habitat Conservancy, Contra Costa County Assessor, and Insight Data & Economic Analysis

Table B.6

LAND ACQUISITION ANALYSIS - Price per acre for parcels 5 - 10 acres (nominal dollars)
EAST CONTRA COSTA COUNTY HCP/NCCP
2022 Update

Transaction ID	Project/Property Name	Year of Sale	Acres	Purchase Price/Market Value	Price/Value per acre
EBRPD/ECCC Habitat Conservancy Land Acquisitions in the last 10 years (none in this size category)					
Comparables from 2017 - 2021 Appraisals					
Bragdon Way, Clayton		2015	6.42	$295,000	$45,950
Bragdon Way, Clayton		2015	5.01	$220,000	$43,912
Leon Drive, Clayton		2017	5.32	$360,000	$67,669
Morgan Territory Road, Clayton		2016	5.00	$350,000	$70,000
Contra Costa County Assessor's Data - Rural land use, unimproved or improvements less than 5 percent of value)					
Assessor 23	Byron	2020	9.99	$200,000	$20,020
Assessor 24	Knightsen	2018	9.88	$370,000	$37,449
Assessor 25	Knightsen	2018	9.88	$370,000	$37,449
Assessor 26	Knightsen	2018	9.84	$370,000	$37,602
Assessor 27	Brentwood	2019	9.60	$475,000	$49,479
Assessor 28	Knightsen	2018	9.51	$460,000	$48,370
Assessor 29	Brentwood	2020	8.21	$75,000	$9,135
Assessor 30	Brentwood	2018	5.00	$400,000	$80,000
Assessor 31	Brentwood	2018	5.00	$350,000	$70,000
Assessor 32	Brentwood	2018	5.00	$350,000	$70,000
Assessor 33	Brentwood	2021	5.00	$480,000	$96,000
Overall Weighted Average					**$47,165**
				Land Cost Factor for 2022 Update:	**$47,000**

Sources: East Contra Costa Habitat Conservancy, Contra Costa County Assessor, and Insight Data & Economic Analysis

Table B.7

LAND ACQUISITION ANALYSIS - Price per acre for parcels less than 5 acres (nominal dollars)
EAST CONTRA COSTA COUNTY HCP/NCCP
2022 Update

Transaction ID	Project/Property Name	Year of Sale	Acres	Purchase Price/Market Value	Price/Value per acre
EBRPD/ECCC Habitat Conservancy Land Acquisitions in the last 10 years					
24	Alaimo	2013	2.31	$185,000	$80,087
29	Clayton Radio LLC	2015	2.02	$75,000	$37,129
40	Bloching	2020	3.25	$210,000	$64,615
Comparables from 2017 - 2021 Appraisals					
	Bollinger Canyon Road, Moraga	2018	4.00	$225,000	$56,250
Overall Weighted Average					**$60,017**
				Land Cost Factor for 2022 Update:	**$66,000**

Note: Only a small number of parcels less than 5 acres might be acquired as part of the acquisition strategy to fill gaps between larger parcels. Following the rationale presented in "NCCP/HCP Land Cost Data", Technical Memorandum to John Kopchik, prepared by Economic & Planning Systems, August 3, 2006 and included in Appendix G: HCP/NCCP Cost Data, the value assumption is based on a per-acre premium above the average value for the 5 - 10 acre parcels ($47,000 for this 2022 update). In the 2006 analysis, the premium was about 40 percent. This 2022 analysis assumes a similar premium, resulting in the $66,000 per acre land cost factor for parcels less than five acres.

Sources: East Contra Costa Habitat Conservancy and Insight Data & Economic Analysis

Table B.8

LAND ACQUISITION ANALYSIS - Basis for price per acre calculation for parcels inside the Urban Limit Line
EAST CONTRA COSTA COUNTY HCP/NCCP
2022 Update

Item	Value		Source
Average Sales Price (placeholder estimate) Per Single Family Unit	$680,000	a	New Home Sales 2021 Antioch, Brentwood, Oakley, and Pittsburg
Units per acre (gross)	5.0	b	Average Lot Size of 7,000 sqft and net to gross ratio of 80 percent
Total Development Value	$3,385,234	c=a*b	Calculated
Raw Entitled Land Value as % of Development Value	9.0%	d	Based on standard 10 percent ratio, adjusted down slightly based on real estate broker conversations
Raw Entitled Land Value	$304,671	e=c*d	Calculated
Discount Rate	12%	f	Average land speculator discount rate
Category 10 - 12.5 years to entitlement/ development	$73,893	g=e/(1+f)^12.5	Calculated
Category 7 - 22.5 years to entitlement/ development	$23,792	h=e/(1+f)^22.5	Calculated

Note: This table updates the cost factors in the calculations for this land cost factor as established in the August 3, 2006 Technical Memorandum from Economic & Planning Systems, "NCCP/HCP Land Cost Data". The average sales price for new single family units is updated to reflect current market conditions.

This table calculates the average values for cost categories 7 and 10, Following the methodology established in 2006, the values for categories 8 and 11 are discounted 40 percent from the value for a level site and the values for categories 9 and 12 are discounted 75 percent from the average for the level site.

Sources: "Annual New Home Sale Data for Selected Contra Costa County Cities ," Contra Costa Association of REALTORS® MLS (CCAR); Insight Data & Economic Analysis

APPENDIX C: INITIAL UDA COST MODEL UPDATE

The following tables provide comprehensive documentation for the cost model update based on estimated impacts for the initial urban development area.

East Contra Costa County HCP/NCCP
2022 Update
Implementation Cost Data and Assumptions with Initial Urban Development Area

Summary of East Contra Costa HCP Implementation Costs for Initial Urban Development Area

2022 Update

(2021 dollars rounded to the nearest $10,000)

Total Costs

	Implementation Period (Years)					
Cost Category	0	1-14	15-19	20-24	25-30	**Total (2021)**
Program Administration	$220,000	$14,590,000	$6,660,000	$6,260,000	$7,500,000	$35,240,000
Land Acquisition: acquisition and site improvements	$0	$139,240,000	$48,440,000	$48,440,000	$58,060,000	$294,180,000
Land Acquisition: due diligence, transaction costs	$250,000	$4,390,000	$1,920,000	$1,920,000	$2,300,000	$10,780,000
Planning and Design	$0	$4,550,000	$1,450,000	$1,450,000	$820,000	$8,260,000
Habitat Restoration/Creation	$0	$7,050,000	$13,430,000	$13,430,000	$16,110,000	$50,020,000
Environmental Compliance	$0	$1,410,000	$1,220,000	$1,020,000	$0	$3,650,000
Preserve Management and Maintenance	$0	$6,650,000	$7,430,000	$9,340,000	$13,900,000	$37,320,000
Monitoring, Research, and Adaptive Management	$0	$2,200,000	$1,710,000	$2,340,000	$3,520,000	$9,760,000
Remedial Measures	$0	$0	$260,000	$210,000	$2,810,000	$3,280,000
Contingency	$0	$0	$1,280,000	$1,370,000	$1,840,000	$4,480,000
Total	**$470,000**	**$180,080,000**	**$83,800,000**	**$85,780,000**	**$106,860,000**	**$456,970,000**

Summary of East Contra Costa HCP Implementation Costs for Initial Urban Development Area

2022 Update

(2021 dollars not rounded)

Total Costs

	Implementation Period (Years)					
Cost Category	0	1-14	15-19	20-24	25-30	**Total**
Program Administration	$223,698	$14,594,336	$6,661,370	$6,261,370	$7,495,644	$35,236,418
Land Acquisition: acquisition and site improvements	$0	$139,241,000	$48,437,737	$48,437,737	$58,059,276	$294,175,751
Land Acquisition: due diligence, transaction costs	$253,166	$4,387,960	$1,919,403	$1,919,403	$2,303,284	$10,783,217
Planning and Design	$0	$4,550,853	$1,445,840	$1,445,840	$821,365	$8,263,898
Habitat Restoration/Creation	$0	$7,051,220	$13,427,192	$13,427,192	$16,112,631	$50,018,236
Environmental Compliance	$0	$1,411,927	$1,221,348	$1,021,348	$0	$3,654,623
Preserve Management and Maintenance	$0	$6,648,120	$7,429,960	$9,336,250	$13,902,207	$37,316,537
Monitoring, Research, and Adaptive Management	$0	$2,195,918	$1,710,132	$2,335,132	$3,520,011	$9,761,193
Remedial Measures	$0	$0	$263,044	$208,177	$2,805,500	$3,276,720
Contingency	$0	$0	$1,276,931	$1,370,752	$1,835,652	$4,483,335
Total	**$476,864**	**$180,081,334**	**$83,792,958**	**$85,763,202**	**$106,855,569**	**$456,969,927**

NOTE: Original unit cost estimates for the 2006 HCP/NCCP were in 2005 dollars, inflated to 2006 dollars for use in the plan document.

Consumer Price Index - All Urban Consumers
Original Data Value

Series Id: CUURS49BSA0
Not Seasonally Adjusted
Series Title: All items in San Francisco-Oakland-Hayward, CA, all
Area: San Francisco-Oakland-Hayward, CA
Item: All items
Base Period: 1982-84=100
Years: 2005 to 2022

Data extracted on: August 2, 2022

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2	2021 dollars
2005		201.2		202.5		201.2		203.0		205.9		203.4	202.7	201.5	203.9	0.6545
2006		207.1		208.9		209.1		210.7		211.0		210.4	209.2	207.9	210.6	0.6754
2007		213.688		215.842		216.123		216.240		217.949		218.485	216.048	214.736	217.361	0.6976
2008		219.612		222.074		225.181		225.411		225.824		218.528	222.767	221.730	223.804	0.7193
2009		222.166		223.854		225.692		225.801		226.051		224.239	224.395	223.305	225.484	0.7245
2010		226.145		227.697		228.110		227.954		228.107		227.658	227.469	226.994	227.944	0.7344
2011		229.981		234.121		233.646		234.608		235.331		234.327	233.390	232.082	234.698	0.7535
2012		236.880		238.985		239.806		241.170		242.834		239.533	239.650	238.099	241.201	0.7738
2013		242.677		244.675		245.935		246.072		246.617		245.711	245.023	243.894	246.152	0.7911
2014		248.615		251.495		253.317		253.354		254.503		252.273	251.985	250.507	253.463	0.8136
2015		254.910		257.622		259.117		259.917		261.019		260.289	258.572	256.723	260.421	0.8349
2016		262.600		264.565		266.041		267.853		270.306		269.483	266.344	263.911	268.777	0.8599
2017		271.626		274.589		275.304		275.893		277.570		277.414	274.924	273.306	276.542	0.8877
2018		281.308		283.422		286.062		287.664		289.673		289.896	285.550	282.666	288.435	0.9220
2019		291.227		294.801		295.259		295.490		298.443		297.007	295.004	293.150	296.859	0.9525
2020		299.690		298.074		300.032		300.182		301.736		302.948	300.084	299.109	301.059	0.9689
2021		304.387		309.419		309.497		311.167		313.265		315.805	**309.721**	306.724	312.718	1.0000
2022		320.195		324.878		330.539								323.408		

Employment Cost Index (NAICS)
Original Data Value

Data extracted on: August 2, 2022 (8:36:09 PM)

Series Id: CIU2010000120000I
Not seasonally adjusted
Series Title: Total compensation for Private industry workers in Professional and related, Index
Ownership: Private industry workers
Component: Total compensation
Occupation: Professional and related occupations
Industry: All workers
Subcategory: All workers
Area: United States (National)
Periodicity: Current dollar index number
Years: 2005 to 2016

Year	Qtr1	Qtr2	Qtr3	Qtr4	2021 dollars
2005	98.0	98.8	99.5	100.0	0.6974
2006	101.0	101.8	103.1	103.9	0.7245
2007	104.9	105.9	106.7	107.3	0.7483
2008	108.3	109.0	109.9	110.3	0.7692
2009	111.0	111.1	111.4	111.4	0.7768
2010	112.2	112.6	113.3	113.5	0.7915
2011	114.6	115.1	115.4	115.7	0.8068
2012	116.8	117.3	117.7	118.2	0.8243
2013	118.9	119.5	120.2	120.5	0.8403
2014	121.0	121.9	122.5	122.9	0.8570
2015	123.7	124.1	124.5	124.9	0.8710
2016	125.7	126.2	126.7	126.7	0.8835
2017	127.8	128.7	129.1	129.6	0.9038
2018	130.8	131.6	132.3	132.8	0.9261
2019	133.7	134.4	135.1	135.6	0.9456
2020	136.8	137.0	137.8	138.4	0.9651
2021	139.7	140.5	142.2	143.4	1.0000

California Construction Cost Index, Department of General Services

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	2021 dollars		
2006	4620	4603	4597	4600	4599	4593	4609	4616	4619	4867	4891	4877	4,674	0.60878		
2007	4869	4868	4871	4872	4886	4842	4849	4851	4942	4943	4978	4981	4,896	0.63766		
2008	4983	4983	4999	5004	5023	5065	5135	5142	5194	5393	5375	5322	5,135	0.66876		
2009	5309	5295	5298	5296	5288	5276	5263	5265	5264	5259	5259	5262	5,278	0.68739		
2010	5260	5262	5268	5270	5378	5394	5401	5401	5381	5591	5599	5596	5,400	0.70331		
2011	5592	5624	5627	5636	5637	5643	5654	5667	5668	5675	5680	5680	5,649	0.73568		
2012	5683	5683	5738	5740	5755	5754	5750	5778	5777	5780	5779	5768	5,749	0.74872		
2013	5774	5782	5777	5786	5796	5802	5804	5801	5802	5911	5903	5901	5,820	0.75799	1.24%	
2014	5898	5896	5953	5956	5957	5961	5959	5959	5959	5969	5981	5977	5,952	0.77520	2.27%	
2015	6073	6077	6069	6062	6069	6055	6055	6055	6113	6114	6109	6108	6,080	0.79185	2.15%	
2016	6106	6132	6248	6249	6240	6238	6245	6244	6267	6343	6344	6373	6,252	0.81432	2.84%	8.49%
2017	6373	6373	6373	6461	6455	6470	6474	6620	6620	6596	6596	6596	6,501	0.84664	3.97%	
2018	6596	6596	6596	6596	6596	6598	6643	6613	6674	6679	6679	6684	6,629	0.86339	1.98%	
2019	6684	6700	6616	6841	6852	6854	6854	6823	6814	6851	6895	6924	6,809	0.88681	2.71%	
2020	6995	6945	6947	6955	6958	7041	6984	6988	7036	7120	7123	7120	7,018	0.91399	3.06%	
2021	7090	7102	7130	7150	7712	7746	7892	8122	7900	8080	8141	8072	7,678	1.00000	9.41%	21.14%

The California Construction Cost index is developed based upon Building Cost Index (BCI) cost indices for San Francisco and Los Angeles produced by Engineering News Record (ENR) and reported in the second issue each month for the previous month. This table is updated at the end of each month.

The ENR BCI reports cost trends for specific construction trade labor and materials in the California marketplace.

Accessed 8/2/2022

https://www.dgs.ca.gov/RESD/Resources/Page-Content/Real-Estate-Services-Division-Resources-List-Folder/DGS-California-Construction-Cost-Index-CCCI

Legend

red numbers are assumptions or data entered directly into the worksheet
blue numbers are links from other worksheets in the workbook
black numbers are calculations based on the above numbers

Cost factors are colored coded by primary source considered:

EBRPD (for HCP)
CCWD (for HCP)
Average of CCWD/EBRPD
ECCC Habitat Conservancy
J&S and EPS (for HCP)
AECOM, 2012
Updated by Insight Data & Economic Analysis, 2022
Updated with input from H.T. Harvey, 2017
Other estimated factors
Actual costs start-up and years 1 - 14
Estimate of EBRPD contributions to operational costs, start up and years 1-14
Summary actuals supercede model detail

Acres Acquired, Managed, and Restored within HCP/NCCP Preserves for Initial Urban Development Area
2022 Update

	Initial UDA	Source
Total acres acquired/managed	24,250	(Table 5-9: mid-point of range)

Acres Acquired and Managed by Time Period

	Implementation Period (Years)					
	0	1-14	15-19	20-24	25-30 (6-year period)	Total
Total preserve acres acquired per period	-	12,050	3,813	3,813	4,575	24,250
Total preserve acres managed, cumulative	-	12,050	15,862	19,675	24,250	24,250

Assumptions:

Actual acquisition accounted for in years 1-5, 6-9 and 10 - 14; the net remaining requirement is allocated evenly over the remaining 16 years of the permit term.

Management and monitoring on acquired land has not kept pace with actual acquisition.

14,463.76	Total acres acquired through 2021
1,681.1	Already conserved acres (no credit acres) on parcels acquired through 2021 (Annual Report Table 8a)
732.93	Other acres (outside acquisition zones) not credited to preserve system through 2021
12,049.7	Total acres acquired and credited toward preserve system

Land Cover Type Restored/Created by Time Period

	Implementation Period (Years)					
Land Cover Type (acres except where noted)	0	1-14	15-19	20-24	25-30 (6-year period)	Total
oak savanna	-	-	13.1	13.1	15.8	42.0
riparian woodland/scrub	-	5.40	13.9	13.9	16.7	50.0
perennial wetland (jurisdictional boundary)	-	0.16	10.0	10.0	12.0	32.2
seasonal wetland (jurisdictional boundary)	-	10.70	10.8	10.8	12.9	45.2
alkali wetland (jurisdictional boundary)	-	2.40	6.1	6.1	7.3	21.8
slough/channel	-	-	22.5	22.5	27.0	72.0
open water	-	-	-	-	-	-
ponds	-	0.61	6.4	6.4	7.6	21.0
streams (miles)	-	2.16	0.8	0.8	0.9	4.6
Total (acres)	-	**20.58**	**83.3**	**83.3**	**99.9**	**287.0**

Assumptions:

Total restoration requirements based on assumptions in the HCP/NCCP. Actual restoration will depend on actual impacts to these features.

Actual restoration accounted for in years 1-14; the net remaining requirement is allocated evenly over the next 16 years of the permit term.

For total acre calculation, streams are assumed to be 5 feet wide

30% % of perennial, seasonal or alkali wetland complex acreage assumed to be jurisdictional wetland; for compens

USED IN WETLAND FEE CALCULATION

Defining sites:	average acres/site or linear feet/site (streams)	% requiring substantial soil disturbance
riparian/woodland scrub sites by acreage conversion:	3	20%
wetlands and pond sites by acreage conversion	2.0	80%
stream sites by linear feet conversion:	1,000	90%

Restoration sites that require significant soil disturbance by land-cover type *USED IN WETLAND FEE CALCULATION*

	Implementation Period (Years)					
Land Cover Type Restoration Sites	0	1-14	15-19	20-24	25-30 (6-year period)	Total
riparian woodland/scrub	-	0.4	0.9	0.9	1.1	3.3
perennial wetland	-	0.1	4.0	4.0	4.8	12.9
seasonal wetland	-	4.3	4.3	4.3	5.2	18.1
alkali wetland	-	1.0	2.4	2.4	2.9	8.7
ponds	-	-	9.0	9.0	10.8	28.8
streams (miles/acres converted to sites)	-	10.2	3.6	3.6	4.4	21.9
Total sites for monitoring cost estimate	-	15.9	24.3	24.3	29.2	93.7

Assumptions:

Average acres/site and percent of sites requiring substantial soil disturbance calculated in table above.

Seasonal, perennial, and alkali wetland acreages in Tables 5-16 and 5-17 are for wetland complexes; for cost estimates and revenue projections the wetted acres of these complexes are assumed to be 30% of the total acres.

Summary of HCP/NCCP Personnel (Conservancy Staffing)
2022 Update

	2022 UPDATE STAFFING				POST PERMIT STAFFING
	Number of FTEs				Number of FTEs
UPDATE STAFFING	0-14	15-19	20-24	25-30	
Administrative staffing		no change			
Principal Planner		0.70	0.70	0.70	0.50
Senior Planner		0.70	0.70	0.70	0.25
Principal GIS Planner		0.05	0.05	0.05	0.05
Associate Planner		0.70	0.70	0.70	0.25
Assistant Planner		0.80	0.80	0.80	0.25
Planning Technician		0.35	0.35	0.35	0.10
Accountant		0.40	0.40	0.40	0.20
Admin – Secretary		Included in overhead rates			-
IT Support Staff					-
Total		3.70	3.70	3.70	1.60
Land acquisition staffing		no change			
Principal Planner		0.05	0.05	0.05	-
Senior Planner		0.20	0.20	0.20	-
Principal GIS Planner		0.05	0.05	0.05	-
Total		0.30	0.30	0.30	-
Management planning and design staffing		lower in last 5 years			
Principal Planner		0.10	0.10	0.05	-
Principal GIS Planner		0.05	0.05	0.05	-
Senior Planner		0.05	0.05	0.02	-
Associate Planner		0.05	0.05	0.02	-
Total		0.25	0.25	0.14	-
Habitat restoration and creation staffing		no change			
Principal Planner		0.05	0.05	0.05	-
Associate Planner		0.10	0.10	0.10	-
Total		0.15	0.15	0.15	-
Environmental compliance staffing		no change except 0 in last period			
Principal Planner		0.02	0.02	-	-
Senior Planner		0.05	0.05	-	-
Associate Planner - wetland fees		0.05	0.05	-	-
Assistant Planner - wetland fees		0.10	0.10	-	-
Total		0.22	0.22	-	-
Preserve management and maintenance staffing		higher in last 5 years			
Principal Planner		0.05	0.05	0.07	0.07
Associate Planner		0.05	0.05	0.10	0.10
Assistant Planner		0.10	0.10	0.15	0.15
Preserve Maintenance Staff		included in per acre cost factors			-
Total		0.20	0.20	0.32	0.32
Monitoring and research staffing		higher in last 5 years			
Principal Planner		0.03	0.03	0.08	0.05
Associate Planner		0.05	0.05	0.08	0.05
Total		0.08	0.08	0.16	0.10
Overall Staffing Plan					
Principal Planner		1.00	1.00	1.00	0.62
Senior Planner		1.00	1.00	0.92	0.25
Principal GIS Planner		0.15	0.15	0.15	0.05
Associate Planner		1.00	1.00	1.00	0.40
Assistant Planner		1.00	1.00	0.95	0.40
Planning Technician		0.35	0.35	0.35	0.10
Accountant		0.40	0.40	0.40	0.20
Admin – Secretary		Included in overhead rates			-
IT Support Staff					-
Preserve Maintenance Staff		included in per acre cost factors			-
Total		**4.90**	**4.90**	**4.77**	**2.02**

HCP/NCCP Program Administration for Initial Urban Development Area

2022 Update

(2021 dollars)

All Costs	Cost by Implementation Period (Years)							Total
	0	1-5	6-9	10-14	15-19	20-24	25-30	
Staff and overhead					$5,156,370	$5,156,370	$6,187,644	
Contractor assistance with administration					$400,000	$400,000	$480,000	
Other administrative costs					$55,000	$55,000	$66,000	
Vehicle / mileage allowance					$7,500	$7,500	$9,000	
Travel					$37,500	$37,500	$45,000	
Insurance					$115,000	$115,000	$138,000	
Legal assistance					$575,000	$250,000	$300,000	
Other permitting costs					$15,000	$15,000	$15,000	
Financial analysis assistance					$150,000	$75,000	$75,000	
Financial audit (annual)					$100,000	$100,000	$120,000	
Public relations and outreach					$50,000	$50,000	$60,000	
Total	**$223,698**	**$4,671,472**	**$3,168,141**	**$6,754,723**	**$6,661,370**	**$6,261,370**	**$7,495,644**	**$35,236,418**

Conservancy Staff and Overhead

Position	Hourly Cost per FTE with Overhead & Support	Number of FTEs				
		0	1-14	15-19	20-24	25-30
Principal Planner and support	$206			0.70	0.70	0.70
Senior Planner and support	$156			0.70	0.70	0.70
Prinicipal GIS Planner and support	$222			0.05	0.05	0.05
Associate Planner and support	$132			0.70	0.70	0.70
Assistant Planner and support	$109			0.80	0.80	0.80
Planning Technician and support	$119			0.35	0.35	0.35
Accountant and support	$157			0.40	0.40	0.40
Total FTEs				3.70	3.70	3.70
Total cost per year				$1,031,274	$1,031,274	$1,031,274
Total cost per period				$5,156,370	$5,156,370	$6,187,644

Notes/Assumptions:

Hourly cost factor includes staff salary and benefits, salaries and benefits of administrative support staff (secretaries, clerks, IT staff, etc.) and associated overhead, including space and utility costs, office furniture, equipment, and supplies.

1,880 hours per year

Contractor Assistance with Administration

	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Cost per period			$400,000	$400,000	$480,000

Assumption:

$80,000	annual contractor cost per 2022 budget: for assistance with database, annual report, and permitting

Other Administrative Costs

	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Memberships			$50,000	$50,000	$60,000
Miscellaneous equipment and supplies			$5,000	$5,000	$6,000
Cost per period			$55,000	$55,000	$66,000

Assumption:

$10,000	annual cost for Institute for Ecological Health (state and national), Bay Area Open Space Council, and East County Water Management Agency, based on actual Conservancy experience through 2021
$1,000	annual cost based on actual Conservancy experience through 2021

Vehicle / Mileage Allowance

	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Cost per period			$7,500	$7,500	$9,000

Assumption:

$1,500	annual cost based on actual Conservancy experience through 2021

Travel

	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Cost per period			$37,500	$37,500	$45,000

Assumption:

$7,500	annual cost based on actual Conservancy experience through 2021

Insurance

	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Cost per period			$115,000	$115,000	$138,000

Assumption:

$23,000	annual cost based on actual Conservancy experience through 2021

Legal Assistance	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Cost per period			$575,000	$250,000	$300,000

Assumptions:

$115,000	Annual cost for legal assistance, years 15 - 19
$50,000	Annual cost for legal assistance, after year 19

Note: The legal assistance category covers legal assistance required for program administration and (for years 6 - 10) the environmental compliance category.
Legal assistance for land acquisition included in the due diligence cost factor in the land acquisition category.
Legal assistance is also estimated for the environmental compliance category.

Other Permitting Costs	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Cost per period			$15,000	$15,000	$15,000

Assumptions:

$3,000	Annual cost per 2022 Budget

Financial Analysis Assistance	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Cost per period			$150,000	$75,000	$75,000

Assumptions:

$75,000	Cost per period for financial analysis assistance
$15,000	Annual cost years 15 - 19 for assistance with endowment and EBRPD cost sharing agreement

Financial analyst review will occur periodically over the life of the Plan (years 3, 6, 10, 15, 20 and 25).
Note: The financial analysis assistance category covers the periodic assistance of a financial analyst to review the program's cost/revenue balance, ensure that charges are adjusted in line with changing land costs and ensure compliance with State requirements on collection of fees.

Annual Financial Audit	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Cost per period			$100,000	$100,000	$120,000

Assumptions:

$20,000	Cost per year for financial audit services based on Conservancy experience through 2021

Annual financial audit of the Conservancy's financial statements by an independent auditor are required by the JPA agreement and Government Code.

Public Relations/Outreach	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Total cost per year			$10,000	$10,000	$10,000
Cost per period			$50,000	$50,000	$60,000

HCP/NCCP Land Acquisition for Initial Urban Development Area

2022 Update

(2021 dollars)

	Cost by Implementation Period (Years)					
All Costs	0	1-14	15-19	20-24	25-30	**Total**
Acquisition	$0	$139,241,000	$47,498,780	$47,498,780	$56,998,536	$291,237,096
Site improvements	$0	$0	$938,957	$938,957	$1,060,740	$2,938,655
Staff and overhead	na	na	$494,440	$494,440	$593,328	$1,582,208
Due diligence	$253,166	$4,387,960	$1,424,963	$1,424,963	$1,709,956	$9,201,009
Total	**$253,166**	**$143,628,960**	**$50,357,141**	**$50,357,141**	**$60,362,560**	**$304,958,967**

Acquisition Cost over 30-year Program, Actuals year 1 - 14 + Projections Years 15 - 30 (2021 dollars)

	Cost by Implementation Period (Years)						Estimated
Acquisition Analysis Zone	0	1-14	15-19	20-24	25-30 (6-year period)	**Total**	**Remainder 15-30**
Zone 1	$0	$12,711,000	$4,470,888	$4,470,888	$5,365,065	$27,017,841	$14,306,841
Zone 2	$0	$52,222,000	$19,210,120	$19,210,120	$23,052,144	$113,694,384	$61,472,384
Zone 3	$0	$3,553,000	$356,768	$356,768	$428,121	$4,694,656	$1,141,656
Zone 4	$0	$10,748,000	$13,557,880	$13,557,880	$16,269,455	$54,133,214	$43,385,214
Zone 5	$0	$42,738,000	$7,909,303	$7,909,303	$9,491,163	$68,047,769	$25,309,769
Zone 6 (incl. within ULL along Marsh Creek)	$0	$8,523,000	$1,444,275	$1,444,275	$1,733,130	$13,144,680	$4,621,680
Outside Inventory Area	$0	$0	$546,523	$546,523	$655,828	$1,748,873	$1,748,873
Outside Acquisition Zones	$0	$8,746,000	$3,024	$3,024	$3,629	$8,755,677	$9,677
Total	**$0**	**$139,241,000**	**$47,498,780**	**$47,498,780**	**$56,998,536**	**$291,237,096**	**$151,996,096**
Assumptions:		48%					52%

Actual acquisition cost through year 14, in 2021 dollars. Updated 2021 land cost factors by cost category applied to remaining acquisition targets. Total remaining cost allocated evenly over remaining 16 years of the permit term.

See Appendix G and description of separate land cost model in Chapter 9.

Conservancy Staff and Overhead

	Hourly Cost per FTE with	Number of FTEs				
Position	Overhead & Support	0	1-14	15-19	20-24	25-30 (6-year period)
Principal Planner and support	$206			0.05	0.05	0.05
Senior Planner and support	$156			0.20	0.20	0.20
Principal GIS Planner and support	$222			0.05	0.05	0.05
Total FTEs				0.30	0.30	0.30
Total cost per year				$98,888	$98,888	$98,888
Total cost per period				$494,440	$494,440	$593,328

Notes/Assumptions:

Actual staff costs for years 0 - 14 are included in the due diligence actuals below.

Hourly cost factor includes staff salary and benefits, salaries and benefits of administrative support staff (secretaries, clerks, IT staff, etc.) and associated overhead, including space and utility costs, office furniture, equipment, and supplies.

1,880 hours per year

Due Diligence

Covers costs for appraisals, preliminary title report, escrow and other closing costs, boundary surveys, legal services, environmental and Phase 1 site assessment.
The 2006 cost model used more detailed unit costs. The result of applying those cost factors in the 2006 model was that due diligence represented about 4% of land acquisition costs.

For the 2012, 2016, and 2022 updates the model is simplified to assume due diligence costs (not including Conservancy staff costs) at 3% of land acquisition costs, roughly consistent with the experience of the Conservancy and EBRPD through 2021, during which time more than 50 percent of the preserve system goals for land acquisition took place. For years 10-30, Conservancy staff time costs are separately estimated and included in Program Staff line item above.

	Cost by Implementation Period (Years)							
	0	1-5	6-9	10-14	15-19	20-24	25-30 (6-year period)	**Total**
Due Diligence	$253,166	$2,296,923	$1,479,004	$612,033	$1,424,963	$1,424,963	$1,709,956	$9,201,009

Assumptions:

3.0%	Due diligence costs as a percentage of land acquisition cost.

Planning Surveys (Pre-Acquisition)

Based on Conservancy and EBRPD experience to date, initial property evaluation and planning is included in staff and consultant time.
Most significant field biological work is done post acquisition and is included as a monitoring cost.

Site Improvements

	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30 (6-year period)
Demolition of old facilities			$75,152	$75,152	$90,183
Repair of boundary fence			$330,043	$330,043	$330,043
Repair and replacement of gates			$251,631	$251,631	$301,957
Signs (boundary, landbank, etc.)			$156,316	$156,316	$187,579
Other security (e.g., boarding up barns)			$125,815	$125,815	$150,978
Total			$938,957	$938,957	$1,060,740

Assumptions:

Most demolition to date is a condition of the transaction and assigned to the seller. Other site improvement costs included in EBRPD operations and maintenance costs to date.

$9,856	Demolition of old facilities per 500 acres
$6,600	Repair and replacement of gates per 100 acres
$4,100	Signs (boundary, landbank, etc.) per 100 acres
$3,300	Other security (e.g., boarding up barns) per 100 acres
120	Estimated number of parcels acquired years 15 - 30 assuming 100 acres per parcel
15,000	Average parcel boundary length in linear feet (from GIS analysis, grouping adjacent parcels with the same landowner)
$6.11	Average cost per linear foot for boundary fence repair
15%	Proportion of boundary fence that needs repair

HCP/NCCP Management Planning and Design for Initial Urban Development Area

2022 Update

(2021 dollars)

	Cost by Implementation Period (Years)							
All Costs	0	1-5	6-9	10-14	15-19	20-24	25-30	Total
Staff and overhead					$433,340	$433,340	$306,365	
Travel					$12,500	$12,500	$15,000	
Contractors					$1,000,000	$1,000,000	$500,000	
Total	**$0**	**$1,772,511**	**$938,155**	**$1,840,187**	**$1,445,840**	**$1,445,840**	**$821,365**	**$8,263,898**

Conservancy Staff and Overhead

	Hourly Cost per FTE with Overhead &	Number of FTEs				
Position	Support	0	1-14	15-19	20-24	25-30
Principal Planner and support	$206			0.10	0.10	0.05
Prinicipal GIS Planner and support	$222			0.05	0.05	0.05
Senior Planner and support	$156			0.05	0.05	0.02
Associate Planner and support	$132			0.05	0.05	0.02
Total FTEs				0.25	0.25	0.14
Total cost per year				$86,668	$86,668	$51,061
Total cost per period				$433,340	$433,340	$306,365

Note: Hourly cost factor includes staff salary and benefits, salaries and benefits of administrative support staff (secretaries, clerks, IT staff, etc.) and associated overhead, including space and utility costs, office furniture, equipment, and supplies, .

1,880 hours per year

Travel

	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Total cost per period			$12,500	$12,500	$15,000

Assumption:

$2,500 annual cost based on Conservancy 2022 budget

Contractors

	Contract value per period				
Contractor category	0	1-14	15-19	20-24	25-30
Management planning			$1,000,000	$1,000,000	$500,000
Total per period			$1,000,000	$1,000,000	$500,000

Assumptions:

Restoration planning and designs included in habitat restoration/creation cost category.

$1,000,000	per-period budget for management planning, through year 24
$500,000	per-period budget for management planning, years 25 - 30

The management planning and design staff and contractors will conduct the following activities:

Management plans for cropland/pasture preserves
Management plans for natural area preserves
Grazing plans
Mapping work for management plans
Exotic plant control program (for the entire preserve system)
Fire management/control plan (for the entire preserve system)

HCP/NCCP Habitat Restoration/Creation (including planning and design) for Initial Urban Development Area

2022 Update

(2021 dollars)

	Cost by Implementation Period (Years)							
All Costs	0	1-5	6-9	10-14	15-19	20-24	25-30	Total
Restoration/Creation Construction Cost					$8,539,671	$8,539,671	$10,247,606	
Staff and overhead					$220,900	$220,900	$265,080	
Travel					$12,500	$12,500	$15,000	
Contractors					$4,654,121	$4,654,121	$5,584,945	
Total	**$0**	**$3,424,071**	**$2,063,773**	**$1,563,376**	**$13,427,192**	**$13,427,192**	**$16,112,631**	**$50,018,236**
			creation/restoration per acre		*$102,574*	*$102,574*	*$102,574*	

Land Cover Type Restored/Created

	Implementation Period (Years)					
Land Cover Type (acres)	0	1-14	15-19	20-24	25-30	Total
oak savanna	-	-	13.1	13.1	15.8	42.0
riparian woodland/scrub	-	5.4	13.9	13.9	16.7	50.0
perennial wetland	-	0.2	10.0	10.0	12.0	32.2
seasonal wetland	-	10.7	10.8	10.8	12.9	45.2
alkali wetland	-	2.4	6.1	6.1	7.3	21.8
slough/channel	-	-	22.5	22.5	27.0	72.0
open water	-	-	-	-	-	-
ponds	-	0.6	6.4	6.4	7.6	21.0
streams (miles)	-	2.2	0.8	0.8	0.9	4.6
Total (acres)	-	20.6	83.3	83.3	99.9	287.0

Cost of Restoration/Creation Construction

			Cost by Implementation Period (Years)				
Land Cover Type	Units	Cost per unit	0	1-14	15-19	20-24	25-30
oak savanna	acres	$18,420			$290,119	$290,119	$348,143
riparian woodland/scrub	acres	$51,822			$866,717	$866,717	$1,040,060
perennial wetland	acres	$84,544			$1,015,797	$1,015,797	$1,218,956
seasonal wetland	acres	$100,838			$1,304,598	$1,304,598	$1,565,518
alkali wetland	acres	$102,041			$742,345	$742,345	$890,814
slough/channel	acres	$76,798			$2,073,533	$2,073,533	$2,488,240
open water	acres	$112,058			$0	$0	$0
ponds	acres	$112,058			$856,821	$856,821	$1,028,185
streams	linear feet	$287			$1,389,742	$1,389,742	$1,667,690
	Total				$8,539,671	$8,539,671	$10,247,606

2017 update:
Revised cost per unit for oak savanna to $15K based on review/input from H.T. Harvey
Revised cost per LF for stream restoration by eliminating the low cost outlier from the list of example projects. Also did not reduce unit cost by applying a 10% discount to be more conservative.

Assumptions:

Construction costs are highly variable and depend mostly on the amount, depth, and linear extent of earthwork expected, and whether water control structure are required. Plant propagation, seeding, and watering also included.

For 2017 and 2022 updates, unit costs increased based on change in the California Construction Cost Index published by the State of California Department of General Services. Available at: https://www.dgs.ca.gov/RESD/Resources/Page-Content/Real-Estate-Services-Division-Resources-List-Folder/DGS-California-Construction-Cost-Index-CCCI

20%	Contingency factor for restoration projects; assumed higher than the standard contingency because of the higher degree of uncertainty in this portion of the conservation program.

Conservancy Staff and Overhead

Position	Hourly Cost per FTE with Overhead & Support	Number of FTEs 0	1-14	15-19	20-24	25-30
Principal Planner and support	$206			0.05	0.05	0.05
Associate Planner and support	$132			0.10	0.10	0.10
Total FTEs				0.15	0.15	0.15
Total cost per year				$44,180	$44,180	$44,180
Total cost per period				$220,900	$220,900	$265,080

1,880 hours per year

Habitat Conservancy staff select sites, hire and oversee consultants for plans, specifcations, and implementation.

Cost includes staff salary and benefits, salaries and benefits of administrative support staff (secretaries, clerks, IT staff, etc.) and associated overhead, including space and utility costs, office furniture, equipment, and supplies.

Travel

	Cost by Implementation Period (Years) 0	1-14	15-19	20-24	25-30
Total cost per period			$12,500	$12,500	$15,000

Assumption:

$2,500 annual cost based on Conservancy 2022 budget

Contractors for restoration planning, design, construction oversight, and post-construction maintenance

Contractor category	Cost by Implementation Period (Years) 0	1-14	15-19	20-24	25-30
Design, plans, specifications, and engineering			$2,818,092	$2,818,092	$3,381,710
Bid assistance			$128,095	$128,095	$153,714
Construction oversight			$853,967	$853,967	$1,024,761
Post-construction maintenance			$853,967	$853,967	$1,024,761
Cost per period			$4,654,121	$4,654,121	$5,584,945

Assumptions:

33% percent of total construction cost required to complete restoration design and plans, specifications, engineering and provide allowance for remedial me

1.50% percent of total construction cost required for bid assistance

10% percent of total construction cost required for construction oversight

10% percent of total construction cost required for post construction maintenance

Restoration plans and designs of all types included in habitat restoration/creation cost category.

Design, plan, specification, and engineering work, bid assistance, and construction oversight will be conducted in the period in which construction takes place.

Two years of post-construction maintenance will be conducted in the period after construction takes place to maintain irrigation systems, conducting weeding, etc. Management costs after success criteria are met are included in development fee paid for same site (wetland mitigation fee is in addition).

Monitoring of restoration sites covered in the Monitoring cost category.

HCP/NCCP Environmental Compliance for Initial Urban Development Area
2022 Update
(2021 dollars)

	Cost by Implementation Period (Years)							
All Costs	0	1-5	6-9	10-14	15-19	20-24	25-30	Total
Staff and overhead					$276,548	$276,548	$0	
Legal assistance					$250,000	$50,000	$0	
NEPA/CEQA					$558,300	$558,300	$0	
CWA 404					$0	$0	$0	
CWA 401					$11,000	$11,000	$0	
CDFG 1602					$23,500	$23,500	$0	
NHPA					$60,200	$60,200	$0	
Other					$41,800	$41,800	$0	
Total	**$0**	**$887,562**	**$194,053**	**$330,312**	**$1,221,348**	**$1,021,348**	**$0**	**$3,654,623**

Note: Detail is not intended to be prescriptive; it is used as a means to generate an overall environmental compliance cost estimate.

Conservancy Staff and Overhead

	Hourly Cost per FTE with	Number of FTEs						
Position	Overhead & Support	0	1-14	15-19	20-24	25-30		
Principal Planner and support	$206			0.02	0.02	-		
Senior Planner and support	$156			0.05	0.05	-		
Associate Planner and support	$132			0.05	0.05	-	include in wetland fee calculation	
Assistant Planner and support	$109			0.10	0.10	-		
Total FTEs				0.22	0.22	-		
Total cost per year				$55,310	$55,310	$0	$32,900	$32,900
Total cost per period				$276,548	$276,548	$0	$164,500	$164,500

Note: Hourly cost factor includes staff salary and benefits, salaries and benefits of administrative support staff (secretaries, clerks, IT staff, etc.) and associated overhead, including space and utility costs, office furniture, equipment, and supplies.

1,880	hours per year

Legal Assistance and Technical Support for Coordinated Regional Wetland Permitting

	Cost by Implementation Period (Years)					
	0	1-14	15-19	20-24	25-30	Total
Cost per period			$250,000	$50,000	$0	$300,000

Assumptions:

$25,000	Annual cost for legal assistance with wetland permitting, years 15 - 20
$25,000	Annual cost for technical support with wetland permitting, years 15 - 20

Number of Projects Requiring Environmental Compliance

		Number					
Project size	Size Range	0	10-14	15-19	20-24	25-30	**Total over Permit Term**
Small/simple	up to 10 acres or up to 0.1 stream miles			4	4	-	20
Medium/more complex	10.1-50 acres or 0.1-0.5 stream miles			4	4	-	20
Large/most complex	over 50 acres or 0.5 stream miles			2	2	-	10
Total projects remainder of permit term				10	10	-	20

Assumptions:

Details are not prescriptive but are a reasonable means of generating an overall cost for the environmental cost category.

Of the total of approximately 50 projects that would require environmental compliance, 1/5 would require compliance in each 5-year period between years 1 and 25.

Environmental Compliance Cost per Project Size and Compliance Category (2021 dollars)

Project size	Size Range	Estimate Project Cost within DFG jurisdiction		Project Impacts to Wetlands for CWA 401		Compliance Category					
				Minimum	Maximum	CEQA	CWA 404	CWA 401	CDFG 1602	NHPA	Other
Small/simple	up to 10 acres or up to 0.1 stream miles	$ 2,000	$ 25,000	0.001	0.01	$7,346	$0	$968	$1,130	$3,673	$3,482
Medium/more complex	10.1-50 acres or 0.1-0.5 stream miles	$ 25,001	$ 100,000	0.0121	0.07	$58,767	$0	$1,130	$2,425	$5,142	$4,179
Large/most complex	over 50 acres or 0.5 stream miles	$ 100,001	$500,000 or more	0.073	0.30	$146,918	$0	$1,291	$4,654	$12,488	$5,572

Assumptions:

Details are not prescriptive but are a reasonable means of generating an overall cost for the environmental cost category.

Assumed wetland impact determined by AECOM based experience with typical projects that would be expected to be implemented by the Conservancy. For example wetland restoration/creation projects, stream restoration projects, adaptive management measures for existing wetland features and facilities improvements. In general, it is expected that impacts to wetlands and streams would be avoided if at all possible. Of the stream length indicated, assumed only 10% of that length would be impacted and an average stream width of 10 feet.

For NEPA/CEQA, 401/404 and 1602 compliance, varying costs have more to do with project complexity than with project size.
Clean Water Act 401 and 1602 permits will be done on a per-project basis
Cultural compliance permits will be done on a per-project basis.

Contra Costa Conservancy staff will prepare permit applications and notification for the 401, 404 and 1600 applications, thereby resulting in no consultant cost for permit preparation. This table also assumes that the permits for Water Quality Certification (CWA 401) and Streambed Alteration Agreement (DFG 1602) will not be secured under programmatic or Master permit processes.

Permitted projects would be completed within the time limit allotted for the permits; no extensions or re-application would be required.
The "other" compliance category could include county grading permits, road encroachment permits, or other local approvals.

NEPA/CEQA

Depending on the level of detail that is provided for specific projects, they may or may not be able to be covered under the HCP EIR/EIS.
For those without sufficient detail, additional environmental documentation may need to be prepared.
It is likely that the majority of those would be in the form of mitigated negative declarations.
Because it is difficult to provide a cost estimate for a project without knowing details such as location, size, etc., the following are some rough numbers based on level of controversy:
Small scale non-controversial projects = Cat Excl/Cat Exemp
Medium scale more controversial projects = IS MND/EA FONSI
Larger scale more controversial projects = EIR/EIS
All land acquisitions would be a categorical exemption under CEQA as well as under NEPA, when NEPA applies.

401/404

The cost of conducting wetland delineations is not included under CWA 404/401 compliance; it is expected that delineation would be covered under land acquisition costs.
Each project implemented under the HCP will qualify for compliance under the USACE 404 regional permit program for the inventory area; there is no fee for 404 permit applications.
Tasks associated with Section 402 compliance are not included in this cost estimate.

CWA 401 fee cost estimate assumes all projects qualify for flat fees in Category D Ecological Restoration and Enhancement Projects, as allowed under State Wetland Definition and Procedures for Discharges of Dredged or Fill Materials to Waters of the State, adopted by the State Water Board on April 2, 2019. FY 21/22 Water Quality Certification Dredge and Fill Application Fee Calculator (Effective 11/8/21) Available: http://www.waterboards.ca.gov/water_issues/programs/cwa401/

NHPA

Archaeological surveys can be conducted at an intensive level at a rate of 40 acres per person per day.
No more than one cultural resource will be identified per 40 acres or part thereof.
This scope of work and cost estimate does not include tasks necessary for significance evaluations and resolution of adverse effects.

CDFG 1602

DFG 1602 costs are estimated based on the assumed cost of project activities within DFW jurisdiction per Fish and Game Code Sections 1600-1616, and the fee schedule corresponding to the project costs. Average cost based on mean of minimum and maximum fee amounts for standard agreements. California Department of Fish and Wildlife Lake and Streambed Alteration Agreements and Fees, Effective January 1, 2022. Available: https://wildlife.ca.gov/Conservation/Environmental-Review/LSA#55227743-fees

HCP/NCCP Preserve Management and Maintenance for Initial Urban Development Area

2022 Update

(2021 dollars)

	Implementation Period (Years)							
All Costs	0	1-5	6-9	10-14	15-19	20-24	25-30	Total
Program staff and overhead					$261,320	$261,320	$495,982	
Invasive Plant Control					$1,433,728	$1,814,986	$2,681,245	
Invasive Wildlife Control					$286,746	$362,997	$536,249	
Grazing Management					$716,864	$907,493	$1,340,622	
Wildfire Management					$1,218,669	$1,542,738	$2,279,058	
Security					$215,059	$272,248	$402,187	
Roads and Trails					$215,059	$272,248	$402,187	
Maintenance and Support					$286,746	$362,997	$536,249	
Annual Reporting					$71,686	$90,749	$134,062	
Law Enforcement					$1,075,296	$1,361,240	$2,010,934	
Administrative and General Expense					$1,648,787	$2,087,234	$3,083,432	
Total	**$0**	**$548,525**	**$2,478,883**	**$3,620,712**	**$7,429,960**	**$9,336,250**	**$13,902,207**	**$37,316,537**

NOTE: Costs for years 1 - 14 include expenditures by the East Bay Regional Park District (EBRPD) on land maintenance activities on Conservancy properties (staff costs, maintenance supplies, maintenance services from inception throught 2021). Details provided by the EBRPD and East Contra Costa County Habitat Conservancy.

Conservancy Staff and Overhead

	FTE with Overhead & Support	Number of FTEs						
Position		0	1-5	6-9	10-14	15-19	20-24	25-30
Principal Planner and Support	$206					0.05	0.05	0.07
Associate Planner and support	$132					0.05	0.05	0.10
Assistant Planner and support	$109					0.10	0.10	0.15
Total FTEs						0.20	0.20	0.32
Total cost per year						$52,264	$52,264	$82,664
Total cost per period						$261,320	$261,320	$495,982

Note: Hourly cost factor includes staff salary and benefits, salaries and benefits of administrative support staff (secretaries, clerks, IT staff, etc.) and associated overhead, including space and utility costs, office furniture, equipment, and supplies.

1,880 hours per year, excluding vacation

HCP/NCCP Preserve Management and Maintenance for Initial Urban Development Area

2022 Update

(2021 dollars)

Preserve Acres Managed

	Implementation Period				
	0	1-14	15-19	20-24	25-30 (6-year period)
Total preserve acres acquired per period		12,050	3,813	3,813	4,575
Acres acquired and managed by end of period		12,050	15,862	19,675	24,250

Assumptions:

Total costs related to habitat and species protection on preserve system lands whether or not costs incurred by EBRPD or Conservancy.

All work (except law enforcement) performed by EBRPD staff including Park Rangers, Supervisors, Stewardship staff, Heavy Equipment Operators, and Fire Department. Law enforcement cost assumes contract with Contra Costa County Sheriff.

Costs per acre (except law enforcement) based on estimates prepared by EBRPD staff for implementation of the Vasco Hills / Byron Vernal Pools Preserve Management Plan prepared for the Conservancy (2018 draft).

Cost estimates assume preserve system land is acquired and managed in equal annual increments over the remainder of the implementation period and that cost increases incrementally as acreage under management increases.

Invasive Plant Control

	Implementation Period				
	0	1-14	15-19	20-24	25-30 (6-year period)
Cost per period			$1,433,728	$1,814,986	$2,681,245

Assumptions:

$20 annual cost per acre for invasive plant control

Patrol, work planning, cultural, manual, mechanical, chemical control.

Invasive Wildlife Control

	Implementation Period				
	0	1-14	15-19	20-24	25-30 (6-year period)
Cost per period			$286,746	$362,997	$536,249

Assumptions:

$4 annual cost per acre for invasive wildlife control

Observation, recording, and controlling bullfrog, fish, and feral mammals.

Grazing Management

	Implementation Period				
	0	1-14	15-19	20-24	25-30 (6-year period)
Cost per period			$716,864	$907,493	$1,340,622

Assumptions:

$10 annual cost per acre for grazing management

Data collection, administration, infrastructure repair, permitting, grazing management, reporting.

Wildfire Management

	Implementation Period				
	0	1-14	15-19	20-24	25-30 (6-year period)
Cost per period			$1,218,669	$1,542,738	$2,279,058

Assumptions:

$17 annual cost per acre for wildfire management

Fire suppression planning and wildfire management; fuels coordinator. Fuel reduction included in invasive plant control cost category.

HCP/NCCP Preserve Management and Maintenance for Initial Urban Development Area
2022 Update
(2021 dollars)

Security

	Implementation Period				
	0	1-14	15-19	20-24	25-30 (6-year period)
Cost per period			$215,059	$272,248	$402,187

Assumptions:

$3 annual cost per acre for security maintenance and repair

Gate and fence installation, inspection, and repairs.

Roads & Trails

	Implementation Period				
	0	1-14	15-19	20-24	25-30 (6-year period)
Cost per period			$215,059	$272,248	$402,187

Assumptions:

$3 annual cost per acre for roads and trails maintenance and repair

Road grading, maintenance, and tree and brush removal.

On-going Maintenance and Support

	Implementation Period				
	0	1-14	15-19	20-24	25-30 (6-year period)
Cost per period			$286,746	$362,997	$536,249

Assumptions:

$4 annual cost per acre for on-going maintenance and support

Equipment maintenance, service yard, (including support). Trash and debris removal from non-recreation areas.

Annual Reporting

	Implementation Period				
	0	1-14	15-19	20-24	25-30 (6-year period)
Cost per period			$71,686	$90,749	$134,062

Assumptions:

$1 annual cost per acre for annual management reporting

Internal EBRPD reporting (Red Book) and Annual Report to ECCCHC.

Law Enforcement

	Implementation Period				
	0	1-14	15-19	20-24	25-30 (6-year period)
Cost per period			$1,075,296	$1,361,240	$2,010,934

Assumptions:

$15 annual cost per acre for law enforcement

Law enforcement primarily for habitat and species protection. Based on annual cost of Contra Costa County Sheriff contract to provide law enforcement services to the Contra Costa Water District Los Vaqueros Watershed (18,500 acres of protected watershed lands and 1,900 acres reservoir). Includes a level of cost related to public access commensurate with the level of service required at the Los Vaqueros Watershed.

Administrative and General Expense

	Implementation Period				
	0	1-14	15-19	20-24	25-30 (6-year period)
Cost per period			$1,648,787	$2,087,234	$3,083,432

Assumptions:

$23 annual cost per acre for administrative and general expense

Covers the following General and Administrative Expenses: fuel, tools, equipment, and other supplies used in the course of preserve land management and services (utility fees, contractors, and other costs) incurred in the course of reserve land management. Also covers internal services costs for equipment replacement and infrastructure renovation and replacement. **Does not include indirect and direct EBRPD overhead costs.**

HCP/NCCP Monitoring, Research, and Adaptive Management for Initial Urban Development Area

2022 Update

(2021 dollars)

	Cost by Implementation Period (Years)							
All Costs	0	1-5	6-9	10-14	15-19	20-24	25-30	Total
Staff and overhead					$120,132	$120,132	$305,011	
Contractors					$875,000	$1,500,000	$2,400,000	
Directed research					$500,000	$500,000	$600,000	
Adaptive management					$215,000	$215,000	$215,000	
Total	**$0**	**$654,741**	**$604,793**	**$936,384**	**$1,710,132**	**$2,335,132**	**$3,520,011**	**$9,761,193**

Conservancy Staff and Overhead

	Hourly Cost per FTE with Overhead &	Number of FTEs				
Position	Support	0	1-14	15-19	20-24	25-30
Principal Planner and support	$206			0.03	0.03	0.08
Associate Planner and support	$132			0.05	0.05	0.08
Total FTEs				0.08	0.08	0.16
Total cost per year				$24,026	$24,026	$50,835
Total cost per period				$120,132	$120,132	$305,011

Note: Hourly cost factor includes staff salary and benefits, salaries and benefits of administrative support staff (secretaries, clerks, IT staff, etc.) and associated overhead, including space and utility costs, office furniture, equipment, and supplies.

1,880 hours per year

Contractors

	Contract value per period				
	0	1-14	15-19	20-24	25-30
Monitoring contractors			$875,000	$1,500,000	$2,400,000
Total per period			$875,000	$1,500,000	$2,400,000

	Metrics for gross annual budget estimate==>	Preserve Acres (end of period)	Restored Acres (per period)	Rough annual cost per preserve acre
$175,000	annual budget for monitoring contractors, years 15-19	15,862	83	$11
$300,000	annual budget for monitoring contractors, years 20-24	19,675	83	$15
$400,000	annual budget for monitoring contractors, years 25-30	24,250	100	$16

Assumptions:

Contractor activities include field data collection, analysis, and reporting. Costs include travel.

Some preserve covered activities and conservation measures require pre-construction surveys and construction monitoring. This work will be done by contractors. Contractors will conduct pre-construction surveys prior to construction as well as construction monitoring periodically during the construction period. All covered activities require compliance with HCP/NCCP pre-construction avoidance and minimization measures.

Note that planning, preconstruction surveys and construction monitoring for covered activities outside of preserves will be paid for by developers. These costs are not included here.

Species-response monitoring is covered in the restoration category when contractors will monitor restoration, creation, and enhancement sites during the 5-year period following the restoration activity.

Post-acquisition biological inventories will build on planning surveys. Inventory will include mapping of weeds and invasive plants.

Status and trends monitoring will occur after preserve land is purchased through year 30. Status and trend monitoring will build on planning surveys and post-acquisition inventories, when appropriate.

Directed Research

	0	1-14	15-19	20-24	25-30
Average cost per year to fund directed research			$100,000	$100,000	$100,000
Total cost per period			$500,000	$500,000	$600,000

Adaptive Management

	0	1-14	15-19	20-24	25-30
Average Independent Conservation Assessment Team cost per period			$36,000	$36,000	$36,000
Average Science Advisors cost per period			$179,000	$179,000	$179,000
Total cost per period			$215,000	$215,000	$215,000

Assumptions:

Adaptive management experiments are covered under the monitoring staff and directed research categories.

As of this 2022 update, this type of periodic scientific review is conducted by the Conservancy's on-call biologist contractors.

The Conservancy convened a Science Advisory Panel in year 10 and plans to do the same in year 20.

The Conservancy's Preserve Monitoring Plan remains in the draft stage.

The following assumptions generate a scientific review budget to inform adaptive management:

An Independent Conservation Assessment Team meets once every 4 years and has:

5	members
$7,200	stipend per member per 5-year period

Science Advisors Panel consists of:

10	members
$17,900	stipend per member per 5-year period

Remedial Measures for Initial Urban Development Area

2022 Update

(2021 dollars)

	Implementation Period (Years)							
All Costs	0	1-5	6-9	10-14	15-19	20-24	25-30	**Total**
Remedial measures	$0	$0	$0	$0	$263,044	$208,177	$2,805,500	$3,276,720
Total	**$0**	**$0**	**$0**	**$0**	**$263,044**	**$208,177**	**$2,805,500**	**$3,276,720**

Note: Actual costs are included in habitat restoration/creation and preserve management cost categories.

Remedial Measures

	0	1-5	6-9	10-14	15-19	20-24	25-30
Cost of created/restored habitat per period			$2,063,773	$1,563,376	$8,539,671	$8,539,671	$10,247,606
Cost for remedial measures for created/restored habitat per period					$206,377	$156,338	$2,732,695
Area of new preserve not including created/restored habitat per period	-	7,578	3,488	962	3,729	3,729	4,475
Cost for remedial measures for preserves per period					$6,666	$1,839	$22,805
Cost for other remedial measures per period					$50,000	$50,000	$50,000
Total cost per period					$263,044	$208,177	$2,805,500

Assumptions:	
2%	Percent of annual preserve management and maintenance cost assumed to be needed for preserve remedial actions.
10%	Percent of created/restored habitat for which remedial measures will be required.
$96	Cost per acre for preserve management and maintenance in years 26-30.
63%	Percent of land acquisition in years 1 - 14 occurring in years 1 - 5
29%	Percent of land acquisition in years 1 - 14 occurring in years 6 - 9
8%	Percent of land acquisition in years 1 - 14 occurring in years 10 - 14

Remedial actions are assumed to occur in the **second** 5-year period after habitat is created/restored or preserve land is purchased, with the exception of remedial actions for habitat created/restored in years 20-30. The cost for these remedial actions is included in years 25-30 so that it can be captured in this cost estimate.

The remedial cost for preserve lands is assumed to be a percentage of the cost per acre for preserve management and maintenance in years 25-30, and is assumed to be needed once, in the **second** 5-year period after the preserve land is purchased. The costs for preserves areas acquired in years 20 - 30 is included in years 26-30 so that it can be captured in this cost estimate.

The cost for other remedial measures includes the costs for restoration or maintenance of preserve areas because of other changed circumstances, such as wildfire.

Contingency for Initial Urban Development Area

2022 Update

(2021 dollars)

	0	1-5	6-9	10-14	15-19	20-24	25-30	Total
Total cost of program excluding land acquisition/site improvements and habitat restoration/creation construction costs	$0	$0	$0	$0	$25,538,618	$27,415,041	$36,713,036	$89,666,695
Contingency fund	**$0**	**$0**	**$0**	**$0**	**$1,276,931**	**$1,370,752**	**$1,835,652**	**$4,483,335**

Assumptions:

5.0%	Percent of total program funding needed for contingency

Post-Permit Costs for Initial Urban Development Area

2022 Update

(2021 dollars)

Post-Permit Costs

Cost Category	Annual Costs	Assumptions
Total Cost		
Program Administration	$548,300	Reduced staffing and no legal and financial contractor costs
Land Acquisition: due diligence, transaction costs	$0	Acquisition complete during permit term
Planning and Design	$0	Planning and design work complete during permit term
Habitat Restoration/Creation	$0	Restoration/creation projects constructed during permit term
Environmental Compliance	$0	Not required, post permit
Preserve Management and Maintenance	$2,317,000	Assume 100 percent of annual average costs in years 25 - 30
Monitoring, Research, and Adaptive Management	$293,300	Assume 50 percent of annual average costs in years 25 - 30
Remedial Measures	$0	Not required, post permit
Contingency	$0	Not required, post permit
Total	**$3,158,600**	

Total preserve system acres	**24,250**
Annual average cost per acre managed	**$130**
Percent of average annual cost years 25 - 30	**18%**

APPENDIX D: MAXIMUM UDA COST MODEL UPDATE

The following tables provide comprehensive documentation for the cost model update based on estimated impacts for the maximum urban development area.

East Contra Costa County HCP/NCCP
2022 Update
Implementation Cost Data and Assumptions with Maximum Urban Development Area

Summary of East Contra Costa HCP Implementation Costs for Maximum Urban Development Area

2022 Update

(2021 dollars rounded to the nearest $10,000)

Total Costs

	Implementation Period (Years)					
Cost Category	0	1-14	15-19	20-24	25-30	**Total (2021)**
Program Administration	$220,000	$17,350,000	$6,660,000	$6,260,000	$7,500,000	$37,990,000
Land Acquisition: acquisition and site improvements	$0	$139,240,000	$67,360,000	$67,360,000	$80,710,000	$354,680,000
Land Acquisition: due diligence, transaction costs	$250,000	$4,390,000	$2,480,000	$2,480,000	$2,980,000	$12,580,000
Planning and Design	$0	$4,550,000	$1,450,000	$1,450,000	$820,000	$8,260,000
Habitat Restoration/Creation	$0	$7,050,000	$16,620,000	$16,620,000	$19,950,000	$60,240,000
Environmental Compliance	$0	$1,410,000	$1,220,000	$1,020,000	$0	$3,650,000
Preserve Management and Maintenance	$0	$6,650,000	$7,990,000	$10,820,000	$16,910,000	$42,370,000
Monitoring, Research, and Adaptive Management	$0	$2,200,000	$1,840,000	$2,710,000	$4,120,000	$10,860,000
Remedial Measures	$0	$0	$260,000	$210,000	$3,480,000	$3,950,000
Contingency	$0	$0	$1,400,000	$1,550,000	$2,150,000	$5,100,000
Total	**$470,000**	**$182,840,000**	**$107,280,000**	**$110,480,000**	**$138,620,000**	**$539,680,000**

Summary of East Contra Costa HCP Implementation Costs for Maximum Urban Development Area

2022 Update

(2021 dollars not rounded)

Total Costs

	Implementation Period (Years)					
Cost Category	0	1-14	15-19	20-24	25-30	**Total**
Program Administration	$223,698	$17,346,583	$6,661,370	$6,261,370	$7,498,644	$37,991,665
Land Acquisition: acquisition and site improvements	$0	$139,241,000	$67,361,587	$67,361,587	$80,711,223	$354,675,397
Land Acquisition: due diligence, transaction costs	$253,166	$4,387,960	$2,480,940	$2,480,940	$2,977,127	$12,580,133
Planning and Design	$0	$4,550,853	$1,445,840	$1,445,840	$821,365	$8,263,898
Habitat Restoration/Creation	$0	$7,051,220	$16,620,916	$16,620,916	$19,945,099	$60,238,151
Environmental Compliance	$0	$1,411,927	$1,221,348	$1,021,348	$0	$3,654,623
Preserve Management and Maintenance	$0	$6,648,120	$7,987,773	$10,823,750	$16,914,392	$42,374,035
Monitoring, Research, and Adaptive Management	$0	$2,195,918	$1,835,132	$2,710,132	$4,120,011	$10,861,193
Remedial Measures	$0	$0	$262,890	$208,134	$3,477,304	$3,948,328
Contingency	$0	$0	$1,395,470	$1,548,281	$2,151,289	$5,095,040
Total	**$476,864**	**$182,833,581**	**$107,273,265**	**$110,482,298**	**$138,616,454**	**$539,682,462**

NOTE: Original unit cost estimates for the 2006 HCP/NCCP were in 2005 dollars, inflated to 2006 dollars for use in the plan document.

Consumer Price Index - All Urban Consumers
Original Data Value

Series Id: CUURS49BSA0
Not Seasonally Adjusted
Series Title: All items in San Francisco-Oakland-Hayward, CA, all urban consumers, not seasonally adjusted

Area: San Francisco-Oakland-Hayward, CA
Item: All items
Base Period: 1982-84=100
Years: 2005 to 2022

Data extracted on: March 29, 2017 (8:35:58 PM)
Data extracted on: August 2, 2022

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2	2021 dollars
2005		201.2		202.5		201.2		203.0		205.9		203.4	202.7	201.5	203.9	0.6545
2006		207.1		208.9		209.1		210.7		211.0		210.4	209.2	207.9	210.6	0.6754
2007		213.688		215.842		216.123		216.240		217.949		218.485	216.048	214.736	217.361	0.6976
2008		219.612		222.074		225.181		225.411		225.824		218.528	222.767	221.730	223.804	0.7193
2009		222.166		223.854		225.692		225.801		226.051		224.239	224.395	223.305	225.484	0.7245
2010		226.145		227.697		228.110		227.954		228.107		227.658	227.469	226.994	227.944	0.7344
2011		229.981		234.121		233.646		234.608		235.331		234.327	233.390	232.082	234.698	0.7535
2012		236.880		238.985		239.806		241.170		242.834		239.533	239.650	238.099	241.201	0.7738
2013		242.677		244.675		245.935		246.072		246.617		245.711	245.023	243.894	246.152	0.7911
2014		248.615		251.495		253.317		253.354		254.503		252.273	251.985	250.507	253.463	0.8136
2015		254.910		257.622		259.117		259.917		261.019		260.289	258.572	256.723	260.421	0.8349
2016		262.600		264.565		266.041		267.853		270.306		269.483	266.344	263.911	268.777	0.8599
2017		271.626		274.589		275.304		275.893		277.570		277.414	274.924	273.306	276.542	0.8877
2018		281.308		283.422		286.062		287.664		289.673		289.896	285.550	282.666	288.435	0.9220
2019		291.227		294.801		295.259		295.490		298.443		297.007	295.004	293.150	296.859	0.9525
2020		299.690		298.074		300.032		300.182		301.736		302.948	300.084	299.109	301.059	0.9689
2021		304.387		309.419		309.497		311.167		313.265		315.805	**309.721**	306.724	312.718	1.0000
2022		320.195		324.878		330.539								323.408		

Employment Cost Index (NAICS)
Original Data Value

Series Id: CIU2010000120000I
Not seasonally adjusted
Series Title: Total compensation for Private industry workers in Professional and related, Index

Ownership: Private industry workers
Component: Total compensation
Occupation: Professional and related occupations
Industry: All workers
Subcategory: All workers
Area: United States (National)
Periodicity: Index number
Years: 2005 to 2016

Data extracted on: August 2, 2022 (8:36:09 PM)

Year	Qtr1	Qtr2	Qtr3	Qtr4	2021 dollars
2005	98.0	98.8	99.5	100.0	0.6974
2006	101.0	101.8	103.1	103.9	0.7245
2007	104.9	105.9	106.7	107.3	0.7483
2008	108.3	109.0	109.9	110.3	0.7692
2009	111.0	111.1	111.4	111.4	0.7768
2010	112.2	112.6	113.3	113.5	0.7915
2011	114.6	115.1	115.4	115.7	0.8068
2012	116.8	117.3	117.7	118.2	0.8243
2013	118.9	119.5	120.2	120.5	0.8403
2014	121.0	121.9	122.5	122.9	0.8570
2015	123.7	124.1	124.5	124.9	0.8710
2016	125.7	126.2	126.7	126.7	0.8835
2017	127.8	128.7	129.1	129.6	0.9038
2018	130.8	131.6	132.3	132.8	0.9261
2019	133.7	134.4	135.1	135.6	0.9456
2020	136.8	137.0	137.8	138.4	0.9651
2021	139.7	140.5	142.2	143.4	1.0000

California Construction Cost Index, Department of General Services

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	2021 dollars		
2006	4620	4603	4597	4600	4599	4593	4609	4616	4619	4867	4891	4877	4,674	0.60878		
2007	4869	4868	4871	4872	4886	4842	4849	4851	4942	4943	4978	4981	4,896	0.63766		
2008	4983	4983	4999	5004	5023	5065	5135	5142	5194	5393	5375	5322	5,135	0.66876		
2009	5309	5295	5298	5296	5288	5276	5263	5265	5264	5259	5259	5262	5,278	0.68739		
2010	5260	5262	5268	5270	5378	5394	5401	5401	5381	5591	5599	5596	5,400	0.70331		
2011	5592	5624	5627	5636	5637	5643	5654	5667	5668	5675	5680	5680	5,649	0.73568		
2012	5683	5683	5738	5740	5755	5754	5750	5778	5777	5780	5779	5768	5,749	0.74872		
2013	5774	5782	5777	5786	5796	5802	5804	5801	5802	5911	5903	5901	5,820	0.75799	1.24%	
2014	5898	5896	5953	5956	5957	5961	5959	5959	5959	5969	5981	5977	5,952	0.77520	2.27%	
2015	6073	6077	6069	6062	6069	6055	6055	6055	6113	6114	6109	6108	6,080	0.79185	2.15%	
2016	6106	6132	6248	6249	6240	6238	6245	6244	6267	6343	6344	6373	6,252	0.81432	2.84%	8.49%
2017	6373	6373	6373	6461	6455	6470	6474	6620	6620	6596	6596	6596	6,501	0.84664	3.97%	
2018	6596	6596	6596	6596	6596	6598	6643	6613	6674	6679	6679	6684	6,629	0.86339	1.98%	
2019	6684	6700	6616	6841	6852	6854	6854	6823	6814	6851	6895	6924	6,809	0.88681	2.71%	
2020	6995	6945	6947	6955	6958	7041	6984	6988	7036	7120	7123	7120	7,018	0.91399	3.06%	
2021	7090	7102	7130	7150	7712	7746	7892	8122	7900	8080	8141	8072	7,678	1.00000	9.41%	21.14%

The California Construction Cost index is developed based upon Building Cost Index (BCI) cost indices for San Francisco and Los Angeles produced by Engineering News Record (ENR) and reported in the second issue each month for the previous month. This table is updated at the end of each month.

The ENR BCI reports cost trends for specific construction trade labor and materials in the California marketplace.

Accessed 8/2/2022

https://www.dgs.ca.gov/RESD/Resources/Page-Content/Real-Estate-Services-Division-Resources-List-Folder/DGS-California-Construction-Cost-Index-CCCI

Legend

red numbers are assumptions or data entered directly into the worksheet
blue numbers are links from other worksheets in the workbook
black numbers are calculations based on the above numbers

Cost factors are colored coded by primary source considered:

EBRPD (for HCP)
CCWD (for HCP)
Average of CCWD/EBRPD
ECCC Habitat Conservancy
J&S and EPS (for HCP)
AECOM, 2012
Updated by Insight Data & Economic Analysis, 2022
Updated with input from H.T. Harvey, 2017
Other estimated factors
Actual costs start-up and years 1 - 14
Estimate of EBRPD contributions to operational costs, start up and years 1-14
Summary actuals supercede model detail

Acres Acquired, Managed, and Restored within HCP/NCCP Preserves for Maximum Urban Development Area
2022 Update

	Maximum UDA	Source
Total acres acquired/managed	30,200	(Table 5-9: mid-point of range)

Acres Acquired and Managed by Time Period

	Implementation Period (Years)					
	0	1-14	15-19	20-24	25-30 (6-year period)	Total
Total preserve acres acquired per period	-	12,050	5,672	5,672	6,806	30,200
Total preserve acres managed, cumulative	-	12,050	17,722	23,394	30,200	30,200

Assumptions:

Actual acquisition accounted for in years 1-5, 6-9 and 10 - 14; the net remaining requirement is allocated evenly over the remaining 16 years of the permit term.

Management and monitoring on acquired land has not kept pace with actual acquisition.

14,463.76	Total acres acquired through 2021 (Annual Report Table 8a)
1,681.1	Already conserved acres (no credit acres) on parcels acquired through 2021 (Annual Report Table 8a)
732.93	Other acres (outside acquisition zones) not credited to preserve system through 2021
12,049.7	Total acres acquired and credited toward preserve system

Land Cover Type Restored/Created by Time Period

	Implementation Period (Years)					
Land Cover Type (acres except where noted)	0	1-14	15-19	20-24	25-30 (6-year period)	Total
oak savanna	-	-	51.6	51.6	61.9	165.0
riparian woodland/scrub	-	5.40	15.5	15.5	18.6	55.0
perennial wetland (jurisdictional boundary)	-	0.16	10.1	10.1	12.1	32.5
seasonal wetland (jurisdictional boundary)	-	10.70	13.4	13.4	16.1	53.6
alkali wetland (jurisdictional boundary)	-	2.40	6.6	6.6	8.0	23.6
slough/channel	-	-	22.5	22.5	27.0	72.0
open water	-	-	-	-	-	-
ponds	-	0.61	6.7	6.7	8.0	22.0
streams (miles)	-	2.16	1.1	1.1	1.4	5.8
Total (acres)	-	**20.58**	**127.1**	**127.1**	**152.5**	**427.2**

Assumptions:

Total restoration requirements based on assumptions in the HCP/NCCP. Actual restoration will depend on actual impacts to these features.

Actual restoration accounted for in years 1-14; the net remaining requirement is allocated evenly over the next 16 years of the permit term.

For total acre calculation, streams are assumed to be 5 feet wide

30%	% of perennial, seasonal or alkali wetland complex acreage assumed to be jurisdictional wetland; for compensatory restor

USED IN WETLAND FEE CALCULATION

Defining sites:	average acres/site or linear feet/site (streams)	% requiring substantial soil disturbance
riparian/woodland scrub sites by acreage conversion:	3	20%
wetlands and pond sites by acreage conversion	2.0	80%
stream sites by linear feet conversion:	1,000	90%

Restoration sites that require significant soil disturbance by land-cover type *USED IN WETLAND FEE CALCULATION*

	Implementation Period (Years)					
Land Cover Type Restoration Sites	0	1-14	15-19	20-24	25-30 (6-year period)	Total
riparian woodland/scrub	-	0.4	1.0	1.0	1.2	3.7
perennial wetland	-	0.1	4.0	4.0	4.9	13.0
seasonal wetland	-	4.3	5.4	5.4	6.4	21.4
alkali wetland	-	1.0	2.7	2.7	3.2	9.4
ponds	-	-	9.0	9.0	10.8	28.8
streams (miles/acres converted to sites)	-	10.2	5.4	5.4	6.5	27.6
Total sites for monitoring cost estimate	-	15.9	27.5	27.5	33.0	103.9

Assumptions:

Average acres/site and percent of sites requiring substantial soil disturbance calculated in table above.

Seasonal, perennial, and alkali wetland acreages in Tables 5-16 and 5-17 are for wetland complexes; for cost estimates and revenue projections the wetted acres of these complexes are assumed to be 30% of the total acres.

Summary of HCP/NCCP Personnel (Conservancy Staffing)
2022 Update

	2022 UPDATE STAFFING				POST PERMIT STAFFING
	Number of FTEs				Number of FTEs
UPDATE STAFFING	0-14	15-19	20-24	25-30	
Administrative staffing		no change			
Principal Planner		0.70	0.70	0.70	0.50
Senior Planner		0.70	0.70	0.70	0.25
Principal GIS Planner		0.05	0.05	0.05	0.05
Associate Planner		0.70	0.70	0.70	0.25
Assistant Planner		0.80	0.80	0.80	0.25
Planning Technician		0.35	0.35	0.35	0.10
Accountant		0.40	0.40	0.40	0.20
Admin – Secretary		Included in overhead rates			-
IT Support Staff					-
Total		3.70	3.70	3.70	1.60
Land acquisition staffing		no change			
Principal Planner		0.05	0.05	0.05	-
Senior Planner		0.20	0.20	0.20	-
Principal GIS Planner		0.05	0.05	0.05	-
Total		0.30	0.30	0.30	-
Management planning and design staffing		lower in last 5 years			
Principal Planner		0.10	0.10	0.05	-
Principal GIS Planner		0.05	0.05	0.05	-
Senior Planner		0.05	0.05	0.02	-
Associate Planner		0.05	0.05	0.02	-
Total		0.25	0.25	0.14	-
Habitat restoration and creation staffing		no change			
Principal Planner		0.05	0.05	0.05	-
Associate Planner		0.10	0.10	0.10	-
Total		0.15	0.15	0.15	-
Environmental compliance staffing		no change except 0 in last period			
Principal Planner		0.02	0.02	-	-
Senior Planner		0.05	0.05	-	-
Associate Planner - wetland fees		0.05	0.05	-	-
Assistant Planner - wetland fees		0.10	0.10	-	-
Total		0.22	0.22	-	-
Preserve management and maintenance staffing		higher in last 5 years			
Principal Planner		0.05	0.05	0.07	0.07
Associate Planner		0.05	0.05	0.10	0.10
Assistant Planner		0.10	0.10	0.15	0.15
Preserve Maintenance Staff		included in per acre cost factors			-
Total		0.20	0.20	0.32	0.32
Monitoring and research staffing		higher in last 5 years			
Principal Planner		0.03	0.03	0.08	0.05
Associate Planner		0.05	0.05	0.08	0.05
Total		0.08	0.08	0.16	0.10
Overall Staffing Plan					
Principal Planner		1.00	1.00	1.000	0.62
Senior Planner		1.00	1.00	0.92	0.25
Principal GIS Planner		0.15	0.15	0.15	0.05
Associate Planner		1.00	1.00	1.00	0.40
Assistant Planner		1.00	1.00	0.95	0.40
Planning Technician		0.35	0.35	0.35	0.10
Accountant		0.40	0.40	0.40	0.20
Admin – Secretary		Included in overhead rates			-
IT Support Staff					-
Preserve Maintenance Staff		included in per acre cost factors			-
Total		**4.90**	**4.90**	**4.77**	**2.02**

HCP/NCCP Program Administration and Permitting for Maximum Urban Development Area

2022 Update

(2021 dollars)

All Costs	Cost by Implementation Period (Years)							Total
	0	1-5	6-9	10-14	15-19	20-24	25-30	
Staff and overhead					$5,156,370	$5,156,370	$6,187,644	
Contractor assistance with administration					$400,000	$400,000	$480,000	
Other administrative costs					$55,000	$55,000	$66,000	
Vehicle / mileage allowance					$7,500	$7,500	$9,000	
Travel					$37,500	$37,500	$45,000	
Insurance					$115,000	$115,000	$138,000	
Legal assistance					$575,000	$250,000	$300,000	
Other permitting costs					$15,000	$15,000	$18,000	
Financial analysis assistance					$150,000	$75,000	$75,000	
Financial audit (annual)					$100,000	$100,000	$120,000	
Public relations and outreach					$50,000	$50,000	$60,000	
Total	**$223,698**	**$4,671,472**	**$4,866,552**	**$7,808,559**	**$6,661,370**	**$6,261,370**	**$7,498,644**	**$37,991,665**

Conservancy Staff and Overhead

Position	Hourly Cost per FTE with Overhead & Support	Number of FTEs				
		0	1-14	15-19	20-24	25-30
Principal Planner and support	$206			0.70	0.70	0.70
Senior Planner and support	$156			0.70	0.70	0.70
Prinicipal GIS Planner and support	$222			0.05	0.05	0.05
Associate Planner and support	$132			0.70	0.70	0.70
Assistant Planner and support	$109			0.80	0.80	0.80
Planning Technician and support	$119			0.35	0.35	0.35
Accountant and support	$157			0.40	0.40	0.40
Total FTEs				3.70	3.70	3.70
Total cost per year				$1,031,274	$1,031,274	$1,031,274
Total cost per period				$5,156,370	$5,156,370	$6,187,644

Notes/Assumptions:

Hourly cost factor includes staff salary and benefits, salaries and benefits of administrative support staff (secretaries, clerks, IT staff, etc.) and associated overhead, including space and utility costs, office furniture, equipment, and supplies.

1,880 hours per year

Contractor Assistance with Administration	**Cost by Implementation Period (Years)**				
	0	1-14	15-19	20-24	25-30
Cost per period			$400,000	$400,000	$480,000

Assumption:

$80,000	annual contractor cost per 2022 budget: for assistance with database, annual report, and permitting

Other Administrative Costs	**Cost by Implementation Period (Years)**				
	0	1-14	15-19	20-24	25-30
Memberships			$50,000	$50,000	$60,000
Miscellaneous equipment and supplies			$5,000	$5,000	$6,000
Cost per period			$55,000	$55,000	$66,000

Assumption:

$10,000	annual cost for Institute for Ecological Health (state and national), Bay Area Open Space Council, and East County Water Management Agency, based on actual Conservancy experience through 2021
$1,000	annual cost based on actual Conservancy experience through 2021

Vehicle / Mileage Allowance	**Cost by Implementation Period (Years)**				
	0	1-14	15-19	20-24	25-30
Cost per period			$7,500	$7,500	$9,000

Assumption:

$1,500	annual cost based on actual Conservancy experience through 2021

Travel	**Cost by Implementation Period (Years)**				
	0	1-14	15-19	20-24	25-30
Cost per period			$37,500	$37,500	$45,000

Assumption:

$7,500	annual cost based on actual Conservancy experience through 2021

Insurance	**Cost by Implementation Period (Years)**				
	0	1-14	15-19	20-24	25-30
Cost per period			$115,000	$115,000	$138,000

Assumption:

$23,000	annual cost based on actual Conservancy experience through 2021

Legal Assistance	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Cost per period			$575,000	$250,000	$300,000

Assumptions:

$115,000	Annual cost for legal assistance, years 15 - 19
$50,000	Annual cost for legal assistance, after year 19

Note: The legal assistance category covers legal assistance required for program administration and (for years 6 - 10) the environmental compliance category.
Legal assistance for land acquisition included in the due diligence cost factor in the land acquisition category.
Legal assistance is also estimated for the environmental compliance category.

Other Permitting Costs	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Cost per period			$15,000	$15,000	$18,000

Assumptions:

$3,000	Annual cost per 2022 Budget

Financial Analysis Assistance	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Cost per period			$150,000	$75,000	$75,000

Assumptions:

$75,000	Cost per period for financial analysis assistance
$15,000	Annual cost years 15 - 19 for assistance with endowment and EBRPD cost sharing agreement

Financial analyst review will occur periodically over the life of the Plan (years 3, 6, 10, 15, 20 and 25).
Note: The financial analysis assistance category covers the periodic assistance of a financial analyst to review the program's cost/revenue balance, ensure that charges are adjusted in line with changing land costs and ensure compliance with State requirements on collection of fees.

Annual Financial Audit	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Cost per period			$100,000	$100,000	$120,000

Assumptions:

$20,000	Cost per year for financial audit services based on Conservancy experience through 2021

Annual financial audit of the Conservancy's financial statements by an independent auditor are required by the JPA agreement and Government Code.

Public Relations/Outreach	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Total cost per year			$10,000	$10,000	$10,000
Cost per period			$50,000	$50,000	$60,000

HCP/NCCP Land Acquisition for Maximum Urban Development Area

2022 Update

(2021 dollars)

	Cost by Implementation Period (Years)					
All Costs	0	1-14	15-19	20-24	25-30	**Total**
Land Acquisition	$0	$139,241,000	$66,216,653	$66,216,653	$79,459,983	$351,134,289
Site improvements	$0	$0	$1,144,934	$1,144,934	$1,251,240	$3,541,108
Staff and overhead	na	na	$494,440	$494,440	$593,328	$1,582,208
Due diligence	$253,166	$4,387,960	$1,986,500	$1,986,500	$2,383,799	$10,997,925
Total	**$253,166**	**$165,742**	**$69,842,527**	**$69,842,527**	**$83,688,351**	**$223,792,311**

Acquisition Cost over 30-year Program, Actuals year 1 - 14 + Projections Years 15 - 30 (2021 dollars)

	Cost by Implementation Period (Years)						Estimated
Acquisition Analysis Zone	0	1-14	15-19	20-24	25-30	**Total**	**Remainder 15-30**
Zone 1	$0	$12,711,000	$5,405,441	$5,405,441	$6,486,530	$30,008,413	$17,297,413
Zone 2	$0	$52,222,000	$20,527,038	$20,527,038	$24,632,446	$117,908,522	$65,686,522
Zone 3	$0	$3,553,000	$356,768	$356,768	$428,121	$4,694,656	$1,141,656
Zone 4	$0	$10,748,000	$21,381,668	$21,381,668	$25,658,001	$79,169,336	$68,421,336
Zone 5	$0	$42,738,000	$13,737,272	$13,737,272	$16,484,726	$86,697,269	$43,959,269
Zone 6 (incl. within ULL along Marsh Creek)	$0	$8,523,000	$3,742,794	$3,742,794	$4,491,353	$20,499,940	$11,976,940
Outside Inventory Area	$0		$550,443	$550,443	$660,532	$1,761,417	$1,761,417
Outside Acquisition Zones	$0	$8,746,000	$515,230	$515,230	$618,276	$10,394,735	$1,648,735
Total	**$0**	**$139,241,000**	**$66,216,653**	**$66,216,653**	**$79,459,983**	**$351,134,289**	**$211,893,289**
Assumptions:			40%				60%

Actual acquisition cost through year 14, in 2021 dollars. Updated 2021 land cost factors by cost category applied to remaining acquisition targets. Total remaining cost allocated evenly over remaining 16 years of the permit term.

See Appendix G and description of separate land cost model in Chapter 9.

Conservancy Staff and Overhead

		Number of FTEs				
Position	Hourly Cost per FTE with Overhead & Support	0	1-14	15-19	20-24	25-30
Principal Planner and support	$206			0.05	0.05	0.05
Senior Planner and support	$156			0.20	0.20	0.20
Prinicipal GIS Planner and support	$222			0.05	0.05	0.05
Total FTEs				0.30	0.30	0.30
Total cost per year				$98,888	$98,888	$98,888
Total cost per period				$494,440	$494,440	$593,328

Notes/Assumptions:

Actual staff costs for years 0 - 9 are included in the due diligence actuals below.

Hourly cost factor includes staff salary and benefits, salaries and benefits of administrative support staff (secretaries, clerks, IT staff, etc.) and associated overhead, including space and utility costs, office furniture, equipment, and supplies.

1,880 hours per year

Due Diligence

Covers costs for appraisals, preliminary title report, escrow and other closing costs, boundary surveys, legal services, environmental and Phase 1 site assessment.
The 2006 cost model used more detailed unit costs. The result of applying those cost factors in the 2006 model was that due diligence represented about 4% of land acquisition costs.

For the 2012, 2016, and 2022 updates the model is simplified to assume due diligence costs (not including Conservancy staff costs) at 3% of land acquisition costs, roughly consistent with the experience of the Conservancy and EBRPD through 2021, during which time more than 50 percent of the preserve system goals for land acquisition took place. For years 10-30, Conservancy staff time costs are separately estimated and included in Program Staff line item above.

	Cost by Implementation Period (Years)							
	0	1-5	6-9	10-14	15-19	20-24	25-30	**Total**
Due Diligence	$253,166	$2,296,923	$1,479,004	$612,033	$1,986,500	$1,986,500	$2,383,799	$10,997,925

Assumptions:

3.0%	Due diligence costs as a percentage of land acquisition cost.

Planning Surveys (Pre-Acquisition)

Based on Conservancy and EBRPD experience to date, initial property evaluation and planning is included in staff and consultant time.
Most significant field biological work is done post acquisition and is included as a monitoring cost.

Site Improvements

	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Demolition of old facilities			$111,803	$111,803	$134,164
Repair of boundary fence			$495,065	$495,065	$495,065
Repair and replacement of gates			$118,341	$118,341	$118,341
Signs (boundary, landbank, etc.)			$232,550	$232,550	$279,060
Other security (e.g., boarding up barns)			$187,175	$187,175	$224,610
Total			$1,144,934	$1,144,934	$1,251,240

Assumptions:

Most demolition to date is a condition of the transaction and assigned to the seller. Other site improvement costs included in EBRPD operations and maintenance costs to date.

$9,856	Demolition of old facilities per 500 acres
$6,600	Repair and replacement of gates per 100 acres
$4,100	Signs (boundary, landbank, etc.) per 100 acres
$3,300	Other security (e.g., boarding up barns) per 100 acres
180	Estimated number of parcels acquired years 15 - 30 assuming 100 acres per parcel
15,000	Average parcel boundary length in linear feet (from GIS analysis, grouping adjacent parcels with the same landowner)
$6.11	Average cost per linear foot for boundary fence repair
15%	Proportion of boundary fence that needs repair

HCP/NCCP Management Planning and Design for Maximum Urban Development Area
2022 Update
(2021 dollars)

	Cost by Implementation Period (Years)							
All Costs	0	1-5	6-9	10-14	15-19	20-24	25-30	Total
Program staff and overhead					$433,340	$433,340	$306,365	
Travel					$12,500	$12,500	$15,000	
Contractors					$1,000,000	$1,000,000	$500,000	
Total	**$0**	**$1,772,511**	**$938,155**	**$1,840,187**	**$1,445,840**	**$1,445,840**	**$821,365**	**$8,263,898**

Conservancy Staff and Overhead

		Number of FTEs				
Position	Hourly Cost per FTE with Overhead & Support	0	1-14	15-19	20-24	25-30
Principal Planner and support	$206			0.10	0.10	0.05
Prinicipal GIS Planner and support	$222			0.05	0.05	0.05
Senior Planner and support	$156			0.05	0.05	0.02
Associate Planner and support	$132			0.05	0.05	0.02
Total FTEs				0.25	0.25	0.14
Total cost per year				$86,668	$86,668	$51,061
Total cost per period				$433,340	$433,340	$306,365

Note: Hourly cost factor includes staff salary and benefits, salaries and benefits of administrative support staff (secretaries, clerks, IT staff, etc.) and associated overhead, including space and utility costs, office furniture, equipment, and supplies, .

1,880 hours per year

Travel

	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Total cost per period			$12,500	$12,500	$15,000

Assumption:

$2,500 annual cost based on Conservancy 2022 budget

Contractors

	Contract value per period				
Contractor category	0	1-14	15-19	20-24	25-30
Management planning			$1,000,000	$1,000,000	$500,000
Total per period			$1,000,000	$1,000,000	$500,000

Assumptions:

Restoration planning and designs included in habitat restoration/creation cost category.

$1,000,000	per-period budget for management planning, through year 24
$500,000	per-period budget for management planning, years 25 - 30

The management planning and design staff and contractors will conduct the following activities:

Management plans for cropland/pasture preserves
Management plans for natural area preserves
Grazing plans
Mapping work for management plans
Exotic plant control program (for the entire preserve system)
Fire management/control plan (for the entire preserve system)

HCP/NCCP Habitat Restoration/Creation (including planning and design) for Maximum Urban Development Area

2022 Update

(2021 dollars)

	Cost by Implementation Period (Years)							
All Costs	0	1-5	6-9	10-14	15-19	20-24	25-30	Total
Creation/Restoration					$10,606,806	$10,606,806	$12,728,168	
Staff and overhead					$220,900	$220,900	$265,080	
Travel					$12,500	$12,500	$15,000	
Contractors					$5,780,709	$5,780,709	$6,936,851	
Total	**$0**	**$3,424,071**	**$2,063,773**	**$1,563,376**	**$16,620,916**	**$16,620,916**	**$19,945,099**	**$60,238,151**

Land Cover Type Restored/Created

	Implementation Period (Years)					
Land Cover Type (acres)	0	1-14	15-19	20-24	25-30	Total
oak savanna	-	-	51.6	51.6	61.9	165.0
riparian woodland/scrub	-	5.4	15.5	15.5	18.6	55.0
perennial wetland	-	0.2	10.1	10.1	12.1	32.5
seasonal wetland	-	10.7	13.4	13.4	16.1	53.6
alkali wetland	-	2.4	6.6	6.6	8.0	23.6
slough/channel	-	-	22.5	22.5	27.0	72.0
open water	-	-	-	-	-	-
ponds	-	0.6	6.7	6.7	8.0	22.0
streams (miles)	-	2.2	1.1	1.1	1.4	5.8
Total (acres)	-	20.6	127.1	127.1	152.5	427.2

Cost of Restoration/Creation Construction

			Cost by Implementation Period (Years)				
Land Cover Type	Units	Cost per unit	0	1-14	15-19	20-24	25-30
oak savanna	acres	$18,420			$1,139,755	$1,139,755	$1,367,706
riparian woodland/scrub	acres	$51,822			$963,882	$963,882	$1,156,659
perennial wetland	acres	$84,544			$1,025,308	$1,025,308	$1,230,370
seasonal wetland	acres	$100,838			$1,622,239	$1,622,239	$1,946,687
alkali wetland	acres	$102,041			$811,222	$811,222	$973,467
slough/channel	acres	$76,798			$2,073,533	$2,073,533	$2,488,240
open water	acres	$112,058			$0	$0	$0
ponds	acres	$112,058			$898,842	$898,842	$1,078,611
streams	linear feet	$287			$2,072,024	$2,072,024	$2,486,429
	Total				$10,606,806	$10,606,806	$12,728,168

2017 update:
Revised cost per unit for oak savanna to $15K based on review/input from H.T. Harvey
Revised cost per LF for stream restoration by eliminating the low cost outlier from the list of example projects. Also did not reduce unit cost by applying a 10% discount to be more conservative.

Assumptions:

Construction costs are highly variable and depend mostly on the amount, depth, and linear extent of earthwork expected, and whether water control structure are required. Plant propagation, seeding, and watering also included.

For 2017 and 2022 updates, unit costs increased based on change in the California Construction Cost Index published by the State of California Department of General Services. Available at: https://www.dgs.ca.gov/RESD/Resources/Page-Content/Real-Estate-Services-Division-Resources-List-Folder/DGS-California-Construction-Cost-Index-CCCI

20%	Contingency factor for restoration projects; assumed higher than the standard contingency because of the higher degree of uncertainty in this portion of the conservation program.

Conservancy Staff and Overhead

Position	Hourly Cost per FTE with Overhead & Support	Number of FTEs				
		0	1-14	15-19	20-24	25-30
Principal Planner and support	$206			0.05	0.05	0.05
Associate Planner and support	$132			0.10	0.10	0.10
Total FTEs				0.15	0.15	0.15
Total cost per year				$44,180	$44,180	$44,180
Total cost per period				$220,900	$220,900	$265,080

1,880	hours per year

Assumptions:

Habitat Conservancy staff select sites, hire and oversee consultants for plans, specifcations, and implementation.

Cost includes staff salary and benefits, salaries and benefits of administrative support staff (secretaries, clerks, IT staff, etc.) and associated overhead, including space and utility costs, office furniture, equipment, and supplies.

Travel

	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Total cost per period			$12,500	$12,500	$15,000

Assumption:

$2,500	annual cost based on Conservancy 2022 budget

Contractors for restoration planning, design, construction oversight, and post-construction maintenance

Contractor category	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Design, plans, specifications, and engineering			$3,500,246	$3,500,246	$4,200,295
Bid assistance			$159,102	$159,102	$190,923
Construction oversight			$1,060,681	$1,060,681	$1,272,817
Post-construction maintenance			$1,060,681	$1,060,681	$1,272,817
Cost per period			$5,780,709	$5,780,709	$6,936,851

Assumptions:

33%	percent of total construction cost required to complete restoration design and plans, specifications, engineering and provide allowance for remedial measures
1.50%	percent of total construction cost required for bid assistance
10%	percent of total construction cost required for construction oversight
10%	percent of total construction cost required for post construction maintenance

Restoration plans and designs of all types included in habitat restoration/creation cost category.

Design, plan, specification, and engineering work, bid assistance, and construction oversight will be conducted in the period in which construction takes place.

Two years of post-construction maintenance will be conducted in the period after construction takes place to maintain irrigation systems, conducting weeding, etc. Management costs after success criteria are met is included in development fee paid for same site (wetland mitigation fee is in addition).

Monitoring of restoration sites covered in the Monitoring cost category.

HCP/NCCP Environmental Compliance for Maximum Urban Development Area
2022 Update
(2021 dollars)

	Cost by Implementation Period (Years)							
All Costs	0	1-5	6-9	10-14	15-19	20-24	25-30	Total
Staff and overhead					$276,548	$276,548	$0	
Legal assistance					$250,000	$50,000	$0	
NEPA/CEQA					$558,300	$558,300	$0	
CWA 404					$0	$0	$0	
CWA 401					$11,000	$11,000	$0	
CDFG 1602					$23,500	$23,500	$0	
NHPA					$60,200	$60,200	$0	
Other					$41,800	$41,800	$0	
Total	**$0**	**$887,562**	**$194,053**	**$330,312**	**$1,221,348**	**$1,021,348**	**$0**	**$3,654,623**

Note: Detail is not intended to be prescriptive; it is used as a means to generate an overall environmental compliance cost estimate.

Conservancy Staff and Overhead

	Hourly Cost per FTE with	Number of FTEs						
Position	Overhead & Support	0	1-14	15-19	20-24	25-30		
Principal Planner and support	$206			0.02	0.02	-		
Senior Planner and support	$156			0.05	0.05	-		
Associate Planner and support	$132			0.05	0.05	-	include in wetland fee	
Assistant Planner and support	$109			0.10	0.10	-	calculation	
	Total FTEs			0.22	0.22	-		
	Total cost per year			$55,310	$55,310	$0	$32,900	$32,900
	Total cost per period			$276,548	$276,548	$0	$164,500	$164,500

Note: Hourly cost factor includes staff salary and benefits, salaries and benefits of administrative support staff (secretaries, clerks, IT staff, etc.) and associated overhead, including space and utility costs, office furniture, equipment, and supplies.

1,880	hours per year

Legal Assistance and Technical Support for Coordinated Regional Wetland Permitting

	Cost by Implementation Period (Years)				
	0	1-14	15-19	20-24	25-30
Cost per period			$250,000	$50,000	$0

Assumptions:

$25,000	Annual cost for legal assistance with wetland permitting, years 15 - 20
$25,000	Annual cost for technical support with wetland permitting, years 15 - 20

Number of Projects Requiring Environmental Compliance

		Number					
Project size	Size Range	0	1-14	15-19	20-24	25-30	**Total over Permit Term**
Small/simple	up to 10 acres or up to 0.1 stream miles			4	4	-	20
Medium/more complex	10.1-50 acres or 0.1-0.5 stream miles			4	4	-	20
Large/most complex	over 50 acres or 0.5 stream miles			2	2	-	10
	Total projects remainder of permit term			10	10	-	20

Assumptions:

Details are not prescriptive but are a reasonable means of generating an overall cost for the environmental cost category.

Of the total of approximately 50 projects that would require environmental compliance, 1/5 would require compliance in each 5-year period between years 1 and 25.

Environmental Compliance Cost per Project Size and Compliance Category (2021 dollars)

Project size	Size Range	Estimate Project Cost within DFG jurisdiction		Project Impacts to Wetlands for CWA 401		Compliance Category					
				Minimum	Maximum	CEQA	CWA 404	CWA 401	CDFG 1602	NHPA	Other
Small/simple	up to 10 acres or up to 0.1 stream miles	$ 2,000	$ 25,000	0.001	0.01	$7,346	$0	$968	$1,130	$3,673	$3,482
Medium/more complex	10.1-50 acres or 0.1-0.5 stream miles	$ 25,001	$ 100,000	0.0121	0.07	$58,767	$0	$1,130	$2,425	$5,142	$4,179
Large/most complex	over 50 acres or 0.5 stream miles	$ 100,001	$500,000 or more	0.073	0.30	$146,918	$0	$1,291	$4,654	$12,488	$5,572

Assumptions:

Details are not prescriptive but are a reasonable means of generating an overall cost for the environmental cost category.

Assumed wetland impact determined by AECOM based experience with typical projects that would be expected to be implemented by the Conservancy. For example wetland restoration/creation projects, stream restoration projects, adaptive management measures for existing wetland features and facilities improvements. In general, it is expected that impacts to wetlands and streams would be avoided if at all possible. Of the stream length indicated, assumed only 10% of that length would be impacted and an average stream width of 10 feet.

For NEPA/CEQA, 401/404 and 1602 compliance, varying costs have more to do with project complexity than with project size.
Clean Water Act 401 and 1602 permits will be done on a per-project basis
Cultural compliance permits will be done on a per-project basis.
Contra Costa Conservancy staff will prepare permit applications and notification for the 401, 404 and 1600 applications, thereby resulting in no consultant cost for permit preparation. This table also assumes that the permits for Water Quality Certification (CWA 401) and Streambed Alteration Agreement (DFG 1602) will not be secured under programmatic or Master permit processes.

Permitted projects would be completed within the time limit allotted for the permits; no extensions or re-application would be required.
The "other" compliance category could include county grading permits, road encroachment permits, or other local approvals.

NEPA/CEQA

Depending on the level of detail that is provided for specific projects, they may or may not be able to be covered under the HCP EIR/EIS.
For those without sufficient detail, additional environmental documentation may need to be prepared.
It is likely that the majority of those would be in the form of mitigated negative declarations.
Because it is difficult to provide a cost estimate for a project without knowing details such as location, size, etc., the following are some rough numbers based on level of controversy:
Small scale non-controversial projects = Cat Excl/Cat Exemp
Medium scale more controversial projects = IS MND/EA FONSI
Larger scale more controversial projects = EIR/EIS
All land acquisitions would be a categorical exemption under CEQA as well as under NEPA, when NEPA applies.

401/404

The cost of conducting wetland delineations is not included under CWA 404/401 compliance; it is expected that delineation would be covered under land acquisition costs.
Each project implemented under the HCP will qualify for compliance under the USACE 404 regional permit program for the inventory area; there is no fee for 404 permit applications.
Tasks associated with Section 402 compliance are not included in this cost estimate.

CWA 401 fee cost estimate assumes all projects qualify for flat fees in Category D Ecological Restoration and Enhancement Projects, as allowed under State Wetland Definition and Procedures for Discharges of Dredged or Fill Materials to Waters of the State, adopted by the State Water Board on April 2, 2019. FY 21/22 Water Quality Certification Dredge and Fill Application Fee Calculator (Effective 11/8/21) Available: http://www.waterboards.ca.gov/water_issues/programs/cwa401/

NHPA

Archaeological surveys can be conducted at an intensive level at a rate of 40 acres per person per day.
No more than one cultural resource will be identified per 40 acres or part thereof.
This scope of work and cost estimate does not include tasks necessary for significance evaluations and resolution of adverse effects.

CDFG 1602

DFG 1602 costs are estimated based on the assumed cost of project activities within DFW jurisdiction per Fish and Game Code Sections 1600-1616, and the fee schedule corresponding to the project costs. Average cost based on mean of minimum and maximum fee amounts for standard agreements. California Department of Fish and Wildlife Lake and Streambed Alteration Agreements and Fees, Effective January 1, 2022. Available: https://wildlife.ca.gov/Conservation/Environmental-Review/LSA#55227743-fees

HCP/NCCP Preserve Management and Maintenance for Maximum Urban Development Area

2022 Update

(2021 dollars)

	Implementation Period (Years)							
All Costs	0	1-5	6-9	10-14	15-19	20-24	25-30	Total
Program staff and overhead					$261,320	$261,320	$495,982	
Invasive Plant Control					$1,545,290	$2,112,486	$3,283,682	
Invasive Wildlife Control					$309,058	$422,497	$656,736	
Grazing Management					$772,645	$1,056,243	$1,641,841	
Wildfire Management					$1,313,497	$1,795,613	$2,791,130	
Security					$231,794	$316,873	$492,552	
Roads and Trails					$231,794	$316,873	$492,552	
Maintenance and Support					$309,058	$422,497	$656,736	
Annual Reporting					$77,265	$105,624	$164,184	
Law Enforcement					$1,158,968	$1,584,365	$2,462,762	
Administrative and General Expense					$1,777,084	$2,429,359	$3,776,235	
Total	**$0**	**$548,525**	**$2,478,883**	**$3,620,712**	**$7,987,773**	**$10,823,750**	**$16,914,392**	**$42,374,035**

NOTE: Costs for years 1 - 14 include expenditures by the East Bay Regional Park District (EBRPD) on land maintenance activities on Conservancy properties (staff costs, maintenance supplies, maintenance services from inception throught 2021). Details provided by the EBRPD and East Contra Costa County Habitat Conservancy.

Conservancy Staff and Overhead

	Hourly Cost per FTE with Overhead &	Number of FTEs						
Position	Support	0	1-5	6-9	10-14	15-19	20-24	25-30
Principal Planner and Support	$206					0.05	0.05	0.07
Associate Planner and support	$132					0.05	0.05	0.10
Assistant Planner and support	$109					0.10	0.10	0.15
Total FTEs						0.20	0.20	0.32
Total cost per year						$52,264	$52,264	$82,664
Total cost per period						$261,320	$261,320	$495,982

Note: Hourly cost factor includes staff salary and benefits, salaries and benefits of administrative support staff (secretaries, clerks, IT staff, etc.) and associated overhead, including space and utility costs, office furniture, equipment, and supplies.

1,880 hours per year, excluding vacation

HCP/NCCP Preserve Management and Maintenance for Maximum Urban Development Area

2022 Update

(2021 dollars)

Preserve Acres Managed

	Implementation Period				
	0	1-14	15-19	20-24	25-30
Total preserve acres acquired per period		12,050	5,672	5,672	6,806
Acres acquired and managed by end of period		12,050	17,722	23,394	30,200

Assumptions:

Total costs related to habitat and species protection on preserve system lands whether or not costs incurred by EBRPD or Conservancy.

All work (except law enforcement) performed by EBRPD staff including Park Rangers, Supervisors, Stewardship staff, Heavy Equipment Operators, and Fire Department. Law enforcement cost assumes contract with Contra Costa County Sheriff.

Costs per acre (except law enforcement) based on estimates prepared by EBRPD staff for implementation of the Vasco Hills / Byron Vernal Pools Preserve Management Plan prepared for the Conservancy (2018 draft).

Cost estimates assume preserve system land is acquired and managed in equal annual increments over the remainder of the implementation period and that cost increases incrementally as acreage under management increases.

Invasive Plant Control

	Implementation Period				
	0	1-14	15-19	20-24	25-30
Cost per period			$1,545,290	$2,112,486	$3,283,682

Assumptions:

$20 annual cost per acre for invasive plant control

Patrol, work planning, cultural, manual, mechanical, chemical control.

Invasive Wildlife Control

	Implementation Period				
	0	1-14	15-19	20-24	25-30
Cost per period			$309,058	$422,497	$656,736

Assumptions:

$4 annual cost per acre for invasive wildlife control

Observation, recording, and controlling bullfrog, fish, and feral mammals.

Grazing Management

	Implementation Period				
	0	1-14	15-19	20-24	25-30
Cost per period			$772,645	$1,056,243	$1,641,841

Assumptions:

$10 annual cost per acre for grazing management

Data collection, administration, infrastructure repair, permitting, grazing management, reporting.

Wildfire Management

	Implementation Period				
	0	1-14	15-19	20-24	25-30
Cost per period			$1,313,497	$1,795,613	$2,791,130

Assumptions:

$17 annual cost per acre for wildfire management

Fire suppression planning and wildfire management; fuels coordinator. Fuel reduction included in invasive plant control cost category.

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(2021 dollars)

Security

	Implementation Period				
	0	1-14	15-19	20-24	25-30
Cost per period			$231,794	$316,873	$492,552

Assumptions:

$3 annual cost per acre for security maintenance and repair

Gate and fence installation, inspection, and repairs.

Roads & Trails

	Implementation Period				
	0	1-14	15-19	20-24	25-30
Cost per period			$231,794	$316,873	$492,552

Assumptions:

$3 annual cost per acre for roads and trails maintenance and repair

Road grading, maintenance, and tree and brush removal.

On-going Maintenance and Support

	Implementation Period				
	0	1-14	15-19	20-24	25-30
Cost per period			$309,058	$422,497	$656,736

Assumptions:

$4 annual cost per acre for on-going maintenance and support

Equipment maintenance, service yard, (including support). Trash and debris removal from non-recreation areas.

Annual Reporting

	Implementation Period				
	0	1-14	15-19	20-24	25-30
Cost per period			$77,265	$105,624	$164,184

Assumptions:

$1 annual cost per acre for annual management reporting

Internal EBRPD reporting (Red Book) and Annual Report to ECCCHC.

Law Enforcement

	Implementation Period				
	0	1-14	15-19	20-24	25-30
Cost per period			$1,158,968	$1,584,365	$2,462,762

Assumptions:

$15 annual cost per acre for law enforcement

Law enforcement primarily for habitat and species protection. Based on annual cost of Contra Costa County Sheriff contract to provide law enforcement services to the Contra Costa Water District Los Vaqueros Watershed (18,500 acres of protected watershed lands and 1,900 acres reservoir). Includes a level of cost related to public access commensurate with the level of service required at the Los Vaqueros Watershed.

Administrative and General Expense

	Implementation Period				
	0	1-14	15-19	20-24	25-30
Cost per period			$1,777,084	$2,429,359	$3,776,235

Assumptions:

$23 annual cost per acre for administrative and general expense

Covers the following General and Administrative Expenses: fuel, tools, equipment, and other supplies used in the course of preserve land management and services (utility fees, contractors, and other costs) incurred in the course of reserve land management. Also covers internal services costs for equipment replacement and infrastructure renovation and replacement. **Does not include indirect and direct EBRPD overhead costs.**

HCP/NCCP Monitoring, Research, and Adaptive Management for Maximum Urban Development Area

2022 Update

(2021 dollars)

	Cost by Implementation Period (Years)							
All Costs	0	1-5	6-9	10-14	15-19	20-24	25-30	Total
Staff and overhead					$120,132	$120,132	$305,011	
Contractors					$1,000,000	$1,875,000	$3,000,000	
Directed research					$500,000	$500,000	$600,000	
Adaptive management					$215,000	$215,000	$215,000	
Total	**$0**	**$654,741**	**$604,793**	**$936,384**	**$1,835,132**	**$2,710,132**	**$4,120,011**	**$10,861,193**

Conservancy Staff and Overhead

	Hourly Cost per FTE with Overhead &	Number of FTEs				
Position	Support	0	1-14	15-19	20-24	25-30
Principal Planner and support	$206			0.03	0.03	0.08
Associate Planner and support	$132			0.05	0.05	0.08
Total FTEs				0.08	0.08	0.16
Total cost per year				$24,026	$24,026	$50,835
Total cost per period				$120,132	$120,132	$305,011

Note: Hourly cost factor includes staff salary and benefits, salaries and benefits of administrative support staff (secretaries, clerks, IT staff, etc.) and associated overhead, including space and utility costs, office furniture, equipment, and supplies.

1,880 hours per year

Contractors

	Contract value per period				
	0	1-14	15-19	20-24	25-30
Monitoring contractors			$1,000,000	$1,875,000	$3,000,000
Total per period			$1,000,000	$1,875,000	$3,000,000

	Metrics for gross annual budget estimate==>	Preserve Acres (end of period)	Restored Acres (per period)	Rough annual cost per preserve acre
$200,000	annual budget for monitoring contractors, years 15-19	17,722	127	$11
$375,000	annual budget for monitoring contractors, years 20-24	23,394	127	$16
$500,000	annual budget for monitoring contractors, years 25-30	30,200	152	$17

Assumptions:

Contractor activities include field data collection, analysis, and reporting. Costs include travel.

Some preserve covered activities and conservation measures require pre-construction surveys and construction monitoring. This work will be done by contractors. Contractors will conduct pre-construction surveys prior to construction as well as construction monitoring periodically during the construction period. All covered activities require compliance with HCP/NCCP pre-construction avoidance and minimization measures.

Note that planning, preconstruction surveys and construction monitoring for covered activities outside of preserves will be paid for by developers. These costs are not included here.

Species-response monitoring is covered in the restoration category when contractors will monitor restoration, creation, and enhancement sites during the 5-year period following the restoration activity.

Post-acquisition biological inventories will build on planning surveys. Inventory will include mapping of weeds and invasive plants.

Status and trends monitoring will occur after preserve land is purchased through year 30. Status and trend monitoring will build on planning surveys and post-acquisition inventories, when appropriate.

Directed Research

	0	1-14	15-19	20-24	25-30
Average cost per year to fund directed research			$100,000	$100,000	$100,000
Total cost per period			$500,000	$500,000	$600,000

Adaptive Management

	0	1-14	15-19	20-24	25-30
Average Independent Conservation Assessment Team cost per period			$36,000	$36,000	$36,000
Average Science Advisors cost per period			$179,000	$179,000	$179,000
Total cost per period			$215,000	$215,000	$215,000

Assumptions:

Adaptive management experiments are covered under the monitoring staff and directed research categories.

As of this 2022 update, this type of periodic scientific review is conducted by the Conservancy's on-call biologist contractors.

The Conservancy convened a Science Advisory Panel in year 10 and plans to do the same in year 20.

The Conservancy's Preserve Monitoring Plan remains in the draft stage.

The following assumptions generate a scientific review budget to inform adaptive management:

An Independent Conservation Assessment Team meets once every 4 years and has:

5	members
$7,200	stipend per member per 5-year period

Science Advisors Panel consists of:

10	members
$17,900	stipend per member per 5-year period

Remedial Measures for Maximum Urban Development Area

2022 Update

(2021 dollars)

	Implementation Period (Years)							
All Costs	0	1-5	6-9	10-14	15-19	20-24	25-30	**Total**
Remedial measures	$0	$0	$0	$0	$262,890	$208,134	$3,477,304	$3,948,328
Total	**$0**	**$0**	**$0**	**$0**	**$262,890**	**$208,134**	**$3,477,304**	**$3,948,328**

Note: Actual costs are included in habitat restoration/creation and preserve management cost categories.

Remedial Measures

	0	1-5	6-9	10-14	15-19	20-24	25-30
Cost of created/restored habitat per period			$2,063,773	$1,563,376	$10,606,806	$10,606,806	$12,728,168
Cost for remedial measures for created/restored habitat per period					$206,377	$156,338	$3,394,178
Area of new preserve not including created/restored habitat per period	-	7,578	3,488	962	5,545	5,545	6,654
Cost for remedial measures for preserves per period					$6,513	$1,797	$33,126
Cost for other remedial measures per period					$50,000	$50,000	$50,000
Total cost per period					$262,890	$208,134	$3,477,304

Assumptions:	
2%	Percent of annual preserve management and maintenance cost assumed to be needed for preserve remedial actions.
10%	Percent of created/restored habitat for which remedial measures will be required.
$93	Cost per acre for preserve management and maintenance in years 26-30.
63%	Percent of land acquisition in years 1 - 14 occurring in years 1 - 5
29%	Percent of land acquisition in years 1 - 14 occurring in years 6 - 9
8%	Percent of land acquisition in years 1 - 14 occurring in years 10 - 14

Remedial actions are assumed to occur in the **second** 5-year period after habitat is created/restored or preserve land is purchased, with the exception of remedial actions for habitat created/restored in years 20-30. The cost for these remedial actions is included in years 25-30 so that it can be captured in this cost estimate.

The remedial cost for preserve lands is assumed to be a percentage of the cost per acre for preserve management and maintenance in years 25-30, and is assumed to be needed once, in the **second** 5-year period after the preserve land is purchased. The costs for preserves areas acquired in years 20 - 30 is included in years 26-30 so that it can be captured in this cost estimate.

The cost for other remedial measures includes the costs for restoration or maintenance of preserve areas because of other changed circumstances, such as wildfire.

Contingency Fund for Maximum Urban Development Area

2022 Update

(2021 dollars)

	0	1-5	6-9	10-14	15-19	20-24	25-30	Total
Total cost of program excluding land acquisition/site improvements and habitat restoration/creation construction costs	$0	$0	$0	$0	$27,909,402	$30,965,623	$43,025,775	$101,900,800
Contingency	**$0**	**$0**	**$0**	**$0**	**$1,395,470**	**$1,548,281**	**$2,151,289**	**$5,095,040**

Assumptions:

5.0% Percent of total program funding needed for contingency

Post-Permit Costs for Initial Urban Development Area

2022 Update

(2021 dollars)

Post-Permit Costs

Cost Category	Annual Costs	Assumptions
Total Cost		
Program Administration	$497,000	Reduced staffing and no legal and financial contractor costs
Land Acquisition	$0	Acquisition complete during permit term
Planning and Design	$0	Planning and design work complete during permit term
Habitat Restoration/Creation	$0	Restoration/creation projects constructed during permit term
Environmental Compliance	$0	Not required, post permit
Preserve Management and Maintenance	$2,819,100	Assume 100 percent of annual average costs in years 25 - 30
Monitoring, Research, and Adaptive Management	$343,300	Assume 50 percent of annual average costs in years 25 - 30
Remedial Measures	$0	Not required, post permit
Contingency	$0	Not required, post permit
Total	**$3,659,400**	

Total preserve system acres	**30,200**
Annual average cost per acre managed	**$121**
Percent of average annual cost years 25 - 30	**16%**

APPENDIX E: ENDOWMENT MODEL UPDATE

Tables E.1 and **E.2** present the endowment model results for the initial and maximum UDA scenarios, respectively.

Table E.1: Endowment Fund - Initial Urban Development Area (2021 $)

Year	2022	2023	2024	2025	2026	2027	2028	2029
Permit Year	*15*	*16*	*17*	*18*	*19*	*20*	*21*	*22*
Beginning Fund Balance	$3,917,630	$6,990,803	$14,798,497	$18,214,633	$21,741,794	$25,383,587	$29,176,637	$33,125,859
Development Revenue								
Mitigation Fee[1]	$2,802,400	$2,802,400	$2,802,400	$2,802,400	$2,802,400	$2,802,400	$2,802,400	$2,802,400
CWF[2]	$0	$3,182,808	$0	$0	$0	$0	$0	$0
Pinn Bros./Pulte	$19,278	$19,278	$19,278	$19,278	$19,278	$19,278	$19,278	$19,278
Summer Lakes	$0	$1,462,500	$0	$0	$0	$0	$0	$0
Cypress Preserve	$0	$0	$0	$0	$0	$32,898	$65,796	$98,694
Subtotal	$2,821,678	$7,466,986	$2,821,678	$2,821,678	$2,821,678	$2,854,576	$2,887,474	$2,920,372
Leases[3]	$124,172	$113,507	$113,507	$113,507	$113,507	$113,507	$113,507	$113,507
Investment Earnings[4]	$127,323	$227,201	$480,951	$591,976	$706,608	$824,967	$948,241	$1,076,590
Total Revenues	$3,073,173	$7,807,694	$3,416,136	$3,527,161	$3,641,793	$3,793,050	$3,949,222	$4,110,469
Ending Fund Balance	$6,990,803	$14,798,497	$18,214,633	$21,741,794	$25,383,587	$29,176,637	$33,125,859	$37,236,328
Year	**2030**	**2031**	**2032**	**2033**	**2034**	**2035**	**2036**	**2037**
Permit Year	*23*	*24*	*25*	*26*	*27*	*28*	*29*	*30*
Beginning Fund Balance	$37,236,328	$41,513,286	$45,959,742	$50,583,607	$55,390,645	$60,383,685	$66,591,487	$72,014,350
Development Revenue								
Mitigation Fee[1]	$2,802,400	$2,802,400	$2,802,400	$2,802,400	$2,802,400	$2,802,400	$2,802,400	$2,802,400
CWF[2]	$0	$0	$0	$0	$0	$0	$0	$0
Pinn Bros./Pulte	$19,278	$19,278	$19,278	$19,278	$19,278	$19,278	$19,278	$19,278
Summer Lakes	$0	$0	$0	$0	$0	$0	$0	$0
Cypress Preserve	$131,592	$164,490	$197,388	$230,286	$263,184	$1,315,672	$328,980	$347,293
Subtotal	$2,953,270	$2,986,168	$3,019,066	$3,051,964	$3,084,862	$4,137,350	$3,150,658	$3,168,971
Leases[3]	$113,507	$111,107	$111,107	$111,107	$107,982	$107,982	$107,982	$58,461
Investment Earnings[4]	$1,210,181	$1,349,182	$1,493,692	$1,643,967	$1,800,196	$1,962,470	$2,164,223	$2,340,466
Total Revenues	$4,276,958	$4,446,457	$4,623,865	$4,807,038	$4,993,040	$6,207,802	$5,422,863	$5,567,899
Ending Fund Balance	$41,513,286	$45,959,742	$50,583,607	$55,390,645	$60,383,685	$66,591,487	$72,014,350	$77,582,249

Table E.1: Endowment Fund - Initial Urban Development Area (2021 $) *(continued)*

Year *Permit Year*	Total *Year 15 - 30*	Annual *Post-Permit*
Beginning Fund Balance	$3,917,630	$77,582,249
Development Revenue		
Mitigation Fee[1]	$44,838,400	$0
CWF[2]	$3,182,808	$0
Pinn Bros./Pulte	$308,448	$19,278
Summer Lakes	$1,462,500	$0
Cypress Preserve	$3,176,273	$347,293
Subtotal	$52,968,429	$366,571
Leases[3]	$1,747,957	270,605
Investment Earnings[4]	$18,948,234	$2,521,423
Total Revenues	$73,664,619	$3,158,600
Post-Permit Costs	NA	($3,158,600)
Net Cash Flow	$73,664,619	($0)
Ending Fund Balance	$77,582,249	$77,582,249

[1] Mitigation fee calculated to result in close to $0 annual net cash flow post-permit term.

[2] Proceeds from California Wildlife Foundation (CWF) primarily associated with mitigation payments made prior to Plan implementation (in 2021 $).

[3] Based on 2021 revenue from 13 leases. Eight communication tower leases are assumed to continue in perpetuity. Five wind power, residential, and agricultural leases are assumed to expire prior to the end of the permit term.

[4] Investment earnings = Beginning Fund Balance x Annual Real Rate of Return on Investments (ROI). Real ROI equals 3.25% and is net of inflation and all administrative and investment management fees.

Sources: Regional Parks Foundation (2022 beginning fund balance); National Fish and Wildlife Foundation (rate of return on investment); Appendix C (Post-Permit Costs table); and Appendix F, Tables F.2, F.3, and F.4 (endowment contributions to date, development project revenue, and lease revenue).

Table E.2: Endowment Fund – Maximum Urban Development Area (2021 $)

Year	2022	2023	2024	2025	2026	2027	2028	2029
Permit Year	*15*	*16*	*17*	*18*	*19*	*20*	*21*	*22*
Beginning Fund Balance	$3,917,630	$7,740,310	$16,321,870	$20,537,023	$24,889,168	$29,382,758	$34,055,288	$38,912,573
Development Revenue								
Mitigation Fee[1]	$3,551,907	$3,551,907	$3,551,907	$3,551,907	$3,551,907	$3,551,907	$3,551,907	$3,551,907
CWF[2]	$0	$3,182,808	$0	$0	$0	$0	$0	$0
Pinn Bros./Pulte	$19,278	$19,278	$19,278	$19,278	$19,278	$19,278	$19,278	$19,278
Summer Lakes	$0	$1,462,500	$0	$0	$0	$0	$0	$0
Cypress Preserve	$0	$0	$0	$0	$0	$32,898	$65,796	$98,694
Subtotal	$3,571,185	$8,216,493	$3,571,185	$3,571,185	$3,571,185	$3,604,083	$3,636,981	$3,669,879
Leases[3]	$124,172	$113,507	$113,507	$113,507	$113,507	$113,507	$113,507	$113,507
Investment Earnings[4]	$127,323	$251,560	$530,461	$667,453	$808,898	$954,940	$1,106,797	$1,264,659
Total Revenues	$3,822,680	$8,581,560	$4,215,153	$4,352,145	$4,493,590	$4,672,530	$4,857,285	$5,048,045
Ending Fund Balance	$7,740,310	$16,321,870	$20,537,023	$24,889,168	$29,382,758	$34,055,288	$38,912,573	$43,960,617
Year	**2030**	**2031**	**2032**	**2033**	**2034**	**2035**	**2036**	**2037**
Permit Year	*23*	*24*	*25*	*26*	*27*	*28*	*29*	*30*
Beginning Fund Balance	$43,960,617	$49,205,621	$54,651,586	$60,307,443	$66,180,013	$72,273,214	$79,616,932	$86,212,630
Development Revenue								
Mitigation Fee[1]	$3,551,907	$3,551,907	$3,551,907	$3,551,907	$3,551,907	$3,551,907	$3,551,907	$3,551,907
CWF[2]	$0	$0	$0	$0	$0	$0	$0	$0
Pinn Bros./Pulte	$19,278	$19,278	$19,278	$19,278	$19,278	$19,278	$19,278	$19,278
Summer Lakes	$0	$0	$0	$0	$0	$0	$0	$0
Cypress Preserve	$131,592	$164,490	$197,388	$230,286	$263,184	$1,315,672	$328,980	$347,293
Subtotal	$3,702,777	$3,735,675	$3,768,573	$3,801,471	$3,834,369	$4,886,857	$3,900,165	$3,918,478
Leases[3]	$113,507	$111,107	$111,107	$111,107	$107,982	$107,982	$107,982	$58,461
Investment Earnings[4]	$1,428,720	$1,599,183	$1,776,177	$1,959,992	$2,150,850	$2,348,879	$2,587,550	$2,801,910
Total Revenues	$5,245,004	$5,445,965	$5,655,857	$5,872,570	$6,093,201	$7,343,718	$6,595,697	$6,778,850
Ending Fund Balance	$49,205,621	$54,651,586	$60,307,443	$66,180,013	$72,273,214	$79,616,932	$86,212,630	$92,991,480

Table E.2: Endowment Fund – Maximum Urban Development Area (2021 $) *(continued)*

Year *Permit Year*	Total *Year 15 - 30*	Annual *Post-Permit*
Beginning Fund Balance	$3,917,630	$92,991,480
Development Revenue		
Mitigation Fee[1]	$56,830,512	$0
CWF[2]	$3,182,808	$0
Pinn Bros./Pulte	$308,448	$19,278
Summer Lakes	$1,462,500	$0
Cypress Preserve	$3,176,273	$347,293
Subtotal	$64,960,541	$366,571
Leases[3]	$1,747,957	270,605
Investment Earnings[4]	$22,365,352	$3,022,223
Total Revenues	$89,073,850	$3,659,400
Post-Permit Costs	NA	($3,659,400)
Net Cash Flow	$89,073,850	($0)
Ending Fund Balance	$92,991,480	$92,991,479

[1] Mitigation fee calculated to result in close to $0 annual net cash flow post-permit term.

[2] Proceeds from California Wildlife Foundation (CWF) primarily associated with mitigation payments made prior to Plan implementation (in 2021 $).

[3] Based on 2021 revenue from 13 leases. Eight communication tower leases are assumed to continue in perpetuity. Five wind power, residential, and agricultural leases are assumed to expire prior to the end of the permit term.

[4] Investment earnings = Beginning Fund Balance x Annual Real Rate of Return on Investments (ROI). Real ROI equals 3.25% and is net of inflation and all administrative and investment management fees.

Sources: Regional Parks Foundation (2022 beginning fund balance); National Fish and Wildlife Foundation (rate of return on investment); Appendix D (Post-Permit Costs table); and Appendix F, Tables F.2, F.3, and F.4 (endowment contributions to date, development project revenue, and lease revenue).

APPENDIX F: REVENUE DATA

Appendix F provides detail on the revenue data used in the audit.

Table F.1 provides the index used to inflate actual costs and revenues from prior years to current (2021) dollars. The index is based on changes in the Conservancy's mitigation fee schedule, thus replicating the same index used to reflect inflation in Plan costs. The fees are adjusted annually based on published price indices and periodically based on prior.[37]

Table F.2 shows endowment contributions through fiscal year 2022.

Table F.3 shows how development project revenue paid in lieu of the development fee is estimated for the remaining permit term. This revenue is entirely allocated to the endowment.

Table F.4 shows lease revenue from activities on preserve lands using 2021 as the base year. The table shows the allocation of estimated future revenue to the endowment, land acquisition and preserve management for the remainder of the permit term based on the 2020 lease revenue allocation agreement between the Conservancy and the Park District.

Table F.5 shows actual revenue to date by source in current dollars (the year received) and inflated to 2021 dollars.

[37] HCP/NCCP, Chapter 9, pp. 30-31 and Table 9-7.

Table F.1: Inflation Index (FY 2021 = 1.00)

Plan Year	Fiscal Year Fee Adopted	Zone 1 Fee[1]	Change	Inflation Index (2021 $)[2]	Fiscal Year for Application of Inflation Index[3]	Notes
-1	2006	$11,919.00	NA	0.6294	2005	Plan completed
0	2007	$12,456.88	4.5%	0.6578	2006	JPA formed & permits issued
1	2008	$12,077.65	(3.0%)	0.6377	2007	1st full yr. of implementation
2	2009	$10,731.11	(11.1%)	0.5666	2008	
3	2010	$10,558.09	(1.6%)	0.5575	2009	
4	2011	$10,662.15	1.0%	0.5630	2010	
5	2012	$10,584.32	(0.7%)	0.5589	2011	
6	2013	$10,076.00	(4.8%)	0.5321	2012	2013 Audit
7	2014	$11,146.99	10.6%	0.5886	2013	
8	2015	$11,877.42	6.6%	0.6272	2014	
9	2016	$12,788.47	7.7%	0.6753	2015	
10	2017	$13,491.41	5.5%	0.7124	2016	2017 Audit
11	2018	$14,404.82	6.8%	0.7606	2017	
12	2019	$15,342.88	6.5%	0.8102	2018	
13	2020	$16,442.17	7.2%	0.8682	2019	
14	2021	$16,890.46	2.7%	0.8919	2020	
15	2022	$18,937.95	12.1%	1.0000	2021	2022 Audit
16	2023	$19,506.09	3.0%	1.0300	2022	Endowment model inflation rate
17	2024	$20,091.27	3.0%	1.0609	2023	Endowment model inflation rate

[1] Fees for all three zones increase by the same inflation index. Fee reflects both annual inflation adjustments and periodic adjustments based on prior audits. Fee reflects amount charged by Conservancy for participating special entities. Fees charged by other JPA members (cities and the County) varied from this schedule in certain years due to pending litigation at that time. That litigation has been settled and all JPA members now charge the same fee.

[2] Inflation index based on change in Zone 1 fee and is prescribed in Chapter 9 of the Plan using a combination of the Consumer Price Index (Bureau of Labor Statistics) and the Home Price Index (Federal Housing Finance Agency). 2023 fee and index estimated based on 3.0 percent inflation rate used in endowment model.

[3] The development fee is increased based on inflation for the prior year, so the index applies to fiscal data for the year prior to the year the fee is adopted.

Source: ECCC Habitat Conservancy, *Annual Mitigation Fee Adjustment Summary* (PDF); Table 4.1.

Table F.2: Endowment Contributions (through FY 2022)

Fiscal Year	Source	Notes	Amount (current $)	Amount (2021 $)
Through FY 2021				
	Development Fee Funds			
2020	California Wildlife Foundation	Prior Pinn Bros. special tax inception to 2020; 1st and 2nd Summer Lakes payments (see Table F.2)	$1,997,000.00	$2,239,040.25
	Local Operating Funds			
2020	Endowment share of lease revenue	Plan inception through FY 2019-20	$1,103,556.00	$1,237,309.12
2021	Endowment share of lease revenue	FY 2020-21 annual	$72,596.89	$72,596.89
	Subtotal		$1,176,152.89	$1,309,906.01
	Total		$3,173,152.89	$3,548,946.26
After FY 2021				
	Development Fee Funds			
2023	California Wildlife Foundation	Pinn Bros. special tax for 2021 and 2022; pre-Plan mitigation payments for other development projects; received by Conservancy 2022; assumed to be deposited into endowment in 2023.	$3,376,641.53	$3,182,808.49
	Local Operating Funds			
2022	Endowment share of lease revenue[1]	FY 2021-22 total annual revenue	$125,929.30	$122,261.46
	Total		$3,502,570.83	$3,305,069.95

[1] Amount is slightly different than calculated amount in Table F.3. Amount in Table F.3 used for endowment model.
Sources: ECCC Habitat Conservancy.

Table F.3: Development Project Revenue

Project (location)	Amount	Revenue Requirement	Notes
Pinn Bros. / Pulte (Brentwood)			
2016 Revenue	$14,196	0.2% fee on all property resales in perpetuity.	Project is built out; assume sales prices and therefore fee revenue increases with inflation.
2017 Revenue	$8,026		
2018 Revenue	$17,417		
2019 Revenue	$21,008		
2020 Revenue	$24,539		
2021 Revenue	$31,465		
2022 Revenue	$18,297		
7-Year Average	$19,278		
Summer Lake / Shea Homes (Oakley)		5 payments of $487,500 each paid at recording of each subdivision ($500,000 each net of 2.5% CA Wildlife Foundation fee).	1st & 2nd payments received in 2020 from CA Wildlife Foundation and deposited into endowment fund; 3rd payment received in 2022; anticipate 4th and 5th payments in 2023.
Total Obligation	$2,437,500		
Paid Through 2021 (2 payments)	$975,000		
Remaining Funding (3 payments)	$1,462,500		
Cypress Preserve (Oakley)		Special tax adjusted annually for inflation, in perpetuity; must generate $2.5 mil. (cumulative) by 2035 or pay difference.	Assume absorption of 300 units annually starting in 2027 and buildout by 2037; requires additional payment of $1.0M in 2035 to meet $2.5 mil. minimum revenue requirement.
Total Dwelling Units	$3,167		
Special Tax per Unit	$110		
Total Annual Revenue at Buildout	$347,293		

Note: Summer Lakes phases 2 and 5 of the East Cypress Corridor Specific Plan. Cypress Preserve is phases 1, 3, 4, and 6 of the same specific plan, though new units in phase 6 are not subject to the special tax.

Source: ECCC Habitat Conservancy.

Table F.4: Lease Revenue, 2022-2037 (2021 $)

Park	Property	Lessee	Lease Type	Expiration After All Renewals	Annual Revenue (2021)	Remaining Lease Years Post-2021	
						Permit Term	Post-Permit
Black Diamond	Affinito	Affinito	Residential	Terminated			
	Austin Thomas - South	PG&E	Communication	NA	$76,300	16	In perpetuity
Byron Vernal Pools	Pugh (Owens-Maness)						
	Souza III	T-Mobile	Communication	NA	$39,413	16	In perpetuity
	Souza III	Sprint	Communication	Terminated			
	Souza III	Sprint Nextel	Communication	NA	$27,345	16	In perpetuity
	Martin	CCATT	Communication	NA	$20,024	16	In perpetuity
	Martin	Crown Castle	Communication	NA	$23,531	16	In perpetuity
	Martin	T-Mobile	Communication	NA	$34,028	16	In perpetuity
	Martin	American Tower	Communication	NA	$34,364	16	In perpetuity
	Gramma's Quarter	Buena Vista-Lease #4	Wind	2033	$12,500	12	0
	Souza III	Buena Vista-Lease #8	Wind	2036	$198,083	15	0
	Martin	Martin - 14031 Vasco Rd.	Residential	2030	$6,000	9	0
	Souza II	Martin - 6400 Armstrong Rd.	Residential	Demolished			
Deer Valley	Roddy Cell Easement	CC TM PA	Communication	NA	$15,600	16	In perpetuity
	Roddy Home Ranch	Jack + Donna Roddy	Residential	Terminated			
Delta Access	Nunn	RRS Farms	Agricultural	2022	$71,100	1	0
Morgan Territory	Galvin	Galvin	Residential	2030	$6,000	9	0
Vasco Caves	Souza III	Sprint Nextel	Communication	Assigned			
Vasco Hills	Vaquero Farms, Inc.	Martin - 15500 Vasco Rd.	Residential	Terminated			
All Parks	All Properties	Interest Earnings	NA	2037	$7,986	16	0
Total					**$572,274**		

Table F.4: Lease Revenue, 2022-2037 (2021 $) *(continued)*

Park	Property	Total Revenue		Endowment Revenue		Land Acquisition		Preserve Management	
		Share[1]	Permit Term	Share[1]	Permit Term	Share[1]	Permit Term[2]	Share[1]	Permit Term
Black Diamond	Affinito								
	Austin Thomas - South	100%	$1,220,800	15%	$183,120	0%	$0	85%	$1,037,680
Byron Vernal Pools	Pugh (Owens-Maness)								
	Souza III	100%	$630,614	25%	$157,653	15%	$94,592	60%	$378,368
	Souza III								
	Souza III	100%	$437,520	25%	$109,380	15%	$65,628	60%	$262,512
	Martin	100%	$320,390	25%	$80,097	15%	$48,058	60%	$192,234
	Martin	100%	$376,489	25%	$94,122	15%	$56,473	60%	$225,894
	Martin	100%	$544,448	25%	$136,112	15%	$81,667	60%	$326,669
	Martin	100%	$549,824	25%	$137,456	15%	$82,474	60%	$329,894
	Gramma's Quarter	100%	$150,000	25%	$37,500	15%	$22,500	60%	$90,000
	Souza III	100%	$2,971,242	25%	$742,811	15%	$445,686	60%	$1,782,745
	Martin	100%	$54,000	25%	$13,500	15%	$8,100	60%	$32,400
	Souza II								
Deer Valley	Roddy Cell Easement	100%	$249,600	15%	$37,440	0%	$0	85%	$212,160
	Roddy Home Ranch								
Delta Access	Nunn	100%	$71,100	15%	$10,665	0%	$0	85%	$60,435
Morgan Territory	Galvin	100%	$54,000	15%	$8,100	0%	$0	85%	$45,900
Vasco Caves	Souza III								
Vasco Hills	Vaquero Farms, Inc.								
All Parks	All Properties	100%	$127,778	0%	$0	0%	$0	100%	$127,778
Total			**$7,757,805**		**$1,747,957**		**$905,179**		**$5,104,669**

Table F.4: Lease Revenue, 2022-2037 (2021 $) *(continued)*

Notes: Table reflects *Lease Revenues Allocation Agreement* (Agreement) between the East Bay Regional Park District (EBRPD) and the East Contra Costa County Habitat Conservancy dated October 2020.

Amount for 2022-2037 shown in 2021 dollars and assume that annual revenue increases with inflation (most but not all leases include an inflation clause).

The Agreement and therefore this table excludes grazing revenue that is assumed to only cover grazing costs with no net contribution to Plan funding.

[1] Agreement does not address allocation of interest earnings on fund balances that are assumed to be allocated 100% to land management costs.

[2] Land acquisition allocation is subject to a $2,000,000 maximum after which revenue is allocated to preserve management. An initial allocation to land acquisition of $525,875 was made when the Agreement was adopted, so with the additional estimated funding shown in this table, this maximum will not be reached during the permit term. All preserve lands must be acquired by the end of the permit term, so land acquisition lease revenue post-permit is allocated to the endowment.

Sources: East Bay Regional Park District; *Lease Revenues Allocation Agreement* between the East Bay Regional Park District and the East Contra Costa County Habitat Conservancy, October 2020.

Table F.5: Revenue By Year (through FY 2021)

Fiscal year	Inflation Index	Mitigation Fees				Other Project Fees			State & Federal Grants
		Permanent Impacts			Temporary Impact Fee	Administrative Charges	Payments For Non-covered Activities	Other Mitigation Fees	
		Development Fee[1]	Wetland Mitigation Fee	Rural Road Fee					
Current Dollars									
2005		$0	$0	$0	$0	$0	$1,140,000	$0	$0
2006		$0	$0	$0	$0	$0	$1,245,000	$0	$0
2007		$0	$0	$0	$0	$0	$475,759	$0	$273,000
2008		$0	$236	$0	$25,542	$4,150	$243,725	$0	$1,410,695
2009		$880,435	$11,774	$30,978	$518,547	$10,000	$0	$49,131	$5,536,623
2010		$0	$141,363	$282,672	$160,043	$40,000	$0	$90,037	$10,028,928
2011		$220,239	$48,552	$5,235	$83,715	$68,410	$0	$318,492	$8,745,668
2012		$235,043	$181,371	$730,055	$66,547	$59,444	$43,978	$347,138	$4,862,568
2013		$1,703,067	$4,087	$122,792	$296,551	$62,452	$0	$146,502	$1,444,339
2014		$514,563	$207,226	$70,351	$432,631	$35,448	$0	$38,298	$14,947,687
2015		$975,432	$17,564	$18,529	$59,577	$25,816	$0	$141,709	$1,809,042
2016		$794,365	$67,651	$35,818	$84,252	$8,658	$0	$20,160	$7,363,644
2017		$1,510,425	$177,711	$128,303	$258,014	$16,657	$0	$69,933	$4,853,931
2018		$1,826,485	$142,820	$0	$205,456	$210,363	$90,261	$123,432	$3,066,502
2019		$1,420,049	$3,234	$4,833	$117,713	$73,383	$0	$34,769	$821,867
2020		$2,573,363	$0	$0	$46,284	$67,573	$0	$2,172,653	$590,030
2021		$1,985,014	$0	$4,743	$320,613	$14,223	$0	$102,389	$280,900
Total		**$14,638,479**	**$1,003,590**	**$1,434,310**	**$2,675,485**	**$696,577**	**$3,238,723**	**$3,654,643**	**$66,035,424**

Table F.5: Revenue By Year (through FY 2021) *(continued)*

Fiscal year	Inflation Index	Mitigation Fees				Other Project Fees			State & Federal Grants
		Permanent Impacts			Temporary Impact Fee	Administrative Charges	Payments For Non-covered Activities	Other Mitigation Fees	
		Development Fee[1]	Wetland Mitigation Fee	Rural Road Fee					
Constant 2021 Dollars									
2005	0.6294	$0	$0	$0	$0	$0	$1,811,249	$0	$0
2006	0.6578	$0	$0	$0	$0	$0	$1,892,673	$0	$0
2007	0.6377	$0	$0	$0	$0	$0	$746,055	$0	$428,101
2008	0.5666	$0	$417	$0	$45,079	$7,324	$430,154	$0	$2,489,754
2009	0.5575	$1,579,256	$21,119	$55,565	$930,130	$17,937	$0	$88,128	$9,931,163
2010	0.5630	$0	$251,090	$502,082	$284,269	$71,048	$0	$159,923	$17,813,371
2011	0.5589	$394,058	$86,871	$9,367	$149,786	$122,401	$0	$569,855	$15,648,002
2012	0.5321	$441,726	$340,859	$1,372,026	$125,064	$111,715	$82,649	$652,392	$9,138,447
2013	0.5886	$2,893,420	$6,944	$208,618	$503,825	$106,103	$0	$248,900	$2,453,854
2014	0.6272	$820,412	$330,398	$112,167	$689,781	$56,519	$0	$61,062	$23,832,410
2015	0.6753	$1,444,442	$26,010	$27,438	$88,223	$38,229	$0	$209,846	$2,678,871
2016	0.7124	$1,115,055	$94,962	$50,278	$118,265	$12,154	$0	$28,298	$10,336,390
2017	0.7606	$1,985,834	$233,646	$168,687	$339,224	$21,900	$0	$91,945	$6,381,713
2018	0.8102	$2,254,363	$176,277	$0	$253,586	$259,643	$111,406	$152,348	$3,784,870
2019	0.8682	$1,635,624	$3,725	$5,567	$135,583	$84,523	$0	$40,047	$946,634
2020	0.8919	$2,885,259	$0	$0	$51,893	$75,763	$0	$2,435,982	$661,543
2021	1.0000	$1,985,014	$0	$4,743	$320,613	$14,223	$0	$102,389	$280,900
Total		**$17,449,450**	**$1,572,317**	**$2,511,795**	**$3,714,708**	**$985,259**	**$5,074,185**	**$4,738,727**	**$106,525,123**
Five-Year Avg. (2017-2021)[2]		$2,149,219	$82,730	$35,799	$220,180	$91,210	$22,281	$116,734	$2,411,132
10-Year Avg. (2017-2021)[2]		$1,746,115	$121,282	$194,952	$262,606	$78,077	$19,406	$178,417	$6,049,563

Table F.5: Revenue By Year (through FY 2021) *(continued)*

Fiscal year	Inflation Index	Other Local Funds					Other Revenue		Total
		Local Funds (Non-EBRPD)	Local - EBRPD				Interest Earnings	Miscellaneous	
			Land Purchase	Due Diligence & Closing	Preserve Mgt. (excl. lease rev.)	Lease Revenue			
Current Dollars									
2005		$0	$0	$0	$0	$0	$21,537	$129	$1,161,665
2006		$0	$0	$0	$0	$0	$30,610	$0	$1,275,610
2007		$1,500,000	$632,002	$131,444	$0	$0	$87,054	$11,503	$3,110,762
2008		$0	$0	$21,608	$0	$0	$36,492	$1,521	$1,743,969
2009		$880,000	$1,077,249	$65,622	$0	$0	$1,070	$0	$9,061,430
2010		$2,417,300	$4,603,901	$183,146	$0	$11,437	$0	$0	$17,958,828
2011		$0	$2,266,900	$92,500	$0	$386,357	$4,832	$248	$12,241,149
2012		$1,302,500	$649,890	$127,393	$0	$502,132	$615	$0	$9,108,673
2013		$0	$18,500	$107,555	$125,097	$521,364	$2,937	$0	$4,555,244
2014		$1,000,000	$4,098,850	$105,736	$115,536	$486,649	$6,441	$0	$22,059,416
2015		$0	$224,250	$51,344	$65,769	$469,448	$12,912	$0	$3,871,391
2016		$0	$937,275	$80,263	$80,876	$582,419	$19,905	$243	$10,075,529
2017		$28,000	$829,600	($20,195)	$94,421	$555,064	$24,377	$5,195	$8,531,436
2018		$0	$368,000	($82,515)	$75,731	$612,357	$48,760	$1,012	$6,688,664
2019		$15,000	$467,750	$50,147	$80,145	$610,781	$51,129	$693	$3,751,491
2020		$0	$105,000	$2,074	$84,283	$599,733	$30,379	$693	$6,272,064
2021		$50,003	$939,500	($88,165)	$90,784	$572,274	$16,768	$285	$4,289,332
Total		**$7,192,803**	**$17,218,667**	**$827,957**	**$812,642**	**$5,910,015**	**$395,818**	**$21,521**	**$125,756,654**

Table F.5: Revenue By Year (through FY 2021) *(continued)*

Fiscal year	Inflation Index	Other Local Funds					Other Revenue		Total
		Local Funds (Non-EBRPD)	Local - EBRPD				Interest Earnings	Miscellaneous	
			Land Purchase	Due Diligence & Closing	Preserve Mgt. (excl. lease rev.)	Lease Revenue			
Current Dollars									
2005	0.6294	$0	$0	$0	$0	$0	$34,218	$204	$1,845,671
2006	0.6578	$0	$0	$0	$0	$0	$46,534	$0	$1,939,207
2007	0.6377	$2,352,203	$991,065	$206,122	$0	$0	$136,512	$18,038	$4,878,097
2008	0.5666	$0	$0	$38,136	$0	$0	$64,406	$2,685	$3,077,955
2009	0.5575	$1,578,475	$1,932,285	$117,708	$0	$0	$1,919	$0	$16,253,687
2010	0.5630	$4,293,606	$8,177,444	$325,304	$0	$20,314	$0	$0	$31,898,450
2011	0.5589	$0	$4,056,003	$165,504	$0	$691,281	$8,645	$445	$21,902,216
2012	0.5321	$2,447,848	$1,221,368	$239,416	$0	$943,680	$1,156	$0	$17,118,348
2013	0.5886	$0	$31,431	$182,730	$212,532	$885,770	$4,990	$0	$7,739,116
2014	0.6272	$1,594,388	$6,535,156	$168,584	$184,210	$775,907	$10,269	$0	$35,171,263
2015	0.6753	$0	$332,075	$76,031	$97,392	$695,169	$19,120	$0	$5,732,847
2016	0.7124	$0	$1,315,658	$112,666	$113,526	$817,545	$27,941	$341	$14,143,079
2017	0.7606	$36,813	$1,090,718	($26,551)	$124,140	$729,771	$32,050	$6,830	$11,216,719
2018	0.8102	$0	$454,209	($101,845)	$93,472	$755,810	$60,182	$1,250	$8,255,571
2019	0.8682	$17,277	$538,758	$57,760	$92,311	$703,502	$58,891	$798	$4,320,999
2020	0.8919	$0	$117,726	$2,325	$94,498	$672,422	$34,061	$776	$7,032,250
2021	1.0000	$50,003	$939,500	($88,165)	$90,784	$572,274	$16,768	$285	$4,289,332
Total		**$12,320,610**	**$26,793,896**	**$1,563,889**	**$1,012,082**	**$7,691,172**	**$540,895**	**$31,366**	**$192,525,474**
Five-Year Avg. (2017-2021)[2]		$20,819	$628,182	($31,295)	$99,041	$686,756	$40,390	$1,988	$6,575,166
10-Year Avg. (2017-2021)[2]		$414,633	$1,257,660	$62,295	$110,287	$755,185	$26,543	$1,028	$11,278,048

[1] Development fees include fees applied to rural covered activities (outside urban development area) except rural road fees.

[2] For "Other Mitigation Fees" average excludes extraordinary endowment contribution from California Wildlife Foundation in 2020 (see Table F.2).

Sources: ECCC Habitat Conservancy.

EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

DATE: February 27, 2023

TO: Governing Board

FROM: Conservancy Staff (Abigail Fateman)

SUBJECT: **Periodic Fee Audit and Nexus Study**

RECOMMENDATION

CONSIDER the following actions related to the periodic audit of fees:

a) **DIRECT staff to use the development fee and wetland mitigation fees as adjusted in the 2022 East Contra Costa County HCP/NCCP Mitigation Fee Audit and Nexus Study in future agreements between the Conservancy and Participating Special Entities; and**

b) **AUTHORIZE staff to provide the 2022 East Contra Costa County HCP/NCCP Mitigation Fee Audit and Nexus Study to the participating cities and the County and to recommend that they consider adopting the 2022 East Contra Costa County HCP/NCCP Mitigation Fee Audit and Nexus Study, consistent with requirements in the HCP/NCCP for periodic review of HCP/NCCP Mitigation Fees, and that they consider adopting increases to the development fee and to the wetland mitigation fee on the basis of the 2022 East Contra Costa County HCP/NCCP Mitigation Fee Audit and Nexus Study.**

DISCUSSION

Robert D. Spencer of Urban Economics and Sally E. Nielsen of Insight Data and Economic Analysis prepared the 2022 East Contra Costa County HCP/NCCP ("ECCC HCP/NCCP") Mitigation Fee Audit and Nexus Study ("2022 Fee Audit and Nexus Study") (Attachment to Item 6), including the information necessary to support the nexus findings the Conservancy, participating cities, and the County may make under the Mitigation Fee Act, a fee burden analysis, and the identification of funds for post-permit term funding.

CONTINUED ON ATTACHMENT: Yes
ACTION OF BOARD ON: February 27, 2023 APPROVED AS RECOMMENDED: Yes
OTHER:

VOTE OF BOARD MEMBERS

X UNANIMOUS

AYES: Bryant, Burgis, Henderson and Trupiano
NOES: None
ABSENT: Banales
ABSTAIN: None

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND ENTERED ON THE MEETING RECORD OF THE CONSERVANCY GOVERNING BOARD ON THE DATE SHOWN.

ATTESTED

John Kopchik, SECRETARY OF THE EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

BY: DEPUTY

2022 Fee Audit and Nexus Study Fee Recommended Adjustments

The 2022 Fee Audit and Nexus Study determined there is a need to adjust the Mitigation Fees (Development Fee [and the associated Rural Road Fee, and Temporary Impact Fee] and the Wetland Mitigation Fee [and the associated Temporary Impact Fee]) based on the recent updated data.

Development Fee

Excerpted from the 2022 Fee Audit and Nexus Study, Table E.2 provides the recommended adjustments to the Development Fee. The proposed adjustment is a 1.2 percent increase to the current fee schedule.

Table E.2: Development Fee Comparison

Zone	2022 Fee Schedule	2022 Audit	Change
Zone 1	$18,938	$19,170	1.2%
Zone 2	$37,876	$38,340	1.2%
Zone 3	$9,469	$9,585	1.2%

Sources: Table 6.3.

Wetland Mitigation Fee

Excerpted from the 2022 Fee Audit and Nexus Study, Table E.3 provides the recommended adjustments to the Wetland Mitigation Fee. The Wetland Mitigation Fees for all wetland land cover types and streams are proposed to increase between 0.4 percent and 2.5 percent compared to the current fee schedule.

Table E.3: Wetland Mitigation Fee Comparison

Land Cover Type	Fee Basis	2022 Fee Schedule	2022 Audit	Change
Riparian	per acre	$105,516	$105,891	0.4%
Perennial Wetland	per acre	$159,912	$162,953	1.9%
Seasonal Wetland	per acre	$374,220	$382,792	2.3%
Alkali Wetland	per acre	$378,310	$386,980	2.3%
Pond	per acre	$205,924	$211,115	2.5%
Aquatic (open water)	per acre	$102,962	$105,558	2.5%
Slough / Channel	per acre	$147,029	$149,516	1.7%
Streams (<=25 ft. wide)	per linear foot	$543	$553	1.8%
Streams (>25 ft. wide)	per linear foot	$814	$829	1.8%

Sources: Table 5.2.

Determining Fee Amounts

The Conservancy, participating cities (Brentwood, Clayton, Oakley, Pittsburg) and the County ("**Co-Permittees**") have the responsibility and authority to adjust the fees in effect for their jurisdictions. The role of the Conservancy is to conduct the periodic fee audits, determine fees to be charged to Participating Special Entities[1], and refer the results of the 2022 Fee Audit and Nexus Study to the Co-Permittees.

[1] Organizations not subject to the jurisdiction of the Permittees may have projects or ongoing activities within the inventory area that could affect covered species and that may require take authorization. These agencies, known as Participating Special Entities, can request coverage under the HCP/NCCP directly with the Conservancy.

Based on information presented in the 2022 Fee Audit and Nexus Study, staff recommends Development Fee and Wetland Mitigation Fee amounts set forth in the 2022 Fee Audit and Nexus Study for future Participating Special Entity agreements and for referral to the cities and County. If the increases are not made to the current fee schedule, revenue will be insufficient to fully fund new development's fair share of the ECCC HCP/NCCP costs.

Next Steps

Coordinating with the Cities and the County

Should the Governing Board recommend to participating cities and the County that they consider applying increases to the development fee and to the wetland mitigation fee, on the basis of the 2022 Fee Audit and Nexus Study, Conservancy staff will coordinate with the local jurisdictions, as was done for the 2017 Fee Audit and Nexus Study (adopted in 2021).

Annual Fee Adjustments

In addition to the periodic Fee Study, the Conservancy annually adjusts fees based on the Consumer Price Index (CPI) and the Home Price Index (HPI), as detailed in the HCP/NCCP. Around or before March 15, 2023, these Mitigation Fees will be further adjusted per the CPI and HPI to reflect annual adjustments.

CEQA REVIEW AND ANALYSIS

The proposed actions are exempt from CEQA because they do not constitute a "project" subject to CEQA, pursuant to the state CEQA Guidelines section 15378.

RECOMMENDATION

Staff recommends that the Governing Board direct staff to apply the development fee and wetland mitigation fee increases as recommended in the 2022 Fee Audit and Nexus Study in future agreements between the Conservancy and Participating Special Entities. If authorized by the Governing Board, the Conservancy shall provide 2022 Fee Audit and Nexus Study to the participating cities and the County and recommend that that they consider adopting the 2022 Fee Audit and Nexus Study, and to apply the increases to the development fee and to the wetland mitigation fee as presented in the 2022 Fee Audit and Nexus Study, consistent with requirements in the HCP/NCCP for periodic review of HCP/NCCP mitigation fees.

EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

DATE: February 27, 2023

TO: Governing Board

FROM: Conservancy Staff (Abigail Fateman)

SUBJECT: **Periodic Fee Audit and Nexus Study**

RECOMMENDATION

CONSIDER the following actions related to the periodic audit of fees:

a) **CONSIDER the 2022 East Contra Costa County HCP/NCCP Mitigation Fee Audit and Nexus Study;**
b) **ADOPT the 2022 East Contra Costa County HCP/NCCP Mitigation Fee Audit and Nexus Study consistent with requirements in the East Contra Costa County HCP/NCCP for periodic review of mitigation fees; and**
c) **APPROVE Resolution 2023-2 regarding five-year review findings under the Mitigation Fee Act, on the basis of the 2022 East Contra Costa County HCP/NCCP Mitigation Fee Audit and Nexus Study.**

DISCUSSION

Background

The East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan ("HCP/NCCP") requires automatic annual adjustments to HCP/NCCP Mitigation Fees based on certain economic indices as well as periodic audits in years 3, 6, 10, 15, 20, and 25 of the Plan's implementation. The periodic audits are conducted to assess whether actual HCP/NCCP implementation costs over time require adjustment of the development fee, wetland mitigation fee, rural road fee, and temporary impact fee ("Mitigation Fees"), which are based on estimated costs. The 2022 East Contra Costa County HCP/NCCP Mitigation Fee Audit and Nexus Study ("2022 Fee Audit and Nexus Study") is the year 15 periodic audit and was prepared to comply with this requirement, presenting the findings, conclusions, and recommendations of an audit of

CONTINUED ON ATTACHMENT: Yes
ACTION OF BOARD ON: February 27, 2023 APPROVED AS RECOMMENDED: Yes
OTHER:

VOTE OF BOARD MEMBERS

X UNANIMOUS

AYES: Bryant, Burgis, Henderson and Trupiano
NOES: None
ABSENT: Banales
ABSTAIN: None

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND ENTERED ON THE MEETING RECORD OF THE CONSERVANCY GOVERNING BOARD ON THE DATE SHOWN.

ATTESTED

John Kopchik, SECRETARY OF THE EAST CONTRA COSTA COUNTY HABITAT CONSERVANCY

BY: _____, DEPUTY

mitigation fees that partially fund implementation of the HCP/NCCP. The next periodic fee audit is scheduled for the year 2027.

The periodic fee audit is required to ensure that the fees generated by development and other covered activities are adequately covering their share of HCP/NCCP costs. This 2022 Fee Audit and Nexus Study also includes consideration of long-term funding efforts to fund Preserve System management and monitoring activities following the 30-year permit term of the HCP/NCCP. The 2022 Fee Audit and Nexus Study focuses on revenues and costs from the development fee and wetland fees because the other two types of Mitigation Fees (i.e., the rural road fee and temporary impact fee) are based on and derived from the development fee and wetland fees.

2022 Fee Audit and Nexus Study

Robert D. Spencer of Urban Economics and Sally E. Nielsen of Insight Data and Economic Analysis prepared the 2022 Fee Audit and Nexus Study, including the information necessary to support the nexus findings that the Conservancy, participating cities (Brentwood, Clayton, Oakley, and Pittsburg), and the County may make under the Mitigation Fee Act. The 2022 Fee Audit and Nexus Study is attached to this staff report.

The 2022 Fee Audit and Nexus study compares current actual costs to the cost assumptions used to calculate current mitigation fee amounts. Cost models for the initial urban development area and the maximum development area were updated for the 2022 Fee Audit and Nexus Study, and actual costs through FY2021 and estimated costs through the end of the permit term are analyzed and provided.

Post-Permit Funding

The original HCP/NCCP fee amounts, as well as the updated fees from the March 2013 Fee Audit and Nexus Study, excluded post-permit costs. At the time of drafting the HCP/NCCP, post-permit HCP/NCCP costs were more difficult to estimate than other HCP/NCCP costs because of uncertainty about key aspects of long-term Preserve System management and monitoring, such as the extent to which partners like the East Bay Regional Park District ("Park District") would be involved in assembling and managing the Preserve System. Consequently, costs beyond year 30 were not included in the development fee calculations in the original HCP/NCCP.

At the request of the Governing Board, the 2017 Fee Audit and Nexus Study incorporated a post-permit analysis that included consideration of an endowment fund to cover post-permit costs for management and monitoring of the Preserve System lands. The Conservancy established an endowment fund with the Regional Parks Foundation (the "Endowment") in 2020. This 2022 Fee Audit and Nexus Study also analyzes post-permit funding and considers deposits made to the endowment fund since its establishment, as well as other revenue sources.

The 2022 Fee Audit and Nexus Study provides an overview of revenue needs and growth to fund the endowment at an amount adequate to cover post-permit costs. The report assumes all impacts allowed under the Plan's permits will occur by the end of the 30-year permit term in 2037. The report also notes that the pace of development has been significantly slower than anticipated and recommends that the Conservancy consider extending the HCP/NCCP permit term as a way to

allow use of the full amount of take coverage provided under state and federal permits and to generate mitigation fee revenue adequate to fully fund Plan implementation and achieve Plan goals.

The HCP/NCCP requires the Board to conduct a periodic audit to assess whether actual HCP/NCCP implementation costs require adjustment of HCP/NCCP Mitigation Fees. The Mitigation Fee Act also requires local agencies to make a series of findings about on-going fee programs every five years. Staff recommends the Board adopt Resolution 2023-02 (attached), which makes findings on the basis of the 2022 Fee Audit and Nexus Study that would meet HCP/NCCP and Mitigation Fee Act requirements.

Notices

A 30-day written notice was posted on the Conservancy's website and shared via the email distribution list. This written notice informed the public that on February 27, 2023, the Governing Board would consider a nexus study that supports changes to the HCP/NCCP development fee and wetland mitigation fee, and that a copy of the nexus study and instructions to access and participate in the meeting would be available on the website on or before February 13, 2023. Subsequently, the 2022 Fee Audit and Nexus Study was shared publicly via the Conservancy's website and via the email distribution list on February 13, 2023, 14 days prior to the February 27, 2023 Governing Board meeting.

CEQA REVIEW AND ANALYSIS

The proposed actions are exempt from CEQA because they do not constitute a "project" subject to CEQA, pursuant to the state CEQA Guidelines section 15378.

ATTACHMENT

- East Contra Costa County HCP/NCCP Mitigation Fee Audit and Nexus Study (February 2023)
- Resolution 2023-02

City of Pittsburg
California

65 Civic Avenue
Pittsburg, CA 94565
P: (925) 252-6900
F: (925) 252-4814

pittsburgca.gov

Community and Economic Development Department – Planning Division

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the **CITY OF PITTSBURG CITY COUNCIL** will conduct a public hearing on:

DATE: **November 18, 2024**
TIME: **7:00 P.M.**
PLACE: **City Council Chamber at City Hall**
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

Adoption of a City Council Resolution Approving an Update to the Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) Mitigation Fees.

On April 16, 2007, the City Council adopted Resolution 07-10745 approving the East Contra Costa County HCP/NCCP, a regional conservation and mitigation plan for natural resources in East County. HCP/NCCP chapter 9, "Funding," outlines estimated costs for implementing the HCP/NCCP and identifies development-based mitigation fees as a source of funding to offset development impacts to natural resources. The development mitigation fee amounts were established by City Council Resolution 07-10898 and have since been adjusted annually according to housing and consumer price indices. The HCP/HCCP requires periodic audits in years three, six, 10, 15, 20 and 25 of implementation to assess whether changes in HCP/NCCP implementation costs require an additional adjustment of the mitigation fees.

PROJECT CONTACT: Kelsey Gunter, (925) 252-4824 or kgunter@pittsburgca.gov

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Why am I receiving this notice?
You are receiving this notice because you have either previously requested notifications from the Planning Division.

Where can I get more information about this project?
The complete file for this project is available for public inspection; please contact the project planner listed above to make necessary arrangements.

What can I do if I have comments on the project?
Written comments citing the project name may be emailed to the project planner listed above or may be mailed to: Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. Written comments received by 5:00 P.M. on the date of the meeting will be provided to the City Council. You may also register your comments or objections by attending the virtual public hearing (see advisory on next page for instructions on how to register a phone-in comment). Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

Para información en español:
(925) 252-4920

Alice E. Evenson
ALICE E. EVENSON
CITY CLERK

Project Title: Adoption of a City Council Resolution Approving an Update to the Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) Mitigation Fees

Location: City-wide

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Authorizing the Development and Implementation of the Pittsburg Promise Community Scholarship and a Pittsburg Power Company Resolution Authorizing the Use of Funds

MEETING DATE: November 18, 2024

EXECUTIVE SUMMARY

Pursuant to a Future Agenda Item request by Mayor Juan Banales on March 20, 2023, the two resolutions will authorize development and implementation of the Pittsburg Promise Community Scholarship (Scholarship) for the purposes of promoting higher education in science, technology, engineering, and math (STEM) in the Pittsburg community and improving City of Pittsburg staff retention.

FISCAL IMPACT

The proposed Scholarship will fund up to $25,000 in annual scholarships beginning in Fiscal Year 2024/25, which will be funded annually by Pittsburg Power Company's (PPC) operating budget (Fund 590).

RECOMMENDATION

City Council adopt the Resolution authorizing the development and implementation of an annual Pittsburg Promise Community Scholarship.

Governing Board of the PPC adopt the resolution authorizing the use of PPC funds to pay for the Scholarship.

BACKGROUND

On March 20, 2023, then City Council Member (and now Mayor) Juan Banales requested a future agenda item review the potential of the City creating a scholarship program to improve the staff retention rates within the City and encourage STEM pursuits by Pittsburg's young adults. In addition to developing critical thinking, creativity, and teamwork skills, an education in STEM can establish a foundation for career and financial stability.

The US Department of Labor Statistics reports that STEM occupation sectors including, but not limited to, healthcare, programming, civil, mathematical, computer, and engineering fields are expected to grow over 10% between 2022 and 2032; faster than many other non-STEM occupations. At the nationwide level, careers in STEM are more likely to provide livable wages according to the US Department of Labor. The Silicon Valley in the South Bay Area has been a major employer and region of global impact that demonstrates utility of STEM aptitude and skill development. Especially in the wake of efforts such as the Contra Costa County Northern Waterfront Economic Development Initiative, which strives to bring green technology jobs to the East Bay Region, it is important to attract and retain STEM employers and employees locally.

The US Census Bureau's most recent (2022) 1-year survey estimates that 22.6% of adults 25 and over in Pittsburg have at least a bachelor's degree. Forty-five percent of these degrees are in science, engineering and related fields. The bachelor's degree rate is half of the Contra Costa Countywide rate, as 45.1% of Contra Costa County residents 25 and older have at least a bachelor's degree, 52.7% of which are in science, engineering, and related fields.

STEM education can be costly. According to the University of California admission data, the anticipated average 2025/26 tuition for in-state students is $14,934. For California State University admissions, the average 2025/26 tuition is $6,450. On-campus in-state students also pay approximately $30,300 for housing, meals, campus fees, books and supplies, and transportation each year.

SUBCOMMITTEE FINDINGS

The Budget Stabilization Ad Hoc Subcommittee provided guidance and overall support for development of this Scholarship.

STAFF ANALYSIS

The City of Pittsburg does not currently offer a community or employee dependent scholarship program for education. Using the Richmond Promise Program and the San Pablo Scholarship Pilot Program that aim to remove barriers for education and training in their respective communities, staff working with the Budget Stabilization Ad Hoc Subcommittee shaped the proposed Scholarship.

Goals

A successful Scholarship will encourage Pittsburg's young adults to seek higher education in STEM and reduce the financial burden of a bachelor's degree for young adults in the City of Pittsburg and eligible dependents of City staff.

Audience

The Scholarship will serve Pittsburg residents or City of Pittsburg staff dependents up to 25 years old. Staff dependents living outside of Pittsburg are eligible for the funding. Dependents of staff classified within unrepresented employee groups are not eligible.

The City's pre-COVID staff turnover rate averaged 7.25% from 2016-2020. From 2021 to present staff turnover has averaged 12%, with a peak of 14% in fiscal year 2021-2022. Due to this upward trend, staff considers the Scholarship as a potential contributing factor to employee retention.

Applicants must be accepted into a four-year college with a declared major in a STEM field and have a 3.0 cumulative grade point average or higher. Students in their final year of college and graduate students are ineligible.

Qualifying commissioners of the City of Pittsburg Youth Advisory Commission (YAC) will be prioritized for scholarship funds. YAC commissioners may receive funds prior to serving one full term and must serve for at least one full term on the commission in order to retain awarded funds. A term served shorter than one full term will require the repayment of the awarded funds.

Awards are one-time and cannot be given again to the same individual.

Program Size
Up to five $5,000 grants will be awarded annually with at least one award reserved for a City of Pittsburg staff dependent and the remaining open to qualifying Pittsburg residents as defined in the “Audience” section above.

Application Materials
Completed applications must include an online application, personal statement, transcripts, and letter(s) of recommendation.

Administration and Selection
City staff will administer the Scholarship including formal guideline drafting, advertisement, application development, and application collection. The Community Advisory Commission (CAC) shall act as the selection committee, reviewing the applications for completeness, determining qualifying applicants, and conducting a lottery for selection of up to five winners annually, including at least one staff dependent and all qualifying YAC commissioners.

Timeline
The first Scholarship will kick off with advertisement in November 2024, application portal opening in January 2025, application closure in April 2025, selection in May 2025, and release of funds by August 31, 2025. If successful, subsequent Scholarship years will mirror this timeline until the Scholarship program is discontinued by City Council action.

Program Evaluation
Starting September 2025, and continuing each following September for the duration of the Scholarship, the CAC and City staff will evaluate cost, efficiency, applicant experience, and award processes of the Scholarship. Staff will also provide annual updates to the CAC on City staff retention rates as well as awardees’ educational and career status, as available.

ATTACHMENTS: City Council Resolution
Pittsburg Power Company Resolution

Report Prepared By: Sara Bellafronte, Assistant to the City Manager

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter Of:

Authorizing the Development and Implementation of the Pittsburg Promise Community Scholarship	)))	RESOLUTION NO. 24-

WHEREAS, the US Department of Labor Statistics reports that Science, Technology, Engineering, and Math (STEM) occupation sectors are expected to grow over 10% between 2022 and 2032; faster than many other non-STEM occupations. At the nationwide level, careers in STEM are more likely to provide livable wages according to the US Department of Labor; and

WHEREAS, 22.6% of Pittsburg residents over 25 years of age have earned a bachelor's degree; this rate is half of the countywide rate for the same age group. Fewer than half of Pittsburg's 25 years of age and older residents earn bachelor's degrees in STEM; and

WHEREAS, in addition to spending approximately $30,300 on housing, meals, campus fees, books, supplies, and transportation, it is anticipated that students' 2025/26 tuition costs for attendance at a University of California and California State University will be $14,934 and $6,450 respectively; and

WHEREAS, the City of Pittsburg does not currently offer a community or employee dependent scholarship for education; and

WHEREAS, attracting and retaining STEM employers and employees is important for Pittsburg's economic growth and desirability; and

WHEREAS, average annual staff turnover has increased 4.75% since the COVID-19 pandemic, making employee retention a potential success of the Pittsburg Promise Community Scholarship (Scholarship) in addition to encouraging Pittsburg's young adults to seek higher education in STEM and reducing the financial burden of a bachelor's degree for Pittsburg's young adults; and

WHEREAS, the Community Advisory Commission (CAC) shall be responsible for reviewing applications, determining qualifying applicants, and conducting a lottery for selection of up to five winners annually, including at least one staff dependent and all qualifying Youth Advisory Commission members; and

WHEREAS, the first Scholarship award will occur in August 2025 and continue annually until discontinued by City Council action.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Pittsburg hereby authorizes the development and implementation of the Pittsburg Promise Community Scholarship. Be it further resolved that the City Council appoints the CAC as the Scholarship review and selection committee, and authorizes the City Manager or his designee to execute all necessary forms for the purposes of implementing and carrying out the purpose of the Scholarship.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 18th day of November 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Juan Antonio Banales, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

BEFORE THE GOVERNING BOARD OF THE PITTSBURG POWER COMPANY
OF THE CITY OF PITTSBURG

In the Matter of:

Authorizing the use of Funds to Pay for the)
Implementation of the Pittsburg Promise) RESOLUTION NO. 24-
Community Scholarship)

WHEREAS, the US Department of Labor Statistics reports that Science, Technology, Engineering, and Math (STEM) occupation sectors are expected to grow over 10% between 2022 and 2032; faster than many other non-STEM occupations. At the nationwide level, careers in STEM are more likely to provide livable wages according to the US Department of Labor; and

WHEREAS, 22.6% of Pittsburg's 25 years and older population has earned a bachelor's degree which is half of the countywide rate for the same age group. Fewer than half of Pittsburg's 25 years of age and older residents have earned bachelor's degrees in STEM; and

WHEREAS, in addition to spending approximately $30,300 on housing, meals, campus fees, books, supplies, and transportation, it is anticipated that students' 2025/26 tuition costs for attendance at a University of California and California State University will be $14,934 and $6,450 respectively; and

WHEREAS, the City of Pittsburg does not currently offer a community or employee dependent scholarship for education; and

WHEREAS, attracting and retaining STEM employers and employees is important for Pittsburg's economic growth and desirability; and

WHEREAS, average annual staff turnover has increased 4.75% since the COVID-19 pandemic making employee retention a potential success of the Pittsburg Promise Community Scholarship (Scholarship) in addition to encouraging Pittsburg's young adults to seek higher education in STEM and reducing the financial burden of a bachelor's degree for Pittsburg's young adults; and

WHEREAS, the Community Advisory Commission (CAC) shall be responsible for reviewing applications, determining qualifying applicants, and conducting a lottery for selection of up to five $5,000 winners annually, including at least one staff dependent and all qualifying Youth Advisory Commission members; and

WHEREAS, the first Scholarship award will occur in August 2025 and continue annually until discontinued by City Council action.

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Pittsburg Power Company of the City of Pittsburg hereby allocates up to $25,000 annually for implementation of the Pittsburg Promise Community Scholarship.

PASSED AND ADOPTED by Governing Board of the Pittsburg Power Company of the City of Pittsburg at a regular meeting on the 18th day of November 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Juan Antonio Banales, Chair

ATTEST:

_____
Garrett Evans, Executive Secretary

CITY OF PITTSBURG
CITY COUNCIL/AGENCY CONCURRENT MEETING MINUTES

DATE: October 21, 2024

LOCATION: Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, CA 94565

CITY COUNCIL/AGENCY MEMBERS
Juan Antonio Banales, Mayor/Chair
Jelani Killings, Vice-Mayor/Chair
Dionne Adams, Council/Agency Member
Angelica Lopez, Council/Agency Member
Shanelle Scales-Preston, Council/Agency Member
S.L. Floyd, Agency Member
Annie Hill Herring, Agency Member

APPOINTED OFFICIALS
Garrett Evans, City Manager/Executive Director
Donna Mooney, City Attorney/Legal Counsel
Alice E. Evenson, City Clerk/Agency Secretary (elected)
Nancy Parent, City Treasurer (elected)

Mayor Banales called the regular meeting to order at 7:01 P.M. in the Council Chamber at City Hall, 65 Civic Avenue Pittsburg, CA.

ROLL CALL

All members were present.

PLEDGE OF ALLEGIANCE

Mayor Banales led the Pledge of Allegiance.

PRESENTATIONS

1. New Employee Introductions
2. CoCoKids

PROCLAMATIONS

3. National Filipino American History Month
4. National Italian American History Month
5. National Immigrants Day

CITY MANAGER REPORTS/REMARKS

Assistant City Manager Aliotti noted that the payment center would be closed on Thursday, October 24th from 8am-12:30pm for staff training, and would re-open from 12:30 pm-4:00 pm. She

also gave an update on Community events.

PUBLIC COMMENTS

Mario Soto, Pittsburg, noted that he has been receiving hate mail at his residence and feels this should not be happening.

Megan Hernandez, Pittsburg, stated that she did not agree with the way candidates are promoting themselves in their campaigns.

Thomas Roehrick, Local 152, shared carpenters core values.

Nicole Arrington, Pittsburg, Thanked Council and staff for all the work that is done that can sometimes go unnoticed. She also brought up concerns with Belmont Apartments, she stated that management is raising rents and illegally evicting tenants. Lastly, she provided an update on ILWU Local 6's wage negotiations.

COMMITTEE REPORTS

Vice Mayor Killings attended the Finance Management subcommittee meeting.

Mayor Banales called for a ten (10) minute recess at 7:24pm prior to hearing the Consideration items.

Member Lopez left the dais at 7:24pm.

The City Council reconveyed at 7:35pm, Member Lopez was absent and excused.

CONSIDERATION

6. Adoption of a City Council Resolution to Accept and Allocate Grant Funds from Keller Canyon Mitigation Fund for FY 24/25 and FY 25/26 Recreation Programs

On Motion by Member Scales-Preston, seconded by Member Adams and adopted by following vote:

AYES: Adams, Killings, Scales-Preston, Banales
ABSENT: Lopez

6. Adoption of a City Council Resolution Authorizing the City Manager to Execute a Contract for the Purchase and Construction of Two New Restroom Buildings at City Park

On Motion by Member Scales-Preston, seconded by Vice Mayor Killings and adopted by following vote:

AYES: Adams, Killings, Scales-Preston, Banales
ABSENT: Lopez

CONFLICT OF INTEREST STATEMENT

There were no conflicts of interest statements.

COMBINED CITY COUNCIL, PITTSBURG ARTS AND COMMUNITY FOUNDATION, PITTSBURG POWER COMPANY, SOUTHWEST PITTSBURG GHAD II AND SUCCESSOR AGENCY CONSENT CALENDAR

On Motion by Member Scales-Preston, seconded by Vice Mayor Killings and adopted by following vote:

AYES: Adams, Killings, Scales-Preston, Banales
ABSENT: Lopez

8. Adoption of a City Council Resolution Allocating Funds to Reimburse Seecon Financial & Construction Co., Inc. for Infrastructure Costs Incurred Relating to Community Facilities District 2009-01, San Marco ("CFD 2009-01")

9. Adoption of a City Council Resolution Accepting the Public Improvements for Subdivision 9550 Liberty II

10. Adoption of a City Council Resolution Accepting Plans and Specifications and Awarding Project 3023 - Willow Pass Road Storm Drain Repair Project

11. Adoption of a City Council Resolution Authorizing the Application for the Safe Streets and Roads for All (SS4A) 2024 Planning and Demonstration Grant Funds

12. Adoption of a City Council Resolution Authorizing the Application for the Highway Safety Improvement Program (HSIP)-Cycle 12 Grant Funds

13. Adoption of a City Council Resolution Authorizing the City Manager to Execute a Contract with Belfor Restoration for Project 3026 - 60 Civic Building Repair

14. Adoption of a City Council Resolution Authorizing the Execution of a Consultant Service Agreement with First Carbon Services International for the Quick Quack Car Wash Project

15. Adoption of a City Council Resolution to Amend the Master Pay Schedule as Required by California Public Employees' Retirement System

16. Adoption of a City Resolution to Authorize the Renewal of a Reciprocal Tax Information Sharing Agreement Between the City of Pittsburg and the California State Franchise Tax Board

COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

There were no requests for Future Agenda Items.

COUNCIL MEMBER REMARKS

There were none.

ADJOURNMENT

The meeting adjourned at 7:55 P.M. to November 4, 2024.

Respectfully submitted,

Alice E. Evenson, City Clerk

CITY OF PITTSBURG
CITY COUNCIL/AGENCY CONCURRENT MEETING MINUTES

DATE: November 04, 2024

LOCATION: Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, CA 94565

CITY COUNCIL/AGENCY MEMBERS
Juan Antonio Banales, Mayor/Chair
Jelani Killings, Vice-Mayor/Chair
Dionne Adams, Council/Agency Member
Angelica Lopez, Council/Agency Member
Shanelle Scales-Preston, Council/Agency Member
S.L. Floyd, Agency Member
Annie Hill Herring, Agency Member

APPOINTED OFFICIALS
Garrett Evans, City Manager/Executive Director
Donna Mooney, City Attorney/Legal Counsel
Alice E. Evenson, City Clerk/Agency Secretary (elected)
Nancy Parent, City Treasurer (elected)

Mayor Banales called the regular meeting to order at 7:02 P.M. in the Council Chamber at City Hall, 65 Civic Avenue Pittsburg, CA.

ROLL CALL

All members were present.

PLEDGE OF ALLEGIANCE

Mayor Banales led the Pledge of Allegiance.

PRESENTATIONS

1. Renaissance Entrepreneurship

PROCLAMATIONS

2. Veterans Day

CITY MANAGER REPORTS/REMARKS

Assistant City Manager Aliotti gave an update on Community events.

PUBLIC COMMENTS

There were no public comments.

COMMITTEE REPORTS

Vice Mayor Killings attended the School Districts (2x2) committee meeting.

Council Member Scales-Preston attended the Infrastructure and Transportation subcommittee.

PUBLIC HEARING

3. Adoption of a Resolution Certifying the Final Program Environmental Impact Report, Adopting CEQA Findings of Fact and a Mitigation Monitoring and Reporting Program, and Approving a Vesting Tentative Map; and Introduction and Waive First Reading of an Ordinance Assigning Zoning of Planned Development District to Properties Located Within the Pittsburg Technology Park Specific Plan Area and Adopting the Pittsburg Technology Park Specific Plan, AP-24-0028 (PD, SUBD, EIR)

The following spoke in favor of the project:
Dustin Spurgeon
Bill Whitney
William Chisholm
Eric Haynes
Edgar Flores
Thomas Roehrick
Ramon Amaral
Jason Lindsey
Jason Lester
Tom Hansen
Anthony Viscuso
John DeLacio
Pierre McKoy

The following gave neutral comments about the project:
Bruce Ohlson
Wolfgang Croskey

The following spoke against the project:
Mary Pappas Coniglio
Nancy Parent
Meredith Stevenson

On Motion by Vice Mayor Killings, seconded by Member Adams to certify the Final Program Environmental Impact Report, Adopting CEQA Findings of Fact and a Mitigation Monitoring and Reporting Program, and Approving a Vesting Tentative Map and adopted unanimously.

On Motion by Member Scales-Preston, seconded by Vice Mayor Killings to Introduce and Waive First Reading of an Ordinance Assigning Zoning of Planned Development District to Properties Located Within the Pittsburg Technology Park Specific Plan Area and Adopting the Pittsburg Technology Park Specific Plan, AP-24-0028 (PD, SUBD, EIR) and adopted unanimously.

CONFLICT OF INTEREST STATEMENT

There were no conflicts of interest statements.

COMBINED CITY COUNCIL, PITTSBURG ARTS AND COMMUNITY FOUNDATION, PITTSBURG POWER COMPANY, SOUTHWEST PITTSBURG GHAD II AND SUCCESSOR AGENCY CONSENT CALENDAR

On Motion by Member Scales-Preston, seconded by Member Adams and adopted unanimously.

4. Minutes of October 7, 2024

5. Adoption of a City Council Resolution Authorizing the Acceptance and Appropriation of the Office of Traffic Safety Grant Funds for the Selective Traffic Enforcement Program (STEP)

6. Adoption of a City Council Resolution Amending the Information and Communications Systems Fund 601 Operating Budget and Reallocating Funds to ERP Project 1805

COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

There were no requests for Future Agenda Items.

COUNCIL MEMBER REMARKS

There were none.

ADJOURNMENT

The meeting adjourned at 9:30 P.M. to November 18, 2024.

Respectfully submitted,

Alice E. Evenson, City Clerk

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Receive and File the Treasurer's Report for the Quarter Ending September 30, 2024

MEETING DATE: November 18, 2024

EXECUTIVE SUMMARY

Attached is the Treasurer's Report for the fiscal quarter ending September 30, 2024. The report includes the combined detailed information of the City and the Successor Agency's (Agency) investments, which are compliant with the City's and Agency's Investment Policies.

FISCAL IMPACT

The City's expenditure requirements for the next six months are covered by anticipated revenues from City operations and liquidity from maturing investments. The difference between market value and cost as of September 30, 2024, will be reflected in the City's financial statements for Fiscal Year 2024/25 as an adjustment to interest income for each of the City's funds on a pro rata basis as required by Governmental Accounting Standards Board Statement Number 31. Due to the recent rise in interest rates available in the capital markets, values for existing holdings have fallen on paper and will not be realized. Market values change on a daily basis. The change in market value is considered temporary in nature, as the City mostly holds its investments until maturity, when they can be redeemed at par value.

RECOMMENDATION

City Council accept the Treasurer's Report for the quarter ending September 30, 2024, for information purposes only.

BACKGROUND

Each fiscal quarter, an Investment Summary Report is required to be provided, by policy, to the City Council for review.

SUBCOMMITTEE FINDINGS

This item was not reviewed by a subcommittee.

STAFF ANALYSIS

The City's objectives in order of priority, are to provide safety, ensure the preservation of capital, provide sufficient liquidity for cash needs and earn a competitive rate of return (yield) within the confines of the California Government Code and the Investment Policy. Chandler Asset Management is responsible for managing investments in accordance with the City's investment policy. All portfolio holdings were held with investment grade securities.

The advisor-managed funds are comprised of operating funds managed in a Core Portfolio account, as well as several Non-Successor Agency bond-related funds. The City's advisor works to achieve the City's objectives by investing in high quality fixed income securities consistent with the City's investment policy and California Government Code.

The Core Portfolio represents the City's cash reserves. Its return objective is to enhance both interest income and principal value as measured by total return. Total return reflects the value added to the portfolio for a period of time from interest income, realized gains and losses, as well as unrealized gains and losses. The portfolio's total return for the quarter was 2.95%, comparing to the City performance benchmark of 2.86%, the Intercontinental Exchange Bank of America Merrill Lynch (ICE BAML) 1-3 Year U.S. Treasury/Agency Index. Since inception (7/31/2018), the portfolio's total return through quarter end is 2.26%, which slightly overperformed the benchmark return of 1.96% for the same period. Total returns for the quarter and since inception reflect fluctuations in market value.

Summary Cash and Investments as of 09/30/2024		
Investments and Cash	Original Cost	Market Value
Investments		
Portfolio of Securities (Managed by Chandler)	101,746,551.44	103,182,719.33
Bond Managed Reserve (Chandler)	5,267,120.89	5,299,485.78
Section 115 Pension Trust (PARS)	3,868,055.47	4,050,622.16
LAIF	33,253,574.55	33,322,112.96
Total Investments	144,135,302.35	145,854,940.23
City Managed		
Cash	8,341,159.27	8,341,159.27
Bond Funds - Restricted Reserve	68,003,589.32	68,010,932.41
Total City Cash	76,344,748.59	76,352,091.68
Total Cash and Investments	220,480,050.94	222,207,031.91

Sector Allocation					
Security Type	**Par Value**	**Original Cost**	**Market Value**	**Average Maturity**	**Average Yield**
Operating Funds					
Cash Equivalents	8,341,159.27	8,341,159.27	8,341,159.27	1	N/A
Money Market Funds	5,412,673.34	5,412,673.34	5,412,673.34	1	4.89%
Investment Pools	33,253,574.55	33,253,574.55	33,322,112.96	1	N/A
Total Liquidity	**47,007,407.16**	**47,007,407.16**	**47,075,945.57**	**1**	4.89%
U.S. Treasury Notes	42,600,000.00	41,306,370.15	41,940,386.41	405	3.98%
Federal Agency Securities	18,290,000.00	19,270,033.65	19,585,810.21	869	4.21%
Negotiated Certificates of Deposit	1,500,000.00	1,500,000.00	1,501,291.50	51	5.65%
Medium-Term Corporate Notes	16,210,000.00	16,024,485.45	16,230,978.36	704	4.18%
Asset-Backed Securities	7,712,156.08	7,696,150.48	7,794,038.65	1190	4.77%
Commercial Paper	3,000,000.00	2,910,133.34	2,952,611.00	124	5.35%
Supranationals	1,460,000.00	1,457,107.90	1,477,955.76	712	4.51%
Collateralized Mortgage Obligations	6,408,995.83	6,169,597.13	6,286,974.09	872	4.17%
Total Securities	**97,181,151.91**	**96,333,878.10**	**97,770,045.98**	**631**	**3.02%**
Total Operating Funds	**144,188,559.07**	**143,341,285.26**	**144,845,991.55**	**426**	**3.02%**
Bonded Debt Funds					
Pittsburg Pension Bond	1,827,286.46	4,068,226.97	4,100,591.86	1	5.30%
Pittsburg AD Auto Mall	352,985.72	363,794.27	363,794.27	1	4.77%
Pittsburg AD Vista DM	811,948.38	835,099.65	835,099.65	1	4.77%
Additional Bonded Debt Funds	68,003,589.32	68,003,589.32	68,010,932.41	N/A	N/A
Total Bonded Debt Funds	**70,995,809.88**	73,270,710.21	73,310,418.19	1	5.18%
Section 115 Trust					
Equity Mutual Fund	3,868,055.47	3,868,055.47	4,050,622.16		
Total Section 115 Trust Funds	**3,868,055.47**	**3,868,055.47**	**4,050,622.16**	**N/A**	**N/A**
Total City Funds	**219,052,424.42**	**220,480,050.94**	**222,207,031.90**		

Governmental Accounting Standards Board Statement 31 requires the City to recognize the fair market value of its investments at the end of each fiscal year. The market values of investments included in this report were obtained from the State Controller's office for Local Agency Investment Funds (LAIF), and from the City's registered investment advisor and bond trustees for longer-term investments.

Attached is the Chandler Asset Management (CAM) Investment Report detailing an economic update, account profile and investment activity for the quarter ending September 30, 2024.

ATTACHMENTS: Letter from City Treasurer
Investment Report by Chandler Asset Management

Report Prepared By: Christina Nguyen, Accountant II

Report Reviewed By: Andy Wang, Assistant Director of Finance

CHANDLER ASSET MANAGEMENT

INVESTMENT REPORT

City of Pittsburg | As of September 30, 2024

CHANDLER ASSET MANAGEMENT | chandlerasset.com

Chandler Team:

For questions about your account, please call (800) 317-4747,
or contact clientservice@chandlerasset.com

Information contained herein is confidential. We urge you to compare this statement to the one you receive from your qualified custodian. Please see Important Disclosures at the end of the statement.

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City of Pittsburg | As of September 30, 2024

ECONOMIC UPDATE

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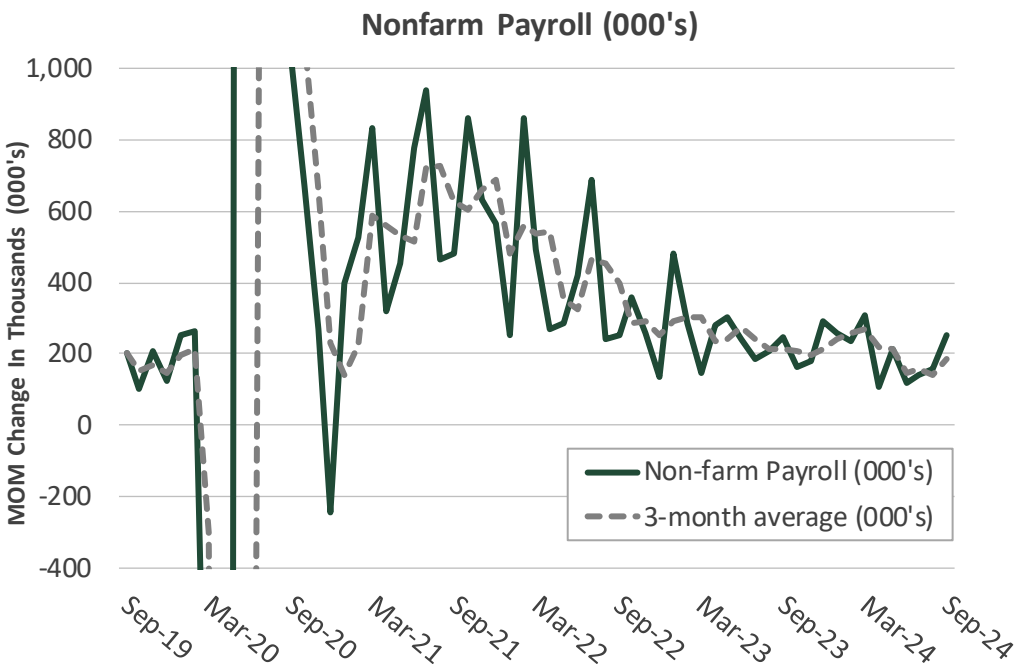
ECONOMIC UPDATE

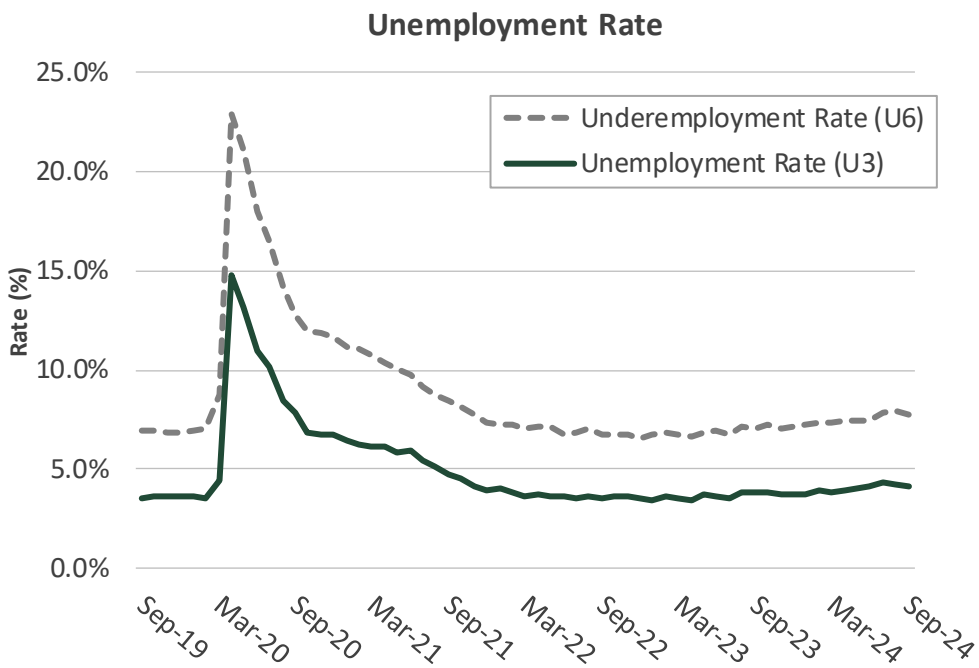
- Recent economic data suggests positive but slower growth this year fueled by consumer spending. While the consumer has been resilient, declining savings rates, growing credit card debt, higher delinquencies, and a moderating labor market pose potential headwinds to future economic growth. Inflationary trends are subsiding, but core levels remain above the Fed's target. The labor market is showing signs of cooling, reflecting an improved balance between supply and demand for workers. Given the cumulative effects of restrictive monetary policy and tighter financial conditions, we believe the economy will gradually soften and the Fed will continue to lower rates at a measured pace through this year with the ability to move more aggressively should the employment data warrant.

- The Federal Open Market Committee (FOMC) delivered the first rate cut of the easing cycle with a 50 basis point cut at the September meeting. Although a reduction in the Fed Funds Rate was widely anticipated, the magnitude was somewhat of a surprise, as market participants were split between whether the FOMC would cut by 25 basis points or 50 basis points. Chair Jerome Powell reiterated previous statements acknowledging that monetary policy has shifted into a more balanced approach addressing price stability and full employment in tandem. The Fed released the quarterly Summary of Economic Projections (SEP) which now forecasts a substantially lower median Fed Funds Rate expectation among Fed Governors in 2025 due to lower inflation expectations and a higher projected unemployment rate. We believe the Fed will continue to lower rates at a measured pace through this year with the ability to move more aggressively should the employment data warrant.

- The US Treasury yield curve shifted lower in September following the 50 basis points rate cut by the FOMC mid-month. The 2-year Treasury yield fell 28 basis points to 3.64%, the 5-year Treasury dropped 15 basis points to 3.56%, and the 10-year Treasury yield declined 12 basis points to 3.78%. The 2-year and 10-year Treasury yield points on the curve began to normalize to +14 basis points at September month-end versus -2 basis points at August month-end. The spread between the 2-year Treasury and 10-year Treasury yield one year ago was -47 basis points. The inversion between 3-month and 10-year Treasuries ended the month of September at -85 basis points.

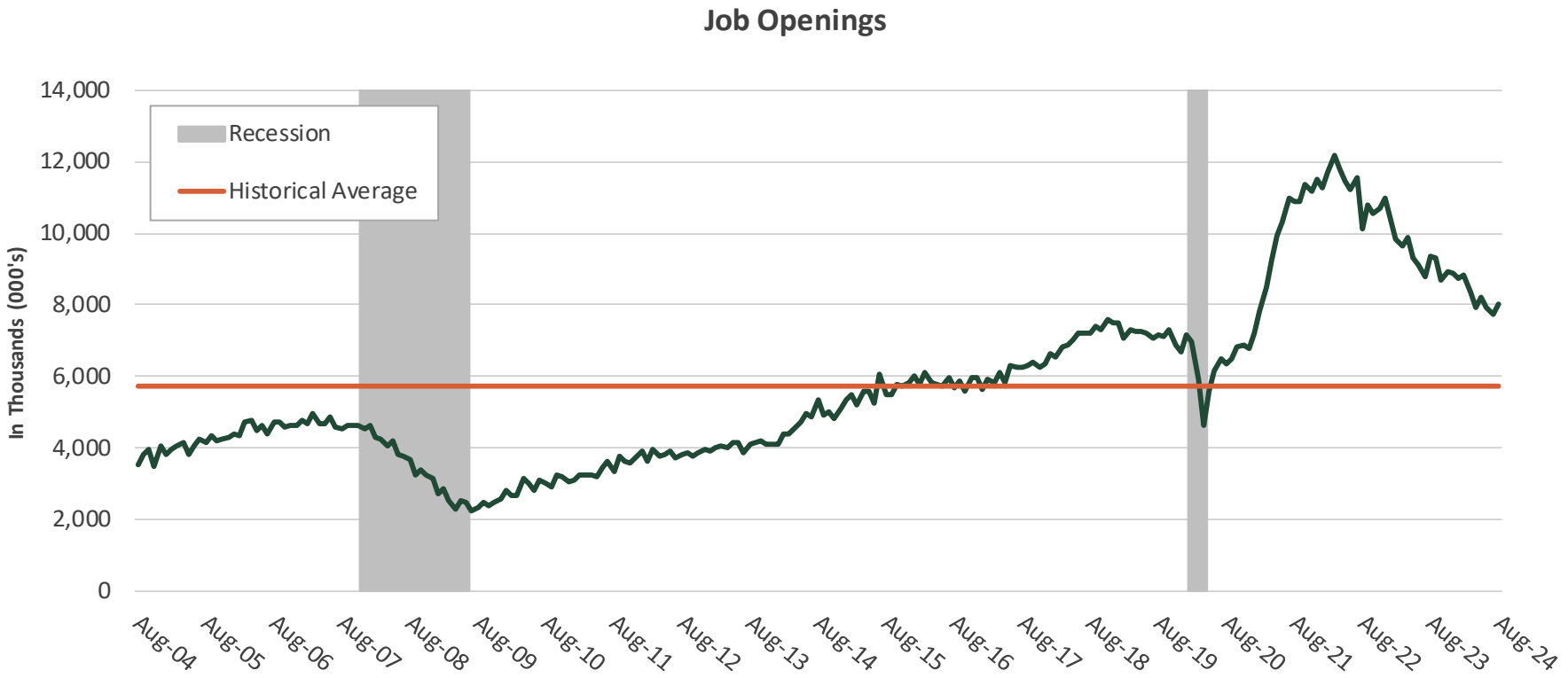


Source: US Department of Labor



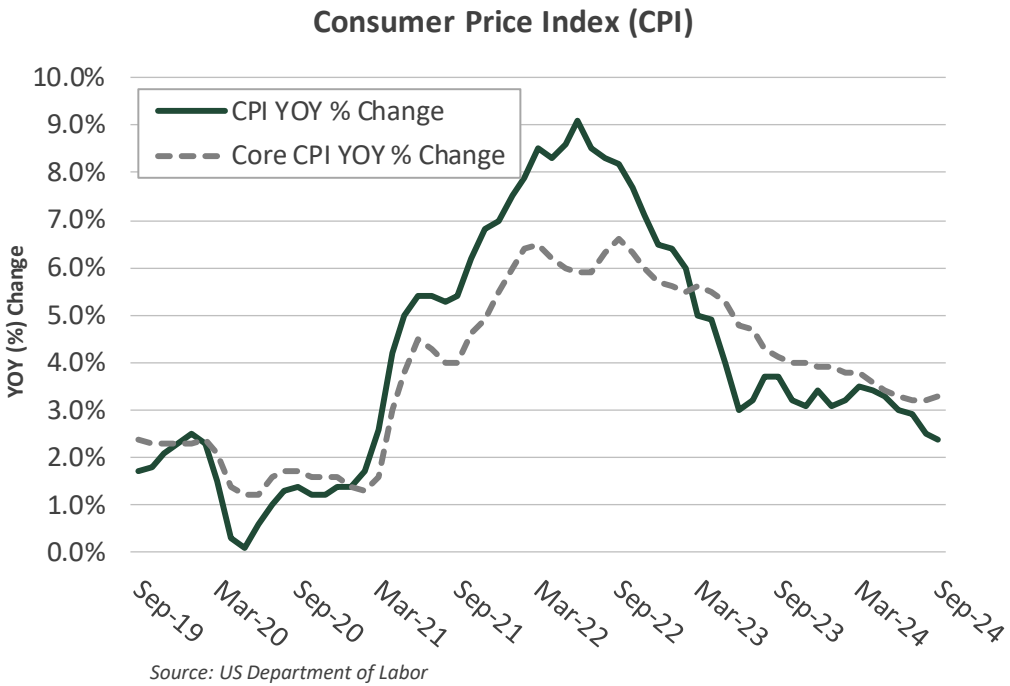
Source: US Department of Labor

The U.S. economy added 254,000 jobs in September, well above expectations of 150,000. The three-month moving average and six-month moving average payrolls continued to trend weaker to 186,000 and 167,000 respectively. The unemployment rate declined to 4.1% in September, and the labor participation rate remained at 62.7%, remaining below the pre-pandemic level of 63.3%. The U-6 underemployment rate, which includes those who are marginally attached to the labor force and employed part time for economic reasons declined to 7.7% from 7.9%. Average hourly earnings rose 4.0% year-over-year in September. U.S. labor market data from September surprised to the upside, with strong job growth and a sharper-than-expected drop in unemployment, suggesting the economy may be more resilient than anticipated. The Federal Reserve's view is that there has been "substantial" progress towards better balance in the labor market between demand and supply for workers.

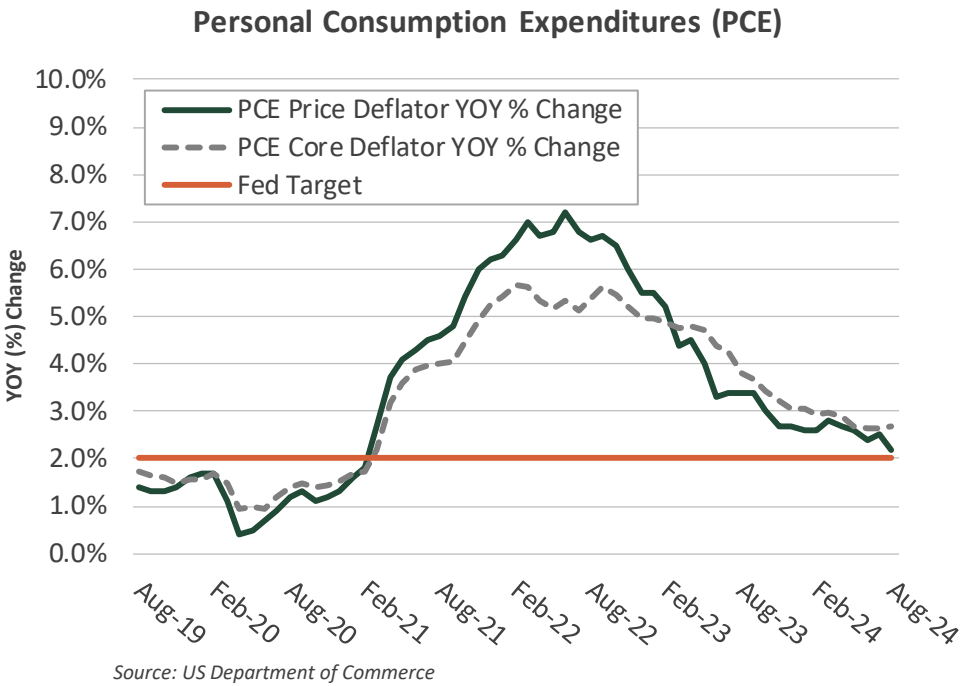


Source: US Department of Labor

The Labor Department's Job Openings and Labor Turnover Survey (JOLTS) increased to 8.04 million job openings in August from an upwardly revised 7.71 million in July. Job openings have increased to a ratio of 1.13 jobs for each unemployed individual. The quits rate, an indicator of job availability, declined to 1.9% from downwardly revised 2.0% in July. That is the lowest level since 2020. While the current level of job openings remains elevated from a historical perspective, the trend is decelerating.

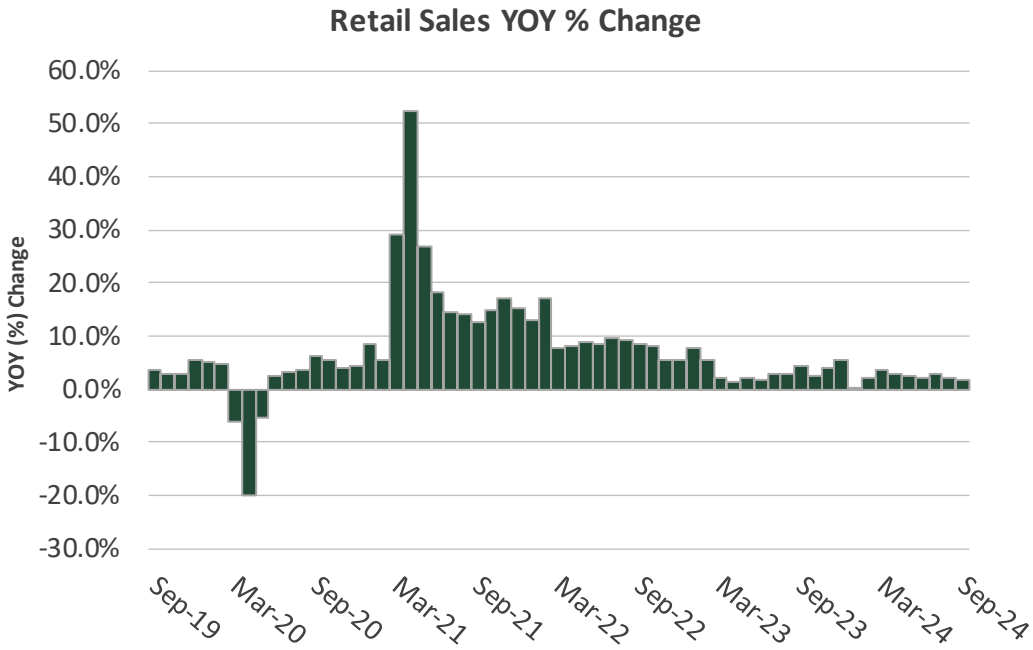


Source: US Department of Labor

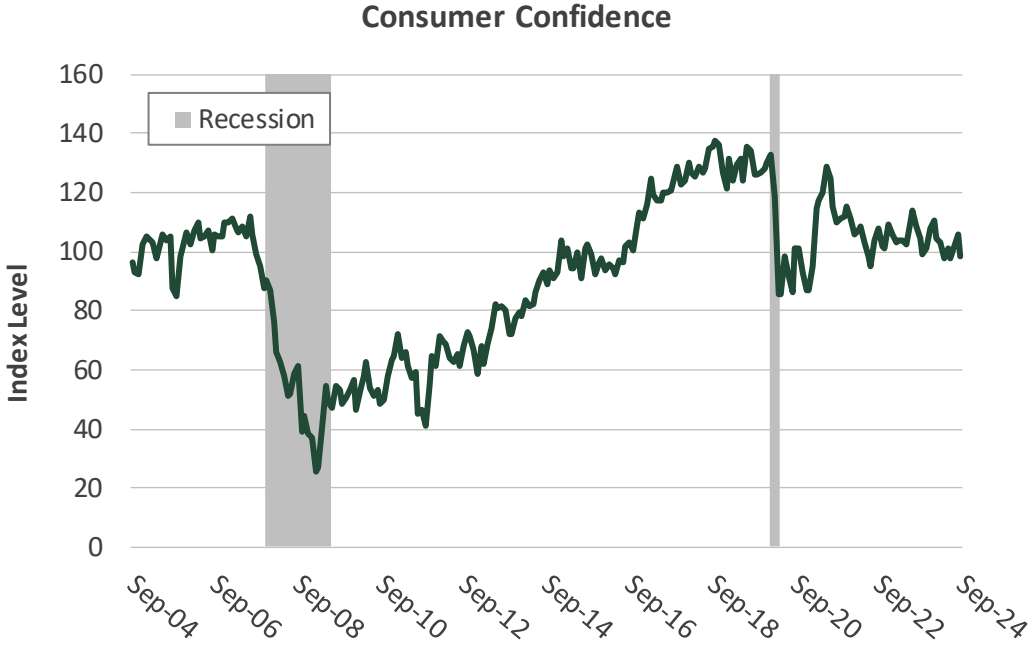


Source: US Department of Commerce

In September, the Consumer Price Index (CPI) rose 0.2% month-over-month and 2.4% year-over-year, down from 2.5% in August, but slightly higher than expected. The Core CPI, which excludes volatile food and energy components, rose by 0.3% month-over-month and 3.3% year-over-year, also exceeding consensus forecasts. The Personal Consumption Expenditures (PCE) Index rose 0.1% from the previous month and 2.2% year-over-year in August. The Core PCE deflator (the Fed's preferred gauge) increased 0.1% month-over-month and 2.7% over the past year, still above the Fed's 2% inflation target. Much of the lingering inflation has been driven by shelter costs and demand for services, but recent data provide confirmation that inflation is moderating.

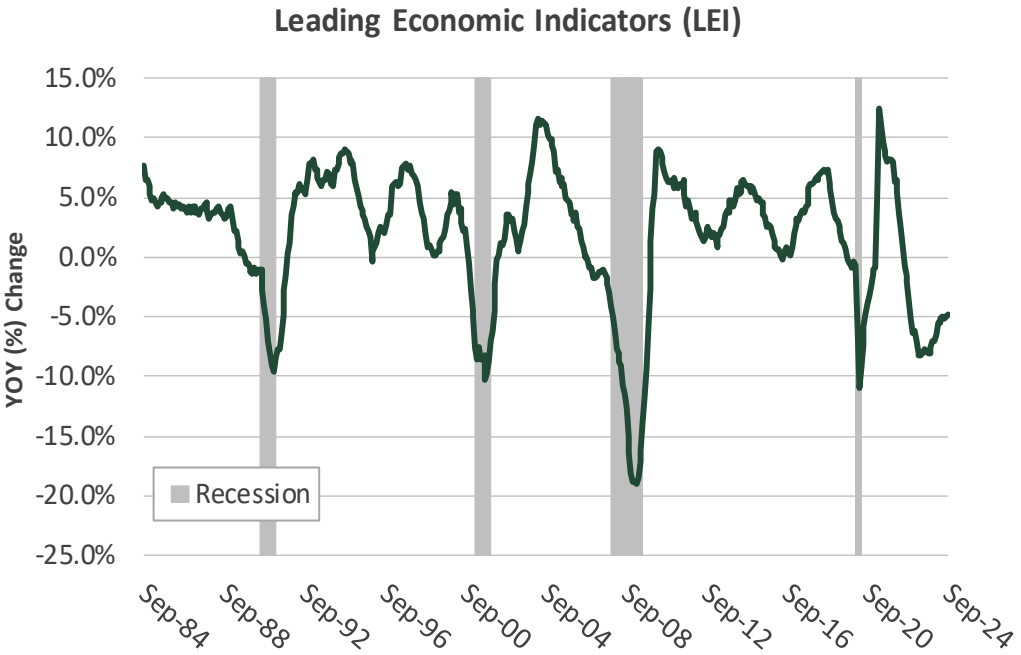


Source: US Department of Commerce

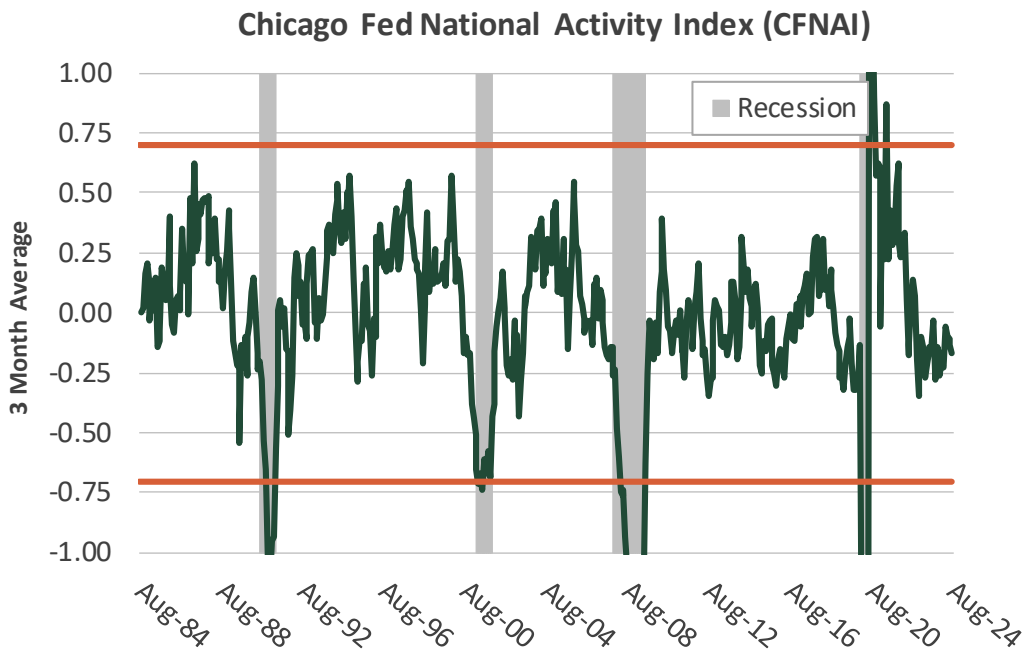


Source: The Conference Board
All time high is 144.70 (1/31/00); All time low is 25.30 (2/28/09)

Retail Sales grew more than expected month-over-month in September at 0.4% after growth of 0.1% in August. On a year-over-year basis, Retail Sales grew 1.7% in September versus 2.2% in August. Control-group sales, which are used to calculate gross domestic product, rose 0.7% month-over-month in September after last month's increase of 0.3%. Apparel, grocery stores, and miscellaneous store retailers led the advance, while gas station sales fell reflecting lower gas prices. The Conference Board's Consumer Confidence Index for September came in below expectations, contracting to 98.7 after an upward revision to 105.6 in August. The decline reflects recent softening in labor market conditions, and less optimism about the job market and income growth. While the consumer has been resilient, declining savings rates, growing credit card debt, higher delinquencies, and a moderating labor market pose potential risks to future spending.

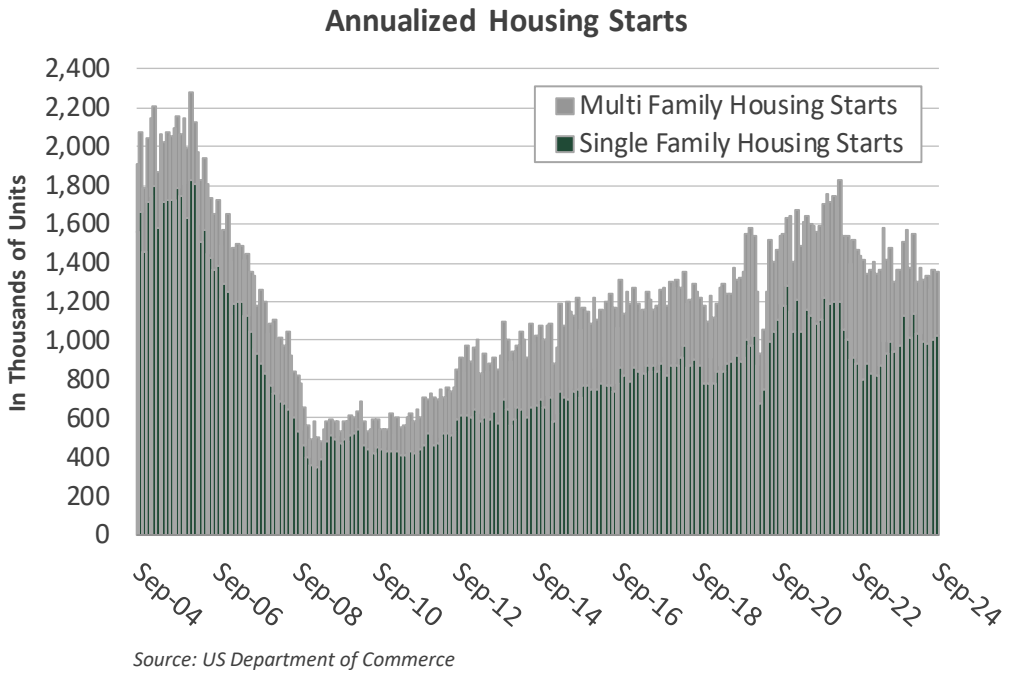


Source: The Conference Board

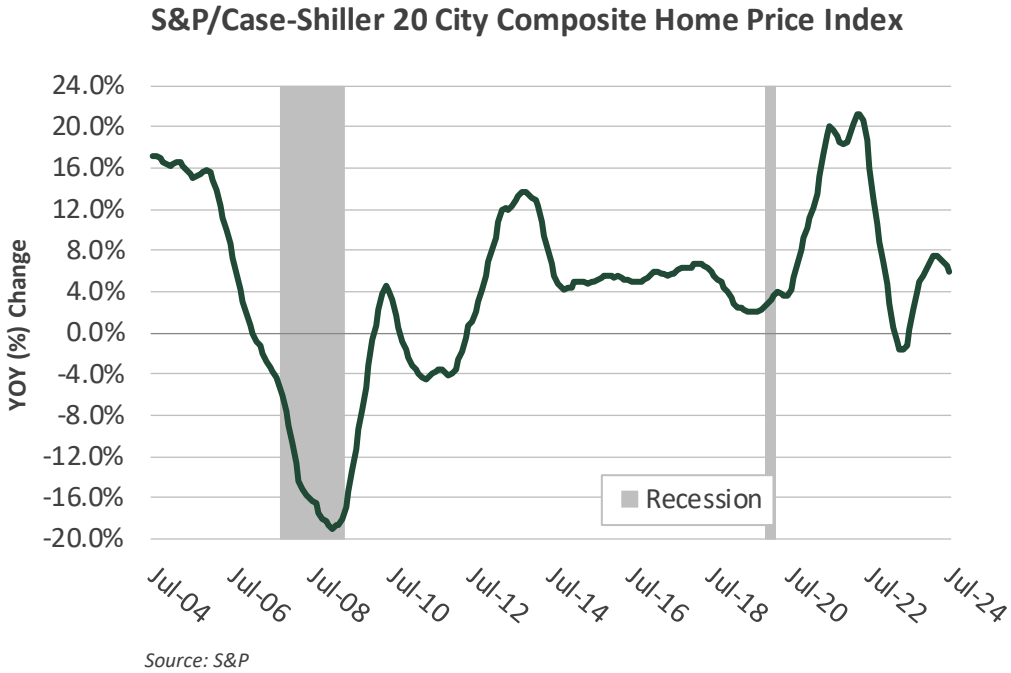


Source: Federal Reserve Bank of Chicago

The Conference Board's Leading Economic Index (LEI) remained in negative territory at -0.2% in August, improving from -0.6% in July. The index dropped 5.0% year-over-year. The improvement can be attributed to a decrease in the yield curve inversion, an increase in building permits, and stock market performance. The Chicago Fed National Activity Index (CFNAI) increased to 0.12 in August from a downwardly revised -0.42 in July, which was above consensus expectations. The three-month moving average fell to -0.17 in August from -0.13 in July, indicating below-trend growth expectations for the economy.

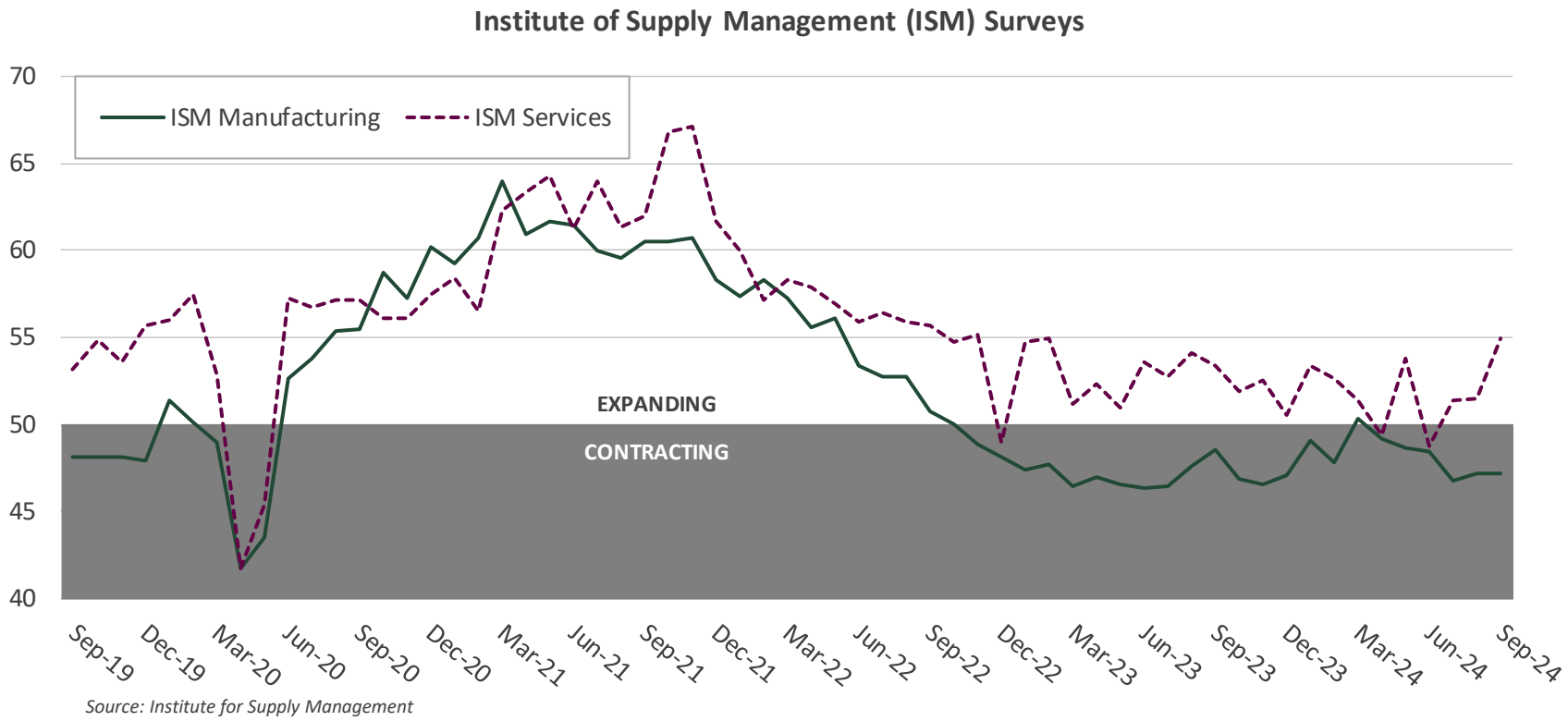


Source: US Department of Commerce



Source: S&P

Housing starts surprised to the downside in September, declining -0.5% month-over-month to 1.354 million units after an increase of 7.8% in August. The decline can be attributed to a drop in multi-family housing projects. Total starts were down 0.7% year-over-year. The Freddie Mac average rate for a 30-year fixed mortgage dropped to 6.18% in September from 6.44% in August. According to the Case-Shiller 20-City Home Price Index, housing prices rose 5.9% year-over-year in July, decelerating from 6.5% reported in the previous month. Although the trend is gradually improving, tight inventories and higher mortgage rates continue to impact affordability.



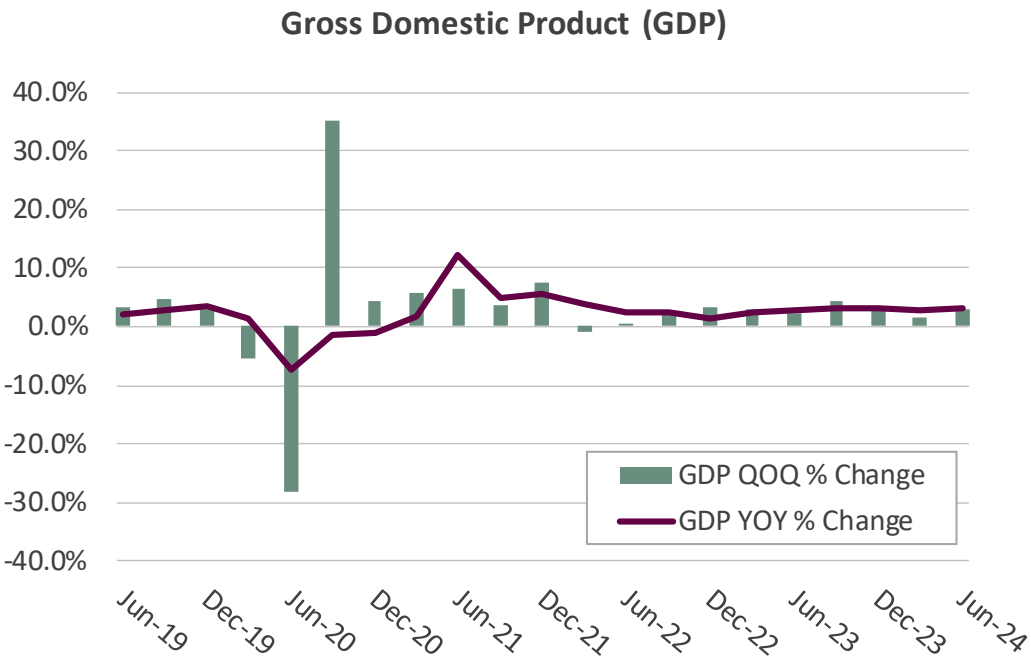
Source: Institute for Supply Management

The Institute for Supply Management (ISM) Manufacturing index contracted at a slower rate of 47.2 in September compared to 47.5 in August. Demand remains subdued and companies are continuing to reduce head counts through layoffs, attrition and hiring freezes. The ISM Services Index increased to 54.9 in September, increasing from 51.7 in August, due to stronger production and new orders. A reading over 50 indicates expansion, while a reading under 50 indicates contraction.

GROSS DOMESTIC PRODUCT (GDP)

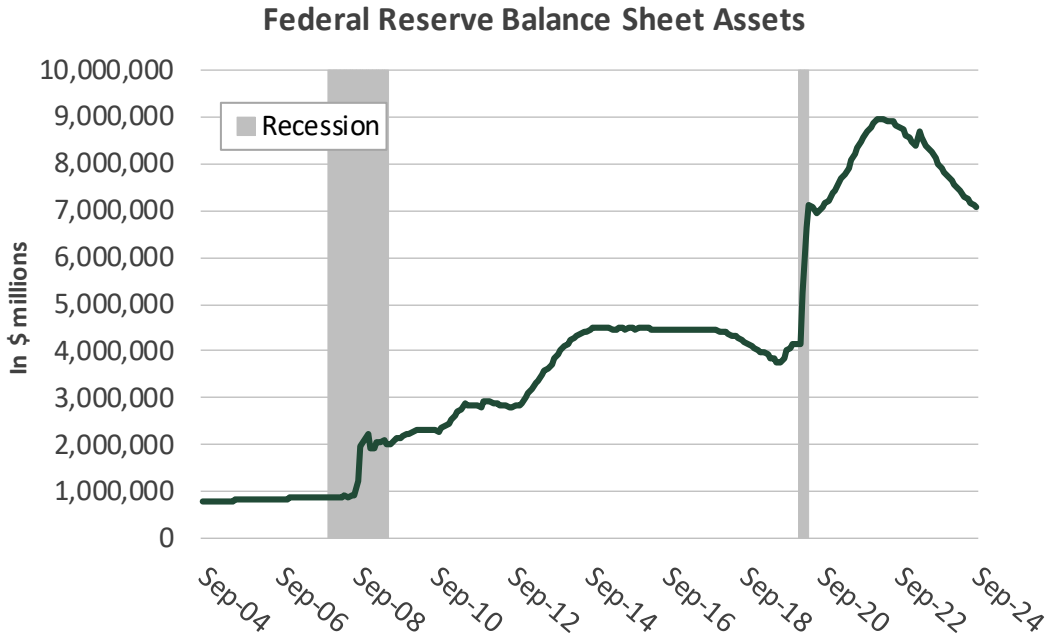
Components of GDP	9/23	12/23	3/24	6/24
Personal Consumption Expenditures	1.7%	2.3%	1.3%	1.9%
Gross Private Domestic Investment	1.8%	0.2%	0.6%	1.5%
Net Exports and Imports	-0.1%	0.1%	-0.6%	-0.9%
Federal Government Expenditures	0.3%	0.0%	0.0%	0.3%
State and Local (Consumption and Gross Investment)	0.6%	0.6%	0.3%	0.3%
Total	**4.4%**	**3.2%**	**1.6%**	**3.0%**

Source: US Department of Commerce

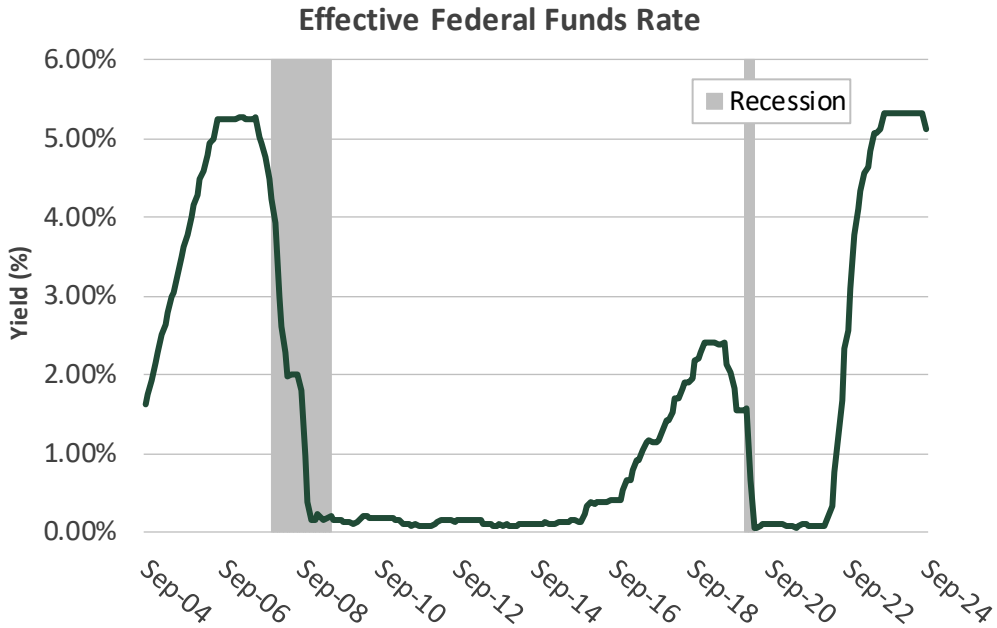


Source: US Department of Commerce

According to the third estimate, second quarter GDP increased at an annualized rate of 3.0%, unchanged from the prior estimate. Growth continues to be powered by personal consumption expenditures. Gross fixed investment, government consumption expenditures, and inventories also had positive contributions, with a negative offset by net exports. The consensus projection calls for 2.0% growth in the third quarter and 2.6% growth for the full year 2024.

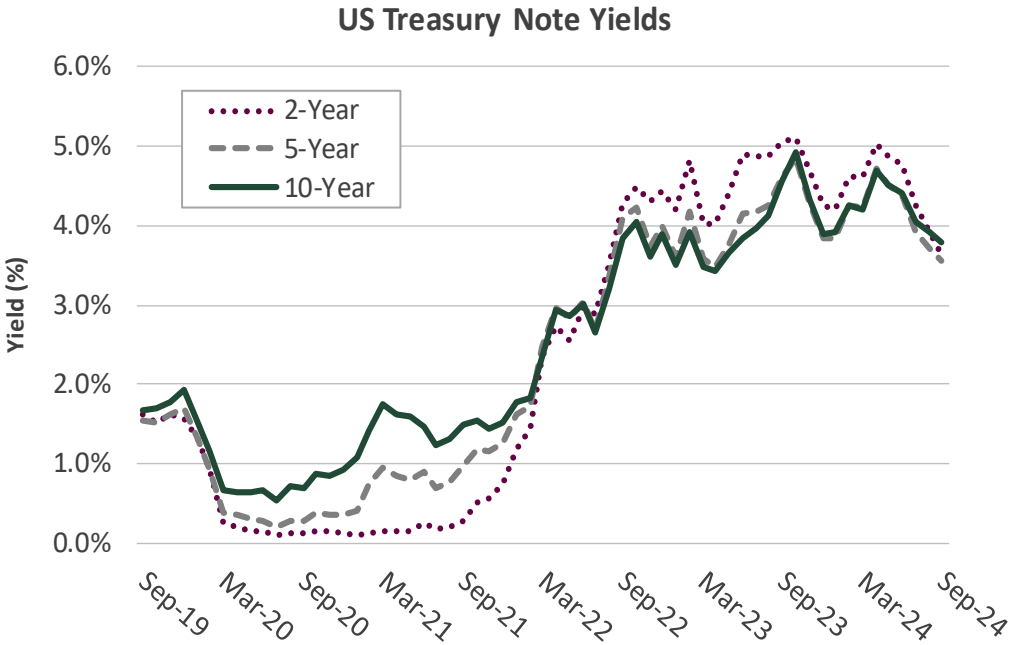


Source: Federal Reserve

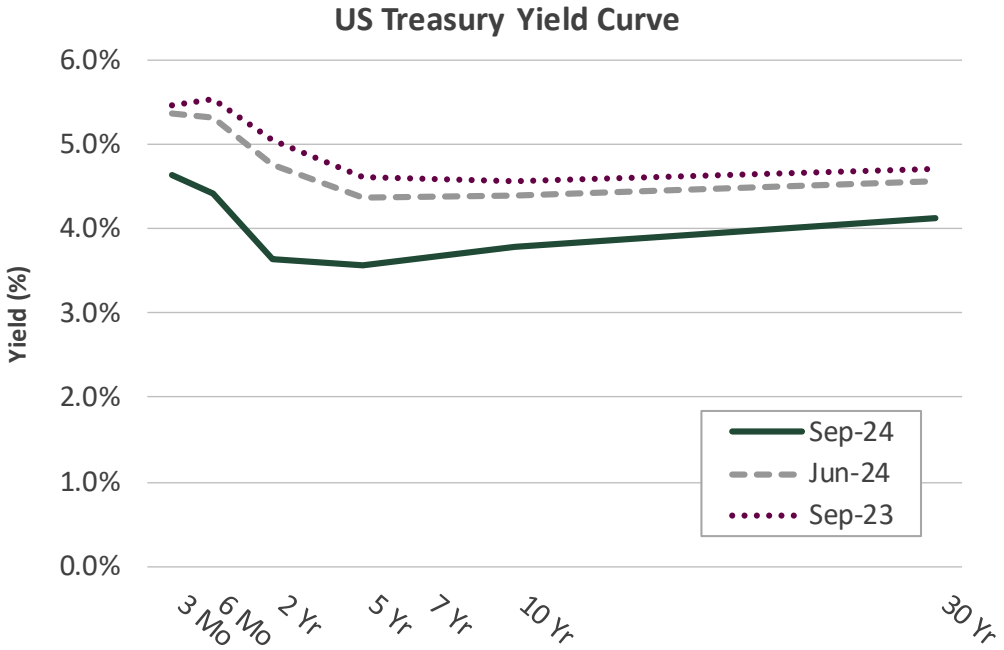


Source: Bloomberg

The Federal Open Market Committee (FOMC) delivered the first rate cut of the easing cycle at the September meeting. Although a reduction in the Fed Funds Rate was widely anticipated, the magnitude was somewhat of a surprise, as market participants were split between whether the FOMC would cut by 25 basis points or 50 basis points. Chair Jerome Powell reiterated previous statements acknowledging that monetary policy has shifted into a more balanced approach addressing price stability and full employment in tandem. The Fed released the quarterly Summary of Economic Projections (SEP) which now forecasts a substantially lower median Fed Funds Rate expectation among Fed Governors in 2025 to 3.1 – 3.6%. The Fed continues to reduce its holdings of U.S. Treasury securities and agency mortgage-backed securities as per its predefined schedule of $25 billion and $35 billion per month. Since the Fed began its Quantitative Tightening campaign in June 2022, securities holdings have declined by approximately $1.8T to approximately $7.1T.



Source: Bloomberg



Source: Bloomberg

At the end of September, the 2-year Treasury yield was 140 basis points lower, and the 10-Year Treasury yield was 79 basis points lower, year-over-year. The 2-year and 10-year Treasury yield points on the curve began to normalize to +14 basis points at September month-end versus -2 basis points at August month-end. The yield curve inversion which began in July 2022 was historically long. The average historical spread (since 2003) is about +110 basis points. The inversion between 3-month and 10-year Treasuries tightened to -85 basis points in September from -121 basis points in August.

CHANDLER ASSET MANAGEMENT

ACCOUNT PROFILE

Investment Objectives

The investment objectives for the City of Pittsburg, in order of priority, are to provide safety to ensure the preservation of capital in the overall portfolio, provide sufficient liquidity for cash needs and a market rate of return consistent with the investment program.

Chandler Asset Management Performance Objective

The performance objective for the portfolio is to earn a total rate of return through a market cycle that is equal to or above the return on the benchmark index.

Strategy

In order to achieve these objectives, the portfolio invests in high quality fixed income securities consistent with the City's investment policy and California Government Code.

Rules Name	Limit	Actual	Compliance Status	Notes
AGENCY MORTGAGE SECURITIES (CMOS)				
Max % (MV)	100.0	6.1	Compliant	
Max % Issuer (MV)	30.0	6.1	Compliant	
Max Maturity (Years)	5.0	3.3	Compliant	
ASSET-BACKED SECURITIES (ABS)				
Max % (MV)	20.0	7.6	Compliant	
Max % Issuer (MV)	5.0	1.1	Compliant	
Max Maturity (Years)	5.0	4.5	Compliant	
Min Rating (AA- by 1)	0.0	0.0	Compliant	
BANKERS' ACCEPTANCES				
Max % (MV)	40.0	0.0	Compliant	
Max % Issuer (MV)	5.0	0.0	Compliant	
Max Maturity (Days)	180	0.0	Compliant	
Min Rating (A-1 by 1)	0.0	0.0	Compliant	
CAMP				
Max % (MV)	100.0	0.0	Compliant	
COLLATERALIZED TIME DEPOSITS (NON-NEGOTIABLE CD/TD)				
Max % (MV)	30.0	0.0	Compliant	
Max Maturity (Years)	1.0	0.0	Compliant	
Min Rating (A- by 1)	0.0	0.0	Compliant	
COMMERCIAL PAPER				
Max % (MV)	25.0	2.9	Compliant	
Max % Issuer (MV)	5.0	1.9	Compliant	
Max Maturity (Days)	270	126	Compliant	
Min Rating (A-1 by 1 or A- by 1)	0.0	0.0	Compliant	
CORPORATE MEDIUM TERM NOTES				
Max % (MV)	30.0	15.7	Compliant	
Max % Issuer (MV)	5.0	1.1	Compliant	
Max Maturity (Years)	5	3	Compliant	

STATEMENT OF COMPLIANCE

City of Pittsburg Managed Cons | Account #10618 | As of September 30, 2024

Rules Name	Limit	Actual	Compliance Status	Notes
Min Rating (A- by 1)	0.0	0.0	Compliant	
FDIC INSURED TIME DEPOSITS (NON-NEGOTIABLE CD/TD)				
Max % (MV)	30.0	0.0	Compliant	
Max Maturity (Years)	1.0	0.0	Compliant	
Min Rating (A- by 1)	0.0	0.0	Compliant	
FEDERAL AGENCIES				
Max % (MV)	100.0	19.0	Compliant	
Max % Issuer (MV)	30.0	9.1	Compliant	
Max Callables (MV)	20.0	0.0	Compliant	
Max Maturity (Years)	5	3	Compliant	
LOCAL AGENCY INVESTMENT FUND (LAIF)				
Max Concentration (MV)	75.0	0.0	Compliant	
LOCAL GOVERNMENT INVESTMENT POOL (LGIP)				
Max % (MV)	100.0	0.0	Compliant	
MONEY MARKET MUTUAL FUNDS				
Max % (MV)	20.0	5.2	Compliant	
Max % Issuer (MV)	10.0	5.2	Compliant	
Min Rating (AAA by 2)	0.0	0.0	Compliant	
MORTGAGE-BACKED SECURITIES, CMOS (NON-AGENCY)				
Max % (MV)	20.0	0.0	Compliant	
Max % Issuer (MV)	5.0	0.0	Compliant	
Max Maturity (Years)	5.0	0.0	Compliant	
Min Rating (AA- by 1)	0.0	0.0	Compliant	
MUNICIPAL SECURITIES (CA, LOCAL AGENCY)				
Max % (MV)	30.0	0.0	Compliant	
Max % Issuer (MV)	5.0	0.0	Compliant	
Max Maturity (Years)	5	0.0	Compliant	
Min Rating (A- by 1)	0.0	0.0	Compliant	

STATEMENT OF COMPLIANCE

CHANDLER ASSET MANAGEMENT

City of Pittsburg Managed Cons | Account #10618 | As of September 30, 2024

Rules Name	Limit	Actual	Compliance Status	Notes
MUNICIPAL SECURITIES (CA, OTHER STATES)				
Max % (MV)	30.0	0.0	Compliant	
Max % Issuer (MV)	5.0	0.0	Compliant	
Max Maturity (Years)	5	0.0	Compliant	
Min Rating (A- by 1)	0.0	0.0	Compliant	
MUTUAL FUNDS				
Max % (MV)	20.0	0.0	Compliant	
Max % Issuer (MV)	10.0	0.0	Compliant	
Min Rating (AAA by 2)	0.0	0.0	Compliant	
NEGOTIABLE CERTIFICATES OF DEPOSIT (NCD)				
Max % (MV)	30.0	1.5	Compliant	
Max % Issuer (MV)	5.0	1.5	Compliant	
Max Maturity (Years)	5	0.0	Compliant	
Min Rating (A-1 by 1 or A- by 1 if > FDIC Limit)	0.0	0.0	Compliant	
REPURCHASE AGREEMENTS				
Max % (MV)	15.0	0.0	Compliant	
Max % Issuer (MV)	5.0	0.0	Compliant	
Max Maturity (Days)	90.0	0.0	Compliant	
Min Rating (A- by 2 or A-1 by 1)	0.0	0.0	Compliant	
SUPRANATIONAL OBLIGATIONS				
Max % (MV)	30.0	1.4	Compliant	
Max % Issuer (MV)	10.0	0.7	Compliant	
Max Maturity (Years)	5	2	Compliant	
Min Rating (AA- by 1)	0.0	0.0	Compliant	
U.S. TREASURIES				
Max % (MV)	100.0	40.6	Compliant	
Max Maturity (Years)	5	4	Compliant	

PORTFOLIO CHARACTERISTICS

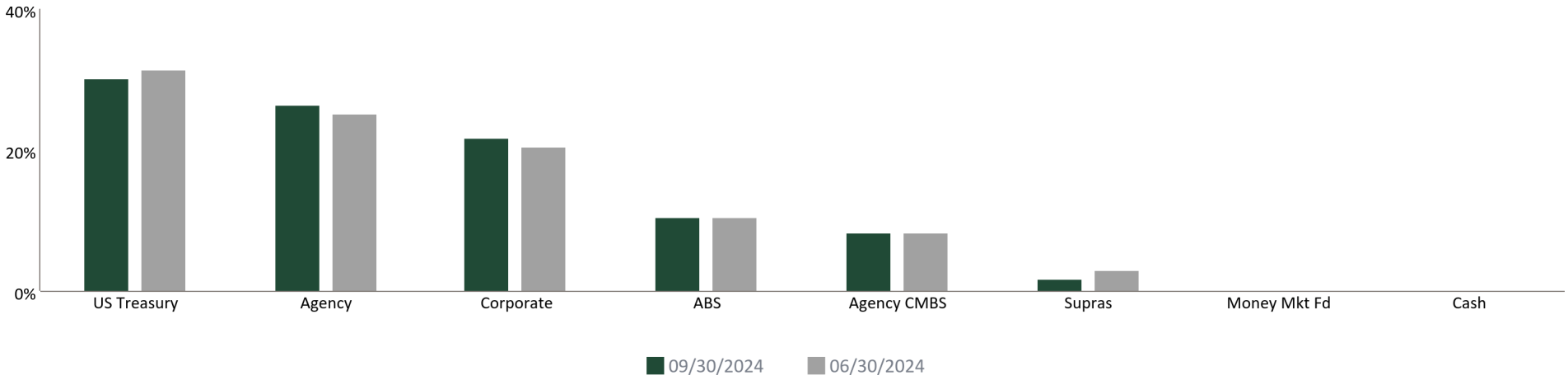
City of Pittsburg | Account #10607 | As of September 30, 2024

	Benchmark*	9/30/2024 Portfolio	6/30/2024 Portfolio
Average Maturity (yrs)	1.84	2.18	2.22
Average Modified Duration	1.76	1.86	1.91
Average Purchase Yield		3.88%	3.64%
Average Market Yield	3.71%	3.96%	4.94%
Average Quality**	AA+	AA+	AA+
Total Market Value		74,343,020	72,211,350

*Benchmark: ICE BofA 1-3 Year US Treasury & Agency Index
**The credit quality is a weighted average calculation of the highest of S&P, Moody's and Fitch.

SECTOR DISTRIBUTION

City of Pittsburg | Account #10607 | As of September 30, 2024

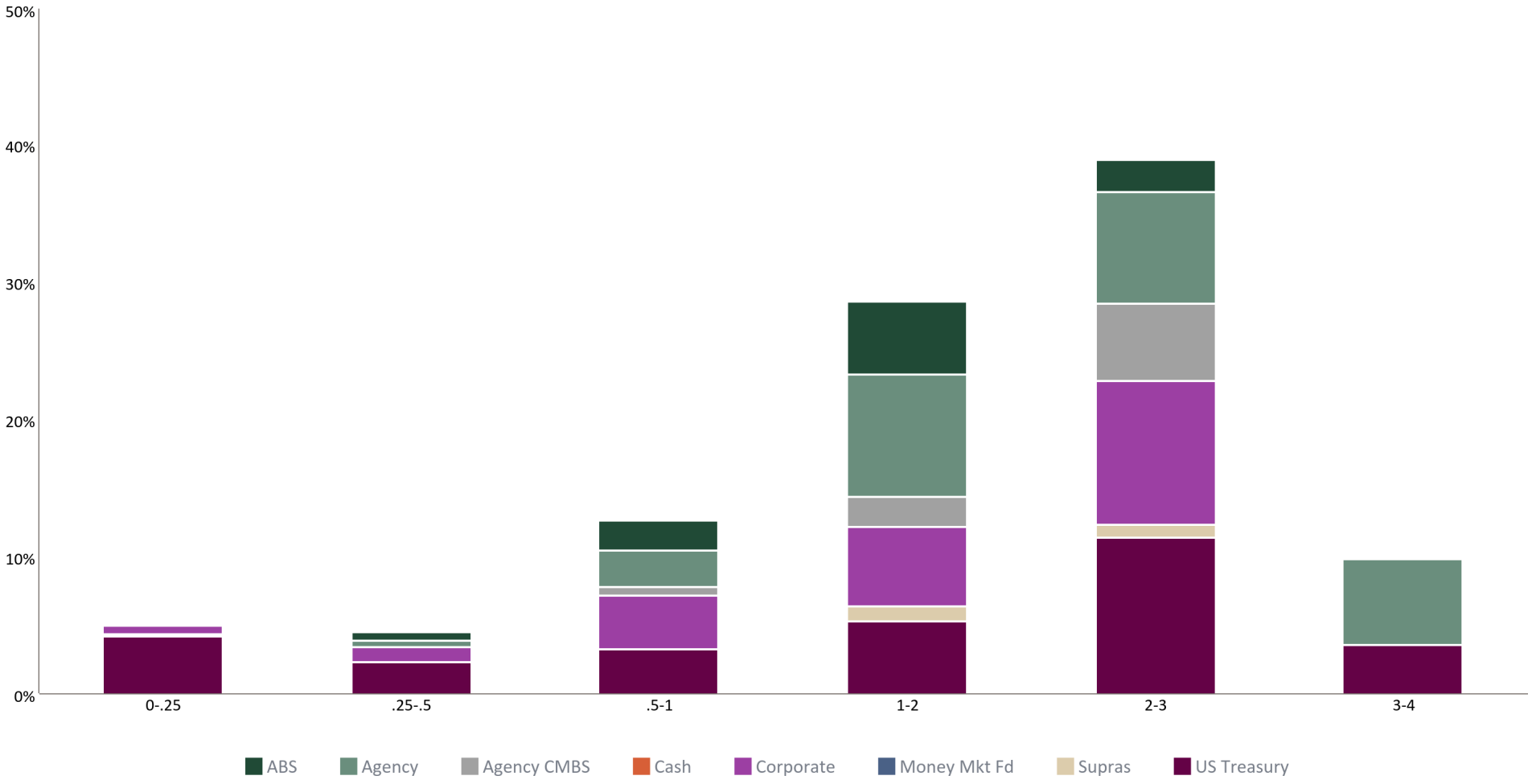


Sector as a Percentage of Market Value

Sector	09/30/2024	06/30/2024
US Treasury	30.22%	31.53%
Agency	26.52%	25.31%
Corporate	21.98%	20.49%
ABS	10.55%	10.68%
Agency CMBS	8.51%	8.56%
Supras	2.00%	3.25%
Money Mkt Fd	0.21%	0.12%
Cash	0.00%	0.06%

DURATION ALLOCATION

City of Pittsburg | Account #10607 | As of September 30, 2024



	0-.25	.25-.5	.5-1	1-2	2-3	3-4	4-5	5-7	7+
09/30/2024	5.2%	4.5%	12.7%	28.7%	39.0%	9.9%	0.0%	0.0%	0.0%

Issuer	Investment Type	% Portfolio
United States	US Treasury	30.22%
Farm Credit System	Agency	12.61%
Federal Home Loan Banks	Agency	12.60%
FHLMC	Agency CMBS	8.51%
Royal Bank of Canada	Corporate	1.59%
PACCAR Inc	Corporate	1.55%
American Express Credit Master Trust	ABS	1.48%
Caterpillar Inc.	Corporate	1.39%
Cisco Systems, Inc.	Corporate	1.38%
Honda Auto Receivables Owner Trust	ABS	1.38%
The Home Depot, Inc.	Corporate	1.36%
Chase Issuance Trust	ABS	1.35%
FNMA	Agency	1.31%
State Street Corporation	Corporate	1.19%
Inter-American Development Bank	Supras	1.03%
BMW Vehicle Lease Trust	ABS	1.03%
Massachusetts Mutual Life Insurance	Corporate	1.01%
Chubb Limited	Corporate	1.00%
Amazon.com, Inc.	Corporate	1.00%
Honeywell International Inc.	Corporate	0.99%
UnitedHealth Group Incorporated	Corporate	0.99%
International Finance Corporation	Supras	0.98%
John Deere Owner Trust	ABS	0.95%
Toyota Auto Receivables Owner Trust	ABS	0.85%
Northern Trust Corporation	Corporate	0.81%
Mastercard Incorporated	Corporate	0.80%
BMW Vehicle Owner Trust	ABS	0.75%
Northwestern Mutual Global Funding	Corporate	0.74%
Hyundai Auto Lease Securitization Tr	ABS	0.73%
BlackRock, Inc.	Corporate	0.73%

ISSUERS

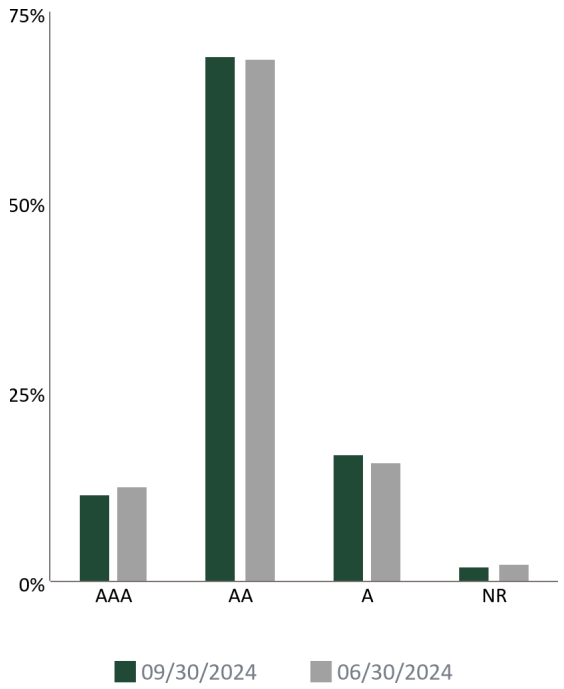
City of Pittsburg | Account #10607 | As of September 30, 2024

Issuer	Investment Type	% Portfolio
Bank of America Corporation	Corporate	0.70%
Deere & Company	Corporate	0.69%
BNY Mellon Corp	Corporate	0.69%
Duke Energy Corporation	Corporate	0.67%
Target Corporation	Corporate	0.67%
GM Financial Securitized Term	ABS	0.67%
Eli Lilly and Company	Corporate	0.64%
Bank of America Credit Card Trust	ABS	0.51%
Morgan Stanley	Corporate	0.47%
Mercedes-Benz Auto Lease Trust 2024-	ABS	0.40%
PepsiCo, Inc.	Corporate	0.38%
Toyota Motor Corporation	Corporate	0.32%
Mercedes-Benz Auto Lease Trust	ABS	0.26%
Allspring Group Holdings LLC	Money Mkt Fd	0.21%
Walmart Inc.	Corporate	0.21%
Hyundai Auto Receivables Trust	ABS	0.19%
Cash	Cash	0.00%
TOTAL		**100.00%**

QUALITY DISTRIBUTION

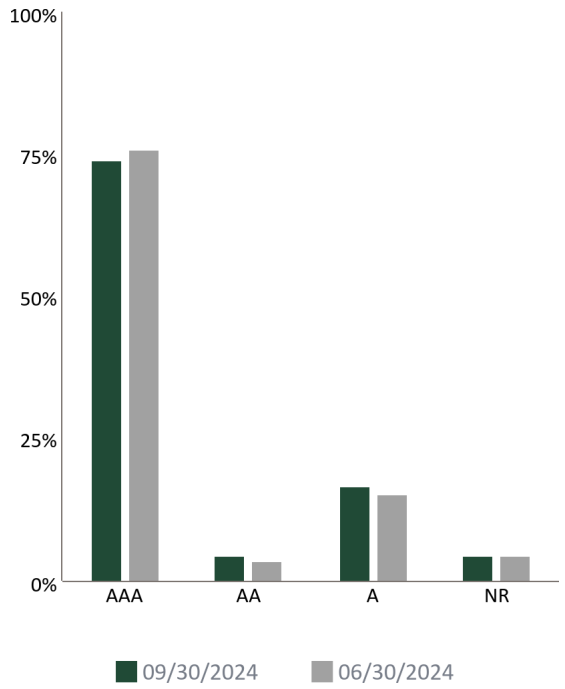
City of Pittsburg | Account #10607 | As of September 30, 2024

S&P Rating



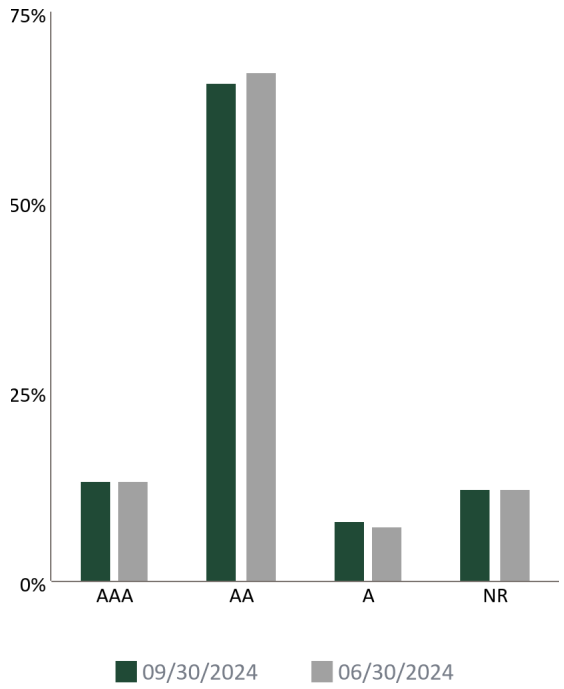
Rating	09/30/2024	06/30/2024
AAA	11.5%	12.6%
AA	69.3%	69.1%
A	17.0%	15.9%
NR	2.3%	2.5%

Moody's Rating



Rating	09/30/2024	06/30/2024
AAA	74.0%	75.9%
AA	4.6%	3.9%
A	16.7%	15.6%
NR	4.7%	4.6%

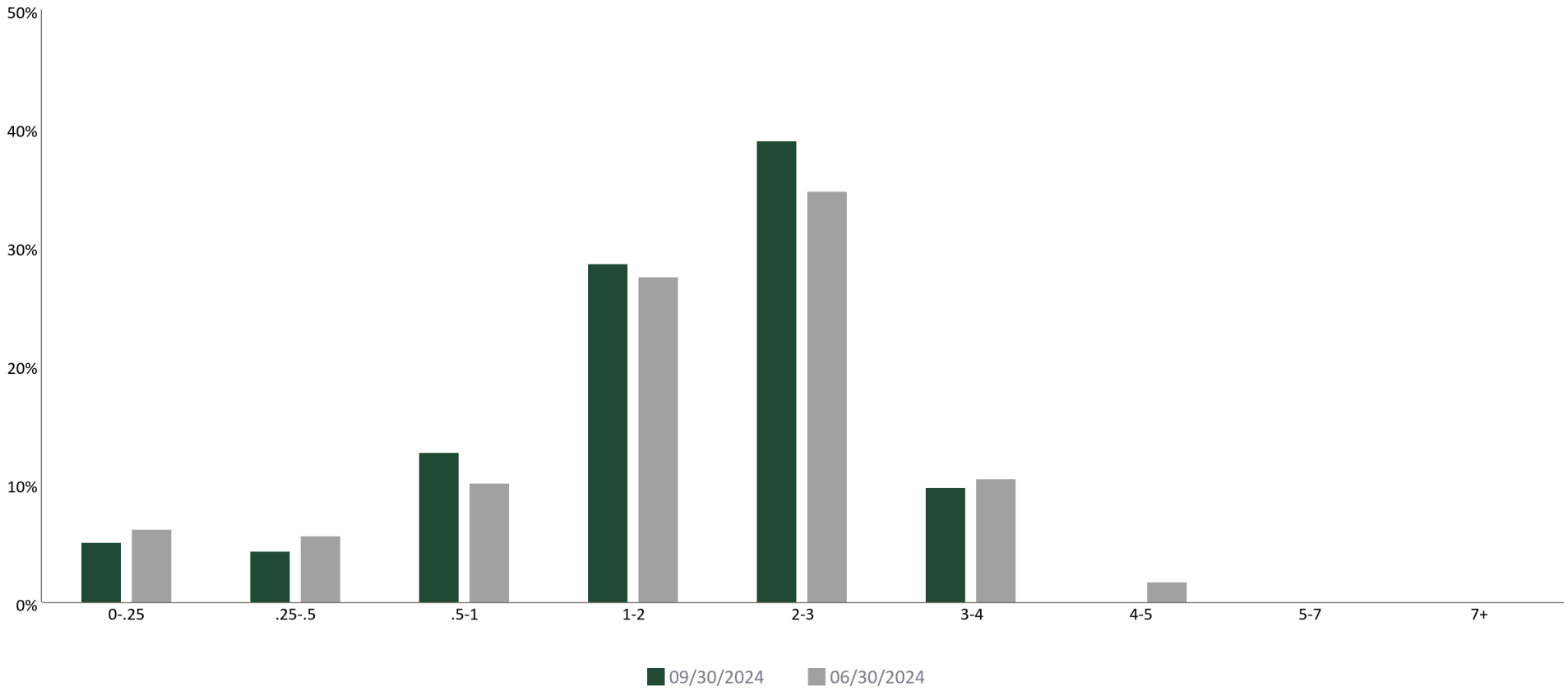
Fitch Rating



Rating	09/30/2024	06/30/2024
AAA	13.5%	13.3%
AA	65.9%	67.2%
A	8.3%	7.3%
NR	12.3%	12.2%

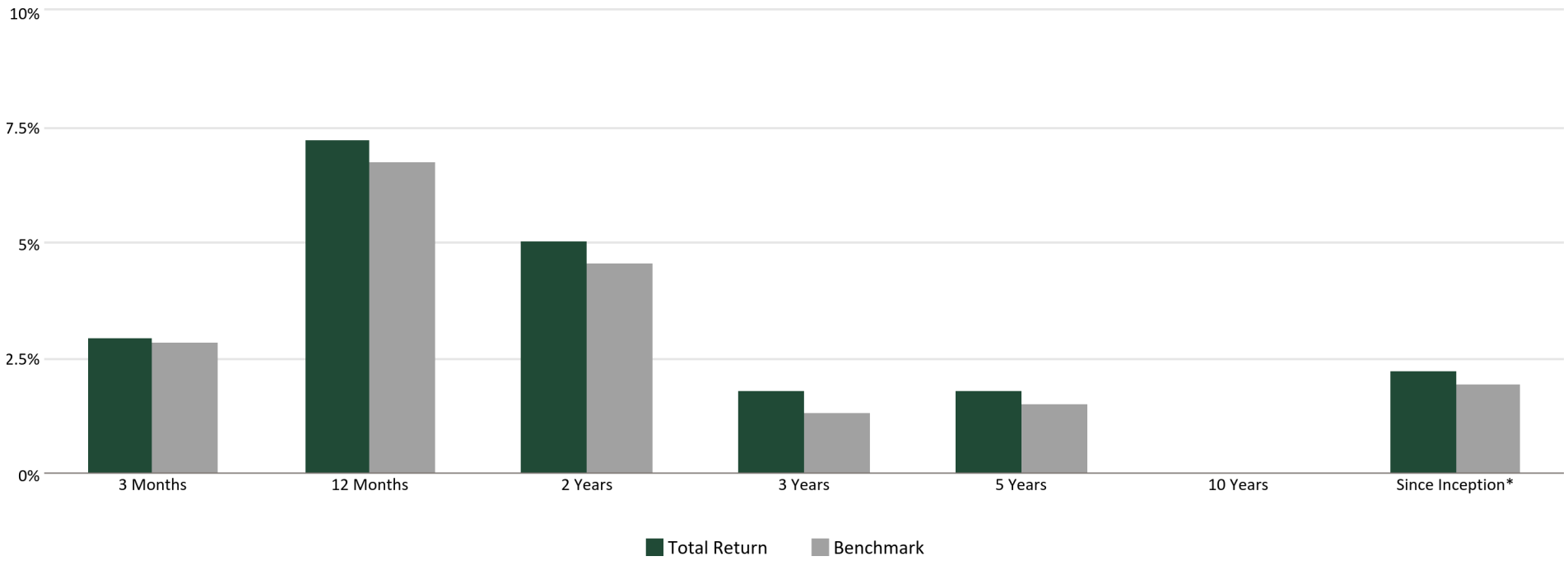
DURATION DISTRIBUTION

City of Pittsburg | Account #10607 | As of September 30, 2024



Date	0-.25	.25-.5	.5-1	1-2	2-3	3-4	4-5	5-7	7+
09/30/2024	5.2%	4.5%	12.7%	28.7%	39.0%	9.9%	0.0%	0.0%	0.0%
06/30/2024	6.3%	5.7%	10.2%	27.6%	34.8%	10.5%	1.9%	0.0%	0.0%

Total Rate of Return : Inception | 08/01/2018



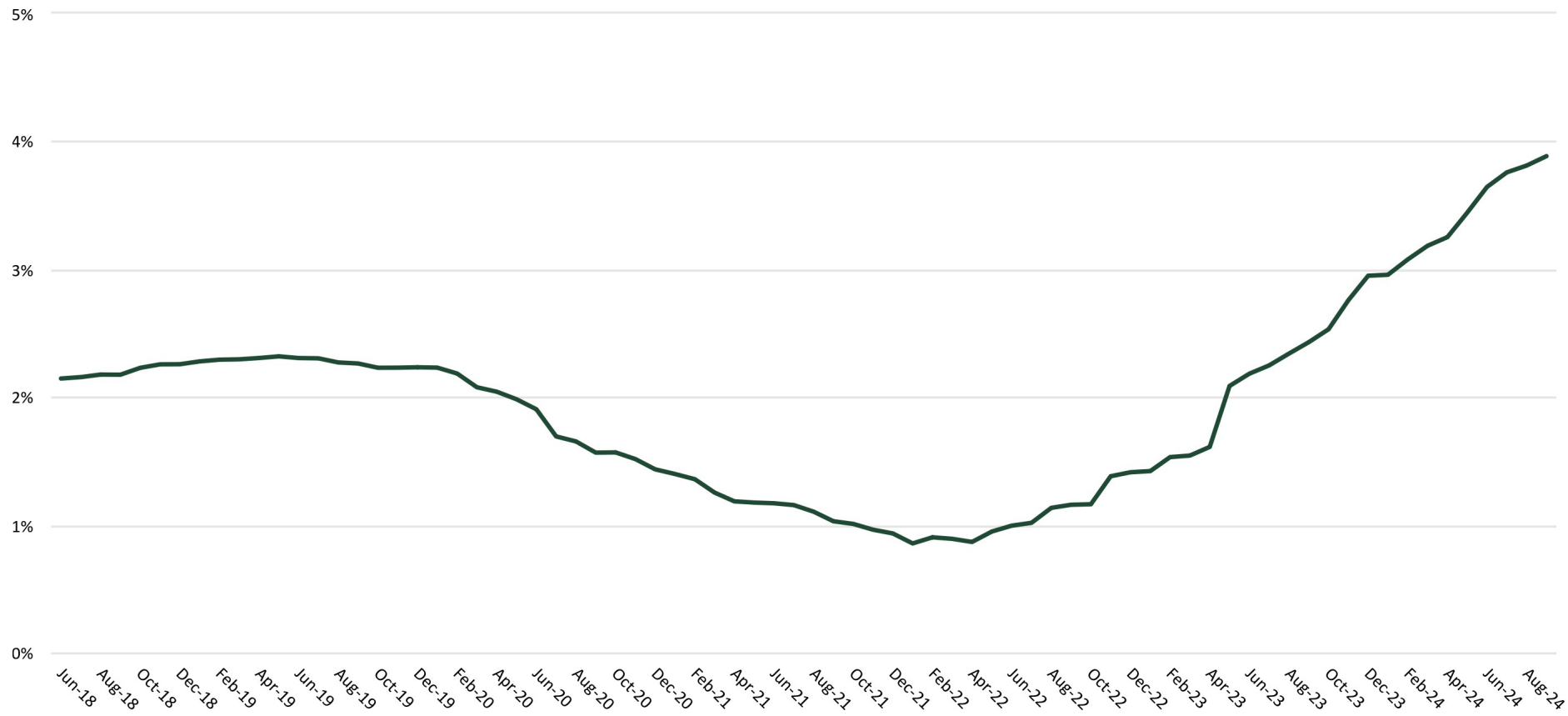
	3 Months	12 Months	2 Years	3 Years	5 Years	10 Years	Since Inception
TOTAL RATE OF RETURN							
City of Pittsburg	2.95%	7.25%	5.04%	1.80%	1.82%		2.26%
Benchmark	*2.86%*	*6.74%*	*4.58%*	*1.34%*	*1.51%*		*1.96%*

*Periods over 1 year are annualized.
Benchmark: ICE BofA 1-3 Year US Treasury & Agency Index
Total rate of return: A measure of a portfolio's performance over time. It is the internal rate of return, which equates the beginning value of the portfolio with the ending market value; it includes interest earnings, realized and unrealized gains and losses in the portfolio.

HISTORICAL AVERAGE PURCHASE YIELD

City of Pittsburg | Account #10607 | As of September 30, 2024

Purchase Yield as of 09/30/24 = 3.88%



PORTFOLIO CHARACTERISTICS

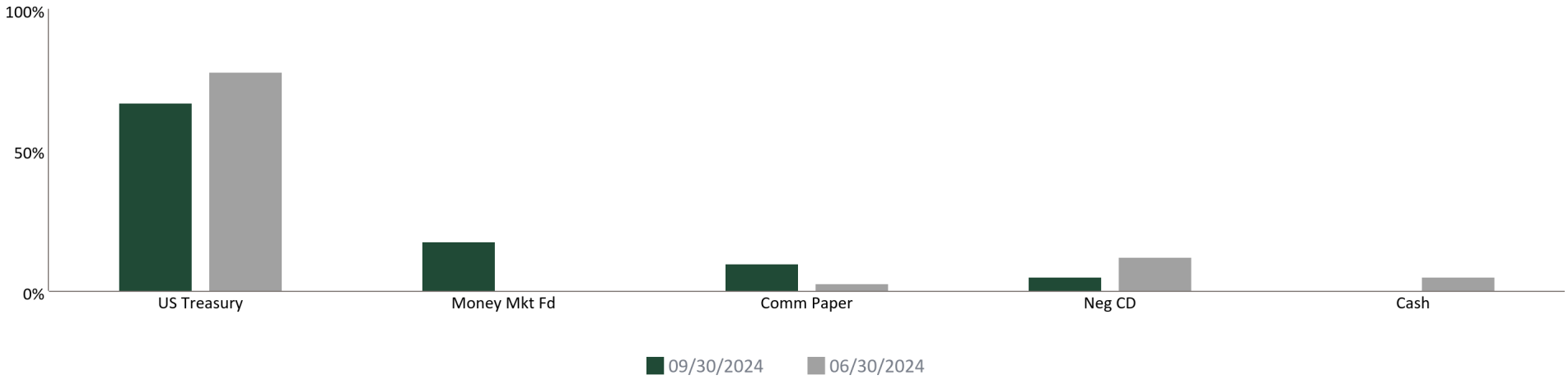
City of Pittsburg Liquidity | Account #10617 | As of September 30, 2024

	Benchmark*	9/30/2024 Portfolio	6/30/2024 Portfolio
Average Maturity (yrs)	0.16	0.26	0.35
Average Modified Duration	0.16	0.25	0.35
Average Purchase Yield		5.08%	5.02%
Average Market Yield	4.74%	4.54%	4.97%
Average Quality**	AA+	AAA	AAA
Total Market Value		29,487,867	29,047,344

*Benchmark: ICE BofA 3-Month US Treasury Bill Index
**The credit quality is a weighted average calculation of the highest of S&P, Moody's and Fitch.

SECTOR DISTRIBUTION

City of Pittsburg Liquidity | Account #10617 | As of September 30, 2024



Sector as a Percentage of Market Value

Sector	09/30/2024	06/30/2024
US Treasury	66.87%	78.20%
Money Mkt Fd	17.91%	0.86%
Comm Paper	10.06%	3.36%
Neg CD	5.12%	12.15%
Cash	0.05%	5.43%

ISSUERS

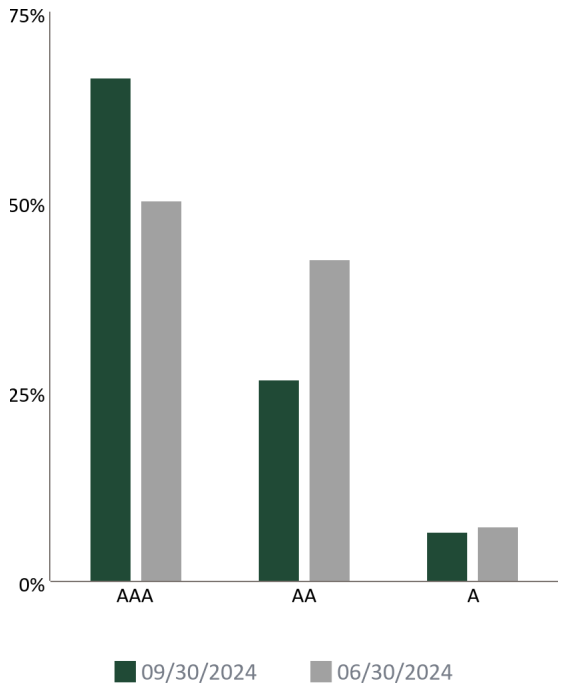
City of Pittsburg Liquidity | Account #10617 | As of September 30, 2024

Issuer	Investment Type	% Portfolio
United States	US Treasury	66.87%
Allspring Group Holdings LLC	Money Mkt Fd	17.91%
Mitsubishi UFJ Financial Group, Inc.	Comm Paper	6.71%
The Toronto-Dominion Bank	Neg CD	5.12%
Toyota Motor Corporation	Comm Paper	3.35%
Cash	Cash	0.05%
TOTAL		**100.00%**

QUALITY DISTRIBUTION

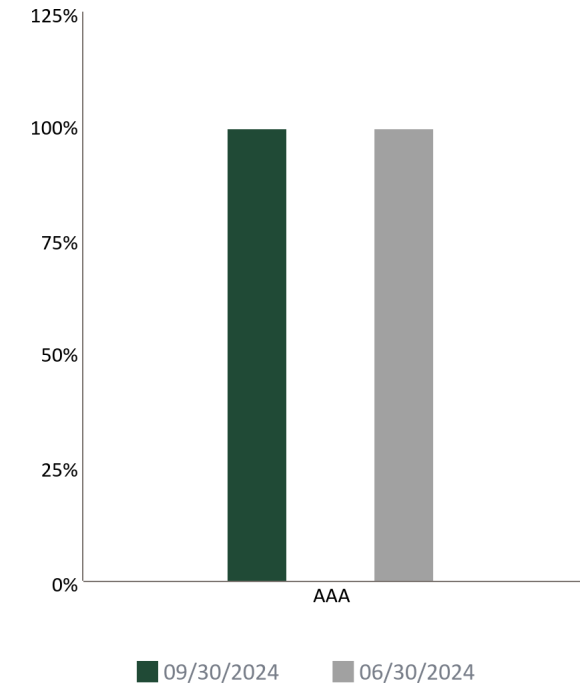
City of Pittsburg Liquidity | Account #10617 | As of September 30, 2024

S&P Rating



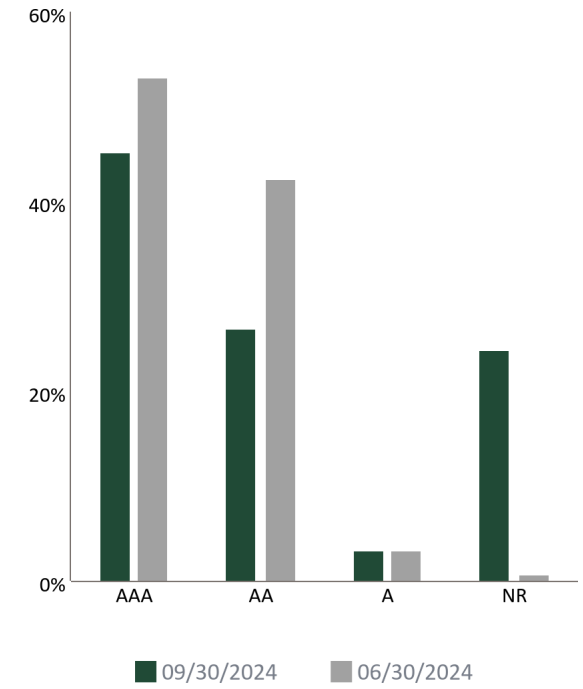
Rating	09/30/2024	06/30/2024
AAA	66.6%	50.2%
AA	26.7%	42.5%
A	6.7%	7.2%

Moody's Rating



Rating	09/30/2024	06/30/2024
AAA	100.0%	100.0%

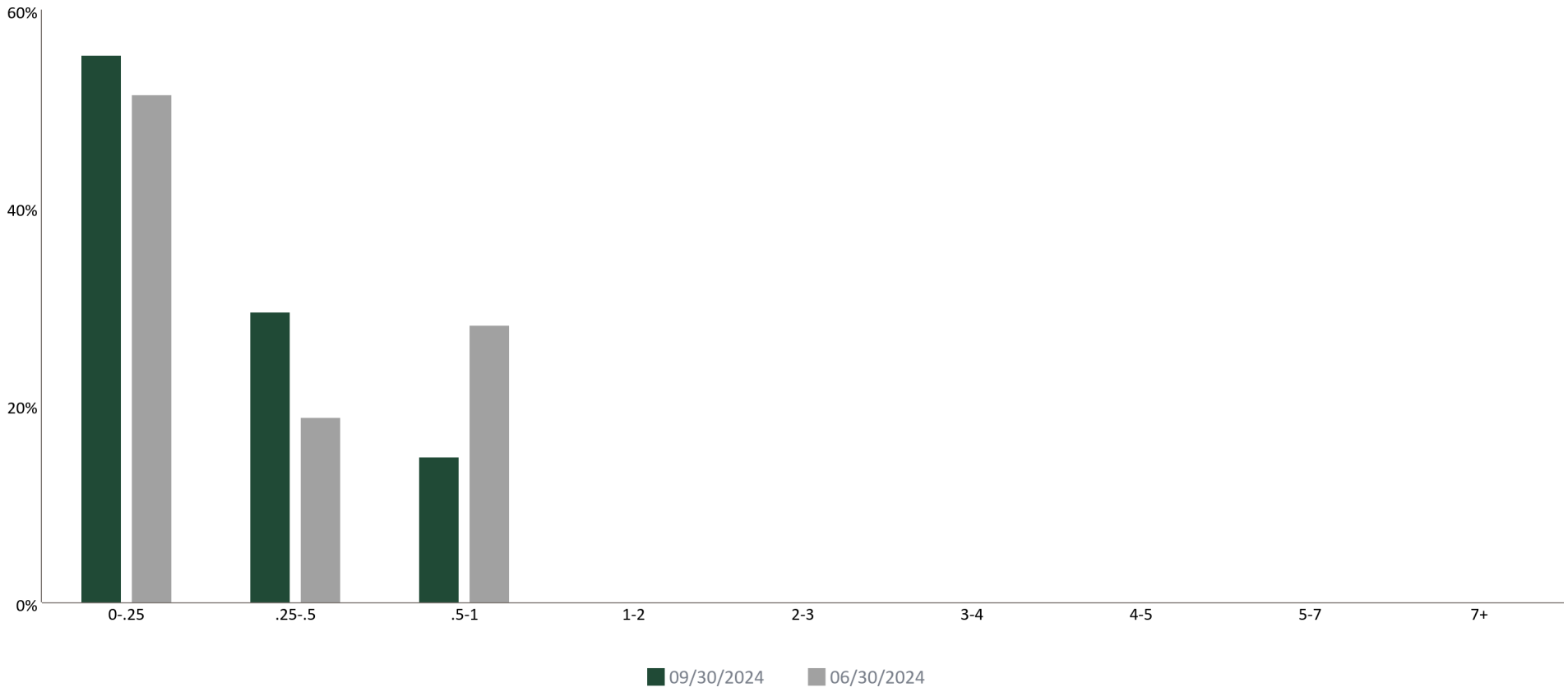
Fitch Rating



Rating	09/30/2024	06/30/2024
AAA	45.5%	53.3%
AA	26.7%	42.5%
A	3.3%	3.3%
NR	24.5%	0.9%

DURATION DISTRIBUTION

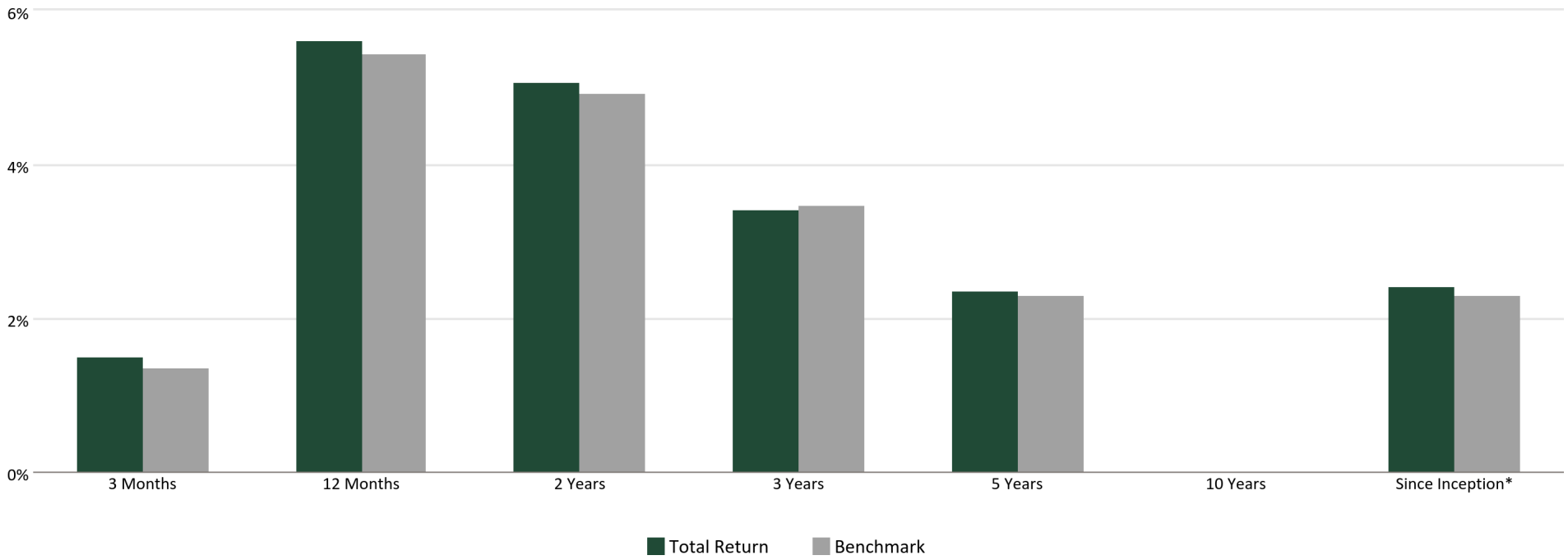
City of Pittsburg Liquidity | Account #10617 | As of September 30, 2024



Date	0-.25	.25-.5	.5-1	1-2	2-3	3-4	4-5	5-7	7+
09/30/2024	55.5%	29.6%	14.9%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
06/30/2024	51.5%	18.8%	28.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

City of Pittsburg Liquidity | Account #10617 | As of September 30, 2024

Total Rate of Return : Inception | 10/01/2018



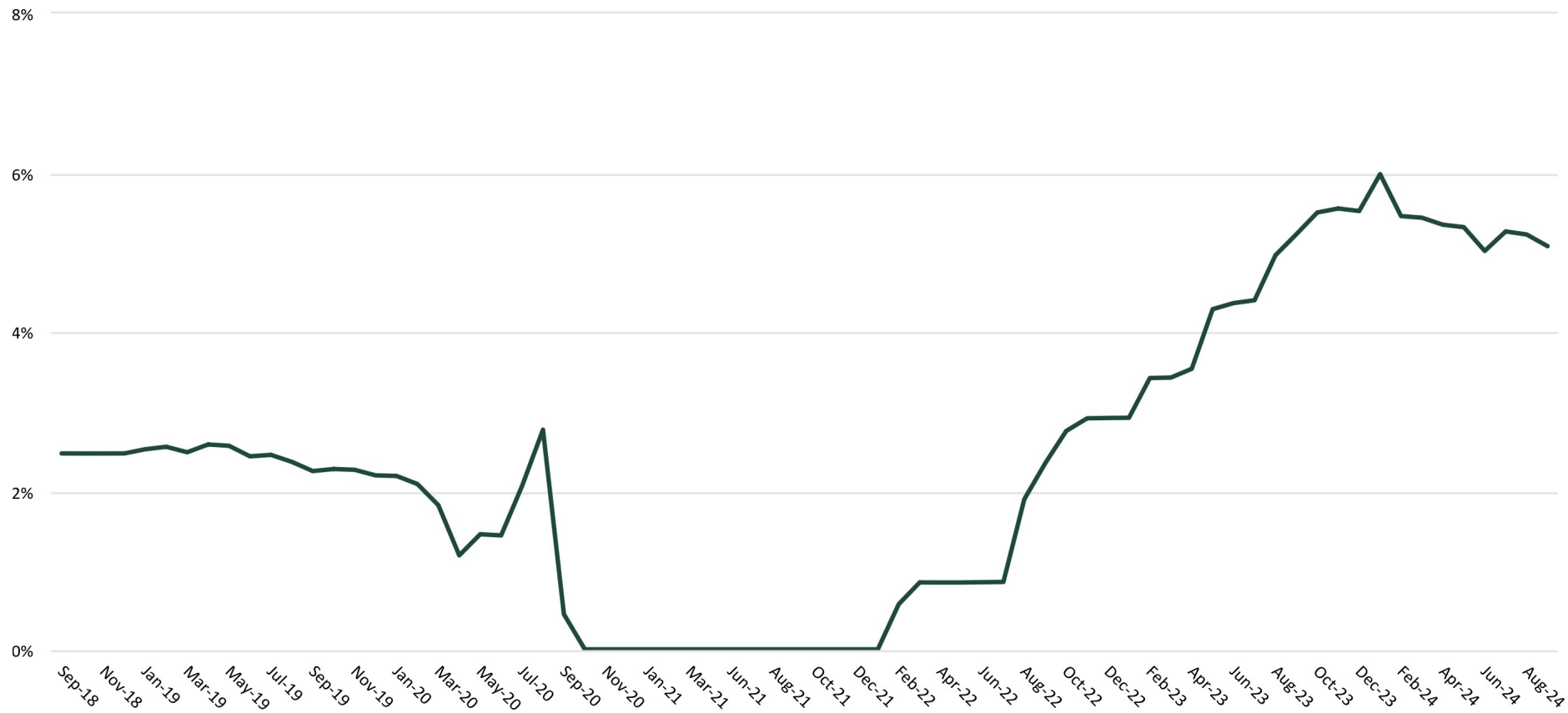
	3 Months	12 Months	2 Years	3 Years	5 Years	10 Years	Since Inception
TOTAL RATE OF RETURN							
City of Pittsburg Liquidity	1.51%	5.62%	5.10%	3.42%	2.36%		2.43%
Benchmark	*1.37%*	*5.46%*	*4.96%*	*3.49%*	*2.32%*		*2.33%*

*Periods over 1 year are annualized.
Benchmark: ICE BofA 3-Month US Treasury Bill Index
Total rate of return: A measure of a portfolio's performance over time. It is the internal rate of return, which equates the beginning value of the portfolio with the ending market value; it includes interest earnings, realized and unrealized gains and losses in the portfolio.

HISTORICAL AVERAGE PURCHASE YIELD

City of Pittsburg Liquidity | Account #10617 | As of September 30, 2024

Purchase Yield as of 09/30/24 = 5.08%



CHANDLER ASSET MANAGEMENT

CONSOLIDATED INFORMATION

	Original Cost	Market Value	% of Portfolio
Funds Managed Internally			
Cash Equivalents	8,341,159.27	8,341,159.28	3.75%
Investment Pools	33,253,574.55	33,322,112.96	15.00%
Additional Bonded Debt Funds	68,003,589.32	68,010,932.41	30.61%
Total	**109,598,323.14**	**109,674,204.65**	**49.36%**
Funds Managed by City's Investment Advisor			
Operating Funds	101,746,551.44	103,182,719.33	46.44%
Bond Managed Reserve	5,267,120.89	5,299,485.78	2.38%
Total	**107,013,672.33**	**108,482,205.11**	**48.82%**
City's Section 115 Trust			
Section 115 Trust	3,868,055.47	4,050,622.16	1.82%
Total	**3,868,055.47**	**4,050,622.16**	**1.82%**
Total City Funds	**220,480,050.94**	**222,207,031.92**	**100.00%**

*Market value changes daily and is subject to a number of economic forces, including supply and demand, and can incur unrealized gains and losses.

SECTOR ALLOCATION

City of Pittsburg | As of September 30, 2024

Security Type	Original Cost	Market Value	% of Portfolio	Average Maturity	Average Yield
Operating Funds					
Cash Equivalents[1]	$8,341,159.27	$8,341,159.28	5.76%	1	N/A
Money Market Funds	5,412,673.34	5,412,673.34	3.74%	1	4.89%
Investment Pools[2]	33,253,574.55	33,322,112.96	23.01%	1	N/A
Total Liquidity	**47,007,407.16**	**47,075,945.58**	**32.50%**	**1**	**4.89%**
U.S. Treasury Notes	41,306,370.15	41,940,386.41	28.96%	405	3.98%
Federal Agency Securities	19,270,033.65	19,585,810.21	13.52%	869	4.21%
Negotiable Certificates of Deposit	1,500,000.00	1,501,291.50	1.04%	51	5.65%
Medium-Term Corporate Notes	16,024,485.45	16,230,978.36	11.21%	704	4.18%
Asset-Backed Securities	7,696,150.48	7,794,038.65	5.38%	1190	4.77%
Commercial Paper	2,910,133.34	2,952,611.00	2.04%	124	5.35%
Supranationals	1,457,107.90	1,477,955.76	1.02%	712	4.51%
Collateralized Mortgage Obligations	6,169,597.13	6,286,974.09	4.34%	872	4.17%
Total Securities	**96,333,878.10**	**97,770,045.99**	**67.50%**	**631**	**4.21%**
Total Operating Funds	**143,341,285.26**	**144,845,991.56**	**100.00%**	**426**	**3.02%**
Bonded Debt Funds					
Pittsburg Pension Bond	4,068,226.97	4,100,591.86	5.59%	1	5.30%
Pittsburg AD Auto Mall	363,794.27	363,794.27	0.50%	1	4.77%
Pittsburg AD Vista DM	835,099.65	835,099.65	1.14%	1	4.77%
Additional Bonded Debt Funds[3]	68,003,589.32	68,010,932.41	92.77%	N/A	N/A
Total Bonded Debt Funds	**73,270,710.21**	**73,310,418.19**	**100.00%**	**1**	**5.18%**
Section 115 Trust					
Equity Mutual Fund[2]	$3,868,055.47	$4,050,622.16	100.00%	N/A	N/A
Total Section 115 Trust Funds	**3,868,055.47**	**4,050,622.16**	**100.00%**	**N/A**	**N/A**
Total City Funds	**220,480,050.94**	**222,207,031.92**			

[1,2]Funds not managed by City's investment adviser; [3]Bonded Debt Funds not managed, nor tracked by City's investment adviser

*Market value changes daily and is subject to a number of economic forces, including supply and demand, and can incur unrealized gains and losses.

CHANDLER ASSET MANAGEMENT

PORTFOLIO HOLDINGS

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
ABS									
47788UAC6	JDOT 2021 A3 0.36 09/15/2025	1,049.87	03/02/2021 0.37%	1,049.67 1,049.83	99.81 5.41%	1,047.84 0.17	0.00% (2.00)	Aaa/NA AAA	0.96 0.04
43815EAC8	HAROT 2021-3 A3 0.41 11/18/2025	48,040.53	08/17/2021 0.41%	48,039.83 48,040.37	99.26 5.18%	47,684.24 7.11	0.06% (356.12)	NA/AAA AAA	1.13 0.15
43815GAC3	HAROT 2021-4 A3 0.88 01/21/2026	50,240.11	11/16/2021 0.89%	50,229.52 50,237.12	98.70 5.24%	49,585.98 12.28	0.07% (651.14)	Aaa/NA AAA	1.31 0.30
47789QAC4	JDOT 2021-B A3 0.52 03/16/2026	49,845.33	07/13/2021 0.52%	49,840.88 49,844.11	98.83 4.69%	49,261.40 11.52	0.07% (582.72)	Aaa/NA AAA	1.46 0.28
89238JAC9	TAOT 2021-D A3 0.71 04/15/2026	50,362.18	11/09/2021 0.95%	50,361.10 50,361.93	98.81 4.64%	49,763.78 15.89	0.07% (598.15)	NA/AAA AAA	1.54 0.30
44935FAD6	HART 2021-C A3 0.74 05/15/2026	80,896.85	07/27/2022 3.67%	77,278.61 79,459.34	99.08 5.23%	80,151.86 26.61	0.11% 692.51	NA/AAA AAA	1.62 0.20
05602RAD3	BMWOT 2022-A A3 3.21 08/25/2026	91,153.87	05/10/2022 3.23%	91,149.13 91,151.90	99.33 4.75%	90,541.52 48.77	0.12% (610.37)	Aaa/AAA NA	1.90 0.44
47787JAC2	JDOT 2022 A3 0.36 09/15/2026	98,049.70	03/10/2022 2.34%	98,028.01 98,040.86	98.85 4.69%	96,922.00 101.10	0.13% (1,118.86)	Aaa/NA AAA	1.96 0.49
448977AD0	HART 2022-A A3 2.22 10/15/2026	64,149.77	05/02/2022 3.40%	62,586.12 63,487.47	98.90 4.95%	63,443.89 63.29	0.09% (43.57)	NA/AAA AAA	2.04 0.40
448988AD7	HALST 24A A3 5.02 03/15/2027	255,000.00	01/17/2024 5.03%	254,951.68 254,962.26	100.81 4.45%	257,068.13 568.93	0.35% 2,105.86	NA/AAA AAA	2.45 1.30
05611UAD5	BMWLT 2024-1 A3 4.98 03/25/2027	750,000.00	06/20/2024 5.40%	746,015.63 746,419.21	100.96 4.35%	757,222.43 622.50	1.03% 10,803.21	Aaa/AAA NA	2.48 1.41
36265WAD5	GMCAR 2022-3 A3 3.64 04/16/2027	128,367.88	07/06/2022 3.93%	128,366.99 128,367.48	99.46 4.67%	127,676.78 194.69	0.17% (690.69)	Aaa/NA AAA	2.54 0.54
44934FAD7	HALST 24B A3 5.41 05/17/2027	280,000.00	05/14/2024 5.41%	279,992.22 279,993.16	101.70 4.37%	284,762.02 673.24	0.39% 4,768.85	NA/AAA AAA	2.63 1.54
02582JJT8	AMXCA 2022-2 A 3.39 05/17/2027	510,000.00	05/17/2022 3.42%	509,887.19 509,966.16	99.28 4.61%	506,328.51 768.40	0.69% (3,637.65)	NA/AAA AAA	0.62 0.60
161571HS6	CHAIT 2022-1 A 3.97 09/15/2027	1,000,000.00	05/11/2023 4.28%	993,945.31 995,875.62	99.68 4.35%	996,774.50 1,764.44	1.35% 898.88	NR/AAA AAA	2.96 0.92
58770JAD6	MBALT 2024-A A3 5.32 01/18/2028	190,000.00	05/17/2024 5.73%	189,977.77 189,979.95	102.19 4.33%	194,166.02 449.24	0.26% 4,186.06	Aaa/NA AAA	3.30 2.06

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
58769GAD5	MBALT 2024-B A3 4.23 02/15/2028	295,000.00	09/17/2024 4.24%	294,950.35 294,950.59	99.87 4.34%	294,630.90 207.98	0.40% (319.69)	NA/AAA NA	3.38 1.76
05592XAD2	BMWOT 2023-A A3 5.47 02/25/2028	135,000.00	07/11/2023 5.47%	134,976.08 134,982.35	101.24 4.43%	136,673.34 123.08	0.19% 1,690.99	NA/AAA AAA	3.41 1.12
438123AC5	HAROT 2023-4 A3 5.67 06/21/2028	235,000.00	11/01/2023 5.74%	234,958.62 234,966.67	102.32 4.18%	240,460.30 370.13	0.33% 5,493.63	Aaa/NA AAA	3.73 1.47
89239FAD4	TAOT 2023-D A3 5.54 08/15/2028	195,000.00	11/07/2023 6.30%	194,978.98 194,982.88	102.33 4.19%	199,552.31 480.13	0.27% 4,569.43	NA/AAA AAA	3.88 1.64
437918AC9	HAROT 2024-1 A3 5.21 08/15/2028	670,000.00	02/13/2024 5.27%	669,970.86 669,974.83	101.77 4.18%	681,856.92 1,551.42	0.92% 11,882.09	Aaa/AAA NA	3.88 1.61
89238DAD0	TAOT 2024-A A3 4.83 10/16/2028	375,000.00	01/23/2024 4.89%	374,924.96 374,935.64	101.11 4.20%	379,178.51 805.00	0.51% 4,242.87	Aaa/AAA NA	4.04 1.62
47800RAD5	JDOT 2024 A3 4.96 11/15/2028	180,000.00	03/11/2024 5.12%	179,989.92 179,991.08	101.66 4.20%	182,992.10 396.80	0.25% 3,001.02	Aaa/NA AAA	4.13 2.04
36268GAD7	GMCAR 2024-1 A3 4.85 12/18/2028	360,000.00	-- 4.90%	359,958.35 359,964.26	101.27 4.18%	364,563.65 727.50	0.49% 4,599.39	Aaa/NA AAA	4.22 1.74
096919AD7	BMWOT 2024-A A3 5.18 02/26/2029	320,000.00	06/04/2024 5.24%	319,951.39 319,954.55	102.19 4.05%	327,015.26 276.27	0.44% 7,060.71	Aaa/AAA NA	4.41 1.84
47786WAD2	JDOT 2024-B A3 5.2 03/15/2029	365,000.00	06/11/2024 5.26%	364,928.64 364,932.97	102.53 4.20%	374,232.93 843.56	0.51% 9,299.96	Aaa/NA AAA	4.45 2.36
02582JKH2	AMXCA 2024-1 A 5.23 04/16/2029	570,000.00	04/16/2024 5.30%	569,883.15 569,893.49	102.98 4.03%	587,009.77 1,324.93	0.79% 17,116.28	NA/AAA AAA	4.54 2.33
05522RDJ4	BACCT 2024-1 A 4.93 03/15/2029	365,000.00	06/06/2024 4.93%	364,979.52 364,980.82	102.32 4.03%	373,471.76 799.76	0.51% 8,490.94	Aaa/AAA NA	4.45 2.41
Total ABS		**7,712,156.08**	**4.77%**	**7,696,150.48 7,701,746.91**	**101.08 4.31%**	**7,794,038.65 13,234.74**	**10.55% 92,291.74**	**Aaa/AAA AAA**	**3.26 1.48**
AGENCY									
3133ENKS8	FEDERAL FARM CREDIT BANKS FUNDING CORP 1.125 01/06/2025	425,000.00	01/06/2022 1.20%	424,043.75 424,914.98	99.09 4.60%	421,137.44 1,128.91	0.57% (3,777.54)	Aaa/AA+ AA+	0.27 0.26
3130AWER7	FEDERAL HOME LOAN BANKS 4.625 06/06/2025	1,000,000.00	06/13/2023 4.74%	997,830.00 999,254.63	100.37 4.06%	1,003,698.81 14,774.31	1.36% 4,444.18	Aaa/AA+ AA+	0.68 0.66

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
3135G05X7	FEDERAL NATIONAL MORTGAGE ASSOCIATION 0.375 08/25/2025	1,000,000.00	03/07/2022 1.76%	953,120.00 987,854.15	96.87 3.95%	968,654.49 375.00	1.31% (19,199.66)	Aaa/AA+ AA+	0.90 0.88
3133EPJX4	FEDERAL FARM CREDIT BANKS FUNDING CORP 3.625 02/17/2026	1,000,000.00	05/15/2023 3.89%	993,250.00 996,621.65	99.70 3.85%	996,959.11 4,430.56	1.35% 337.46	Aaa/AA+ AA+	1.38 1.33
3130B0ZP7	FEDERAL HOME LOAN BANKS 4.875 03/13/2026	1,000,000.00	06/21/2024 4.85%	1,000,450.00 1,000,378.95	101.52 3.79%	1,015,164.68 2,437.50	1.37% 14,785.73	Aaa/AA+ AA+	1.45 1.39
3133EPHH1	FEDERAL FARM CREDIT BANKS FUNDING CORP 4.0 04/28/2026	1,500,000.00	05/09/2023 3.90%	1,504,095.00 1,502,168.39	100.20 3.87%	1,502,987.12 25,500.00	2.04% 818.73	Aaa/AA+ AA+	1.57 1.49
3133EPVP7	FEDERAL FARM CREDIT BANKS FUNDING CORP 4.75 07/08/2026	1,000,000.00	12/06/2023 4.48%	1,006,424.00 1,004,389.28	101.67 3.76%	1,016,662.70 10,951.39	1.38% 12,273.42	Aaa/AA+ AA+	1.77 1.67
3133EPZY4	FEDERAL FARM CREDIT BANKS FUNDING CORP 5.0 07/30/2026	1,000,000.00	11/09/2023 4.85%	1,003,740.00 1,002,512.17	102.23 3.73%	1,022,266.31 8,472.22	1.38% 19,754.14	Aaa/AA+ AA+	1.83 1.73
3130AXU63	FEDERAL HOME LOAN BANKS 4.625 11/17/2026	1,000,000.00	11/30/2023 4.53%	1,002,530.00 1,001,816.83	102.01 3.63%	1,020,139.03 17,215.28	1.38% 18,322.20	Aaa/AA+ AA+	2.13 1.98
3133EP6K6	FEDERAL FARM CREDIT BANKS FUNDING CORP 4.5 03/26/2027	1,000,000.00	03/25/2024 4.45%	1,001,450.00 1,001,199.73	101.93 3.68%	1,019,281.54 625.00	1.38% 18,081.81	Aaa/AA+ AA+	2.48 2.34
3130B0TY5	FEDERAL HOME LOAN BANKS 4.75 04/09/2027	865,000.00	04/10/2024 4.85%	862,716.40 863,077.85	102.76 3.59%	888,916.15 19,402.43	1.20% 25,838.30	Aaa/AA+ AA+	2.52 2.32
3133ERDS7	FEDERAL FARM CREDIT BANKS FUNDING CORP 4.75 05/06/2027	1,000,000.00	05/22/2024 4.70%	1,001,317.00 1,001,156.96	102.78 3.62%	1,027,797.30 19,131.94	1.39% 26,640.34	Aaa/AA+ AA+	2.60 2.39
3130B1EF0	FEDERAL HOME LOAN BANKS 4.625 06/11/2027	1,000,000.00	06/26/2024 4.57%	1,001,530.00 1,001,393.87	102.60 3.60%	1,025,965.66 17,600.69	1.39% 24,571.79	Aaa/AA+ AA+	2.70 2.48
3133ERMB4	FEDERAL FARM CREDIT BANKS FUNDING CORP 4.25 07/23/2027	1,000,000.00	07/18/2024 4.26%	999,690.00 999,709.82	101.64 3.63%	1,016,411.93 8,027.78	1.38% 16,702.11	Aaa/AA+ AA+	2.81 2.61
3130ATUS4	FEDERAL HOME LOAN BANKS 4.25 12/10/2027	1,000,000.00	05/15/2023 3.66%	1,024,620.00 1,017,185.32	101.97 3.59%	1,019,722.50 13,104.17	1.38% 2,537.18	Aaa/AA+ AA+	3.19 2.93
3130ATS57	FEDERAL HOME LOAN BANKS 4.5 03/10/2028	1,000,000.00	04/24/2023 3.76%	1,032,720.00 1,023,074.86	102.91 3.59%	1,029,124.55 2,625.00	1.39% 6,049.69	Aaa/AA+ AA+	3.44 3.17
3130AWC24	FEDERAL HOME LOAN BANKS 4.0 06/09/2028	1,000,000.00	07/06/2023 4.49%	978,470.00 983,852.50	101.53 3.55%	1,015,319.37 12,444.44	1.37% 31,466.87	Aaa/AA+ AA+	3.69 3.37
3130AWTR1	FEDERAL HOME LOAN BANKS 4.375 09/08/2028	1,250,000.00	09/07/2023 4.49%	1,243,625.00 1,244,982.35	102.73 3.62%	1,284,184.31 3,493.92	1.74% 39,201.96	Aaa/AA+ AA+	3.94 3.59
3133EPWK7	FEDERAL FARM CREDIT BANKS FUNDING CORP 4.5 09/22/2028	1,250,000.00	10/12/2023 4.71%	1,238,412.50 1,240,668.30	103.31 3.60%	1,291,417.21 1,406.25	1.75% 50,748.91	Aaa/AA+ AA+	3.98 3.62

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
Total Agency		**19,290,000.00**	**4.21%**	**19,270,033.65** **19,296,212.57**	**101.56** **3.73%**	**19,585,810.21** **183,146.79**	**26.52%** **289,597.65**	**Aaa/AA+** **AA+**	**2.38** **2.20**
AGENCY CMBS									
3137BM7C4	FHMS K-051 A2 3.308 09/25/2025	486,628.73	05/16/2022 2.99%	490,411.51 487,683.88	98.89 4.39%	481,233.53 1,341.47	0.65% (6,450.35)	Aaa/AA+ AAA	0.99 0.85
3137BNGT5	FHMS K-054 A2 2.745 01/25/2026	1,000,000.00	02/15/2023 4.64%	949,570.31 977,946.06	98.13 4.24%	981,306.70 2,287.50	1.33% 3,360.64	Aaa/AA+ AAA	1.32 1.15
3137BSP72	FHMS K-058 A2 2.653 08/25/2026	710,000.00	11/29/2022 4.51%	664,903.91 687,451.95	97.49 3.99%	692,195.12 1,569.69	0.94% 4,743.16	Aaa/AA+ AAA	1.90 1.78
3137BVZ82	FHMS K-063 A2 3.43 01/25/2027	500,000.00	12/05/2022 4.27%	484,082.03 491,180.69	98.82 3.92%	494,086.25 1,429.17	0.67% 2,905.56	Aaa/AA+ AAA	2.32 2.06
3137F2LJ3	FHMS K-066 A2 3.117 06/25/2027	1,000,000.00	05/10/2023 3.93%	969,218.75 979,736.02	97.84 3.94%	978,365.80 2,597.50	1.32% (1,370.22)	Aaa/AA+ AAA	2.73 2.45
3137FAWS3	FHMS K-067 A2 3.194 07/25/2027	1,000,000.00	05/10/2023 3.92%	971,562.50 981,085.67	97.95 3.93%	979,504.70 2,661.67	1.33% (1,580.97)	Aaa/AA+ AA+	2.82 2.60
3137FBU79	FHMS K-069 A2 3.187 09/25/2027	747,367.10	06/09/2023 4.41%	712,392.65 723,180.23	97.89 3.92%	731,588.76 1,984.88	0.99% 8,408.54	Aaa/AAA AA+	2.99 2.70
3137FETN0	FHMS K-073 A2 3.35 01/25/2028	965,000.00	05/24/2023 4.27%	927,455.47 938,425.55	98.31 3.87%	948,693.24 2,693.96	1.28% 10,267.69	Aaa/AA+ AAA	3.32 2.99
Total Agency CMBS		**6,408,995.83**	**4.17%**	**6,169,597.13** **6,266,690.05**	**98.10** **4.01%**	**6,286,974.09** **16,565.84**	**8.51%** **20,284.05**	**Aaa/AA+** **AAA**	**2.39** **2.15**
CASH									
CCYUSD	Receivable	2,533.55	-- 0.00%	2,533.55 2,533.55	1.00 0.00%	2,533.55 0.00	0.00% 0.00	Aaa/AAA AAA	0.00 0.00
Total Cash		**2,533.55**	**0.00%**	**2,533.55** **2,533.55**	**1.00** **0.00%**	**2,533.55** **0.00**	**0.00%** **0.00**	**Aaa/AAA** **AAA**	**0.00** **0.00**
CORPORATE									
78015K7C2	ROYAL BANK OF CANADA 2.25 11/01/2024	500,000.00	05/19/2021 0.74%	525,750.00 500,633.53	99.76 5.07%	498,811.08 4,687.50	0.68% (1,822.45)	A1/A AA-	0.09 0.08

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57636QAN4	MASTERCARD INC 2.0 03/03/2025	600,000.00	10/28/2021 1.05%	618,294.00 601,921.64	98.94 4.54%	593,661.58 933.33	0.80% (8,260.06)	Aa3/A+ NA	0.42 0.41
87612EBL9	TARGET CORP 2.25 04/15/2025	500,000.00	02/17/2022 2.08%	502,465.00 500,364.12	98.73 4.66%	493,663.65 5,187.50	0.67% (6,700.48)	A2/A A	0.54 0.52
437076CM2	HOME DEPOT INC 2.7 04/15/2025	500,000.00	03/24/2022 2.76%	499,125.00 499,846.05	98.94 4.71%	494,713.17 6,225.00	0.67% (5,132.88)	A2/A A	0.54 0.52
06406RBC0	BANK OF NEW YORK MELLON CORP 3.35 04/25/2025	510,000.00	04/19/2022 3.35%	509,928.60 509,986.57	99.30 4.61%	506,430.94 7,403.50	0.69% (3,555.63)	A1/A AA-	0.57 0.55
26442UAA2	DUKE ENERGY PROGRESS LLC 3.25 08/15/2025	500,000.00	04/18/2022 3.21%	500,605.00 500,121.97	99.14 4.26%	495,686.41 2,076.39	0.67% (4,435.57)	Aa3/A WR	0.87 0.85
57629WDK3	MASSMUTUAL GLOBAL FUNDING II 4.15 08/26/2025	750,000.00	05/10/2023 4.74%	740,385.00 746,220.63	99.77 4.41%	748,263.09 3,026.04	1.01% 2,042.46	Aa3/AA+ AA+	0.90 0.87
931142EW9	WALMART INC 3.9 09/09/2025	155,000.00	09/06/2022 3.92%	154,891.50 154,966.05	99.80 4.11%	154,696.99 369.42	0.21% (269.06)	Aa2/AA AA	0.94 0.91
857477BR3	STATE STREET CORP 1.746 02/06/2026	190,000.00	02/02/2022 1.75%	190,000.00 190,000.00	98.82 5.27%	187,760.50 506.83	0.25% (2,239.50)	A1/A AA-	1.35 0.34
00440EAV9	CHUBB INA HOLDINGS LLC 3.35 05/03/2026	750,000.00	08/24/2023 5.19%	715,927.50 729,848.85	98.82 4.12%	741,172.94 10,329.17	1.00% 11,324.09	A3/A A	1.59 1.51
69371RR32	PACCAR FINANCIAL CORP 1.1 05/11/2026	600,000.00	02/10/2023 4.54%	538,422.00 569,419.39	95.50 4.01%	573,015.47 2,566.67	0.78% 3,596.09	A1/A+ NA	1.61 1.56
89236TJK2	TOYOTA MOTOR CREDIT CORP 1.125 06/18/2026	250,000.00	01/11/2023 4.55%	223,112.50 236,577.73	95.34 3.96%	238,348.83 804.69	0.32% 1,771.10	A1/A+ A+	1.71 1.66
857477CD3	STATE STREET CORP 5.272 08/03/2026	350,000.00	07/31/2023 5.27%	350,000.00 350,000.00	102.12 4.06%	357,414.47 2,972.82	0.48% 7,414.47	A1/A AA-	1.84 1.65
06428CAA2	BANK OF AMERICA NA 5.526 08/18/2026	500,000.00	08/24/2023 5.48%	500,680.00 500,422.18	102.67 4.03%	513,372.28 3,300.25	0.70% 12,950.09	Aa1/A+ AA	1.88 1.69
437076CV2	HOME DEPOT INC 4.95 09/30/2026	500,000.00	11/30/2023 4.86%	501,140.00 500,795.72	101.98 3.91%	509,880.23 68.75	0.69% 9,084.51	A2/A A	2.00 1.81
61690U7W4	MORGAN STANLEY BANK NA 5.882 10/30/2026	335,000.00	10/30/2023 5.88%	335,000.00 335,000.00	103.60 4.06%	347,070.75 8,265.03	0.47% 12,070.75	Aa3/A+ AA-	2.08 1.83
438516BL9	HONEYWELL INTERNATIONAL INC 2.5 11/01/2026	750,000.00	05/10/2023 3.96%	714,847.50 728,919.58	97.41 3.81%	730,553.03 7,812.50	0.99% 1,633.45	A2/A A	2.09 1.98
713448FW3	PEPSICO INC 5.125 11/10/2026	275,000.00	11/08/2023 5.13%	274,925.75 274,947.84	102.56 3.85%	282,046.31 5,520.05	0.38% 7,098.48	A1/A+ NA	2.11 1.88

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
24422EXF1	JOHN DEERE CAPITAL CORP 4.5 01/08/2027	500,000.00	01/18/2024 4.52%	499,705.00 499,773.77	101.29 3.90%	506,436.97 5,187.50	0.69% 6,663.20	A1/A A+	2.27 2.12
78016HZT0	ROYAL BANK OF CANADA 4.875 01/19/2027	665,000.00	01/10/2024 4.88%	664,833.75 664,872.58	101.87 4.01%	677,427.66 6,483.75	0.92% 12,555.08	A1/A AA-	2.30 2.14
17275RBQ4	CISCO SYSTEMS INC 4.8 02/26/2027	1,000,000.00	-- 4.81%	999,831.60 999,864.92	102.19 3.84%	1,021,884.59 4,666.67	1.38% 22,019.67	A1/AA- NA	2.41 2.17
857477CL5	STATE STREET CORP 4.993 03/18/2027	325,000.00	03/13/2024 4.99%	325,000.00 325,000.00	102.36 3.98%	332,683.80 585.98	0.45% 7,683.80	A1/A AA-	2.46 2.23
665859AW4	NORTHERN TRUST CORP 4.0 05/10/2027	600,000.00	09/12/2022 4.08%	597,906.00 598,827.90	100.16 3.93%	600,976.22 9,400.00	0.81% 2,148.32	A2/A+ A+	2.61 2.34
14913UAL4	CATERPILLAR FINANCIAL SERVICES CORP 5.0 05/14/2027	1,000,000.00	05/15/2024 4.89%	1,002,930.00 1,002,562.41	102.77 3.88%	1,027,717.99 19,027.78	1.39% 25,155.58	A2/A A+	2.62 2.40
09290DAH4	BLACKROCK FUNDING INC 4.6 07/26/2027	530,000.00	07/17/2024 4.60%	529,984.10 529,985.07	101.94 3.86%	540,307.64 4,401.94	0.73% 10,322.56	Aa3/AA- NA	2.82 2.53
69371RT30	PACCAR FINANCIAL CORP 4.45 08/06/2027	560,000.00	08/01/2024 4.50%	559,255.20 559,293.29	101.57 3.86%	568,813.24 3,807.22	0.77% 9,519.95	A1/A+ NA	2.85 2.64
532457CP1	ELI LILLY AND CO 4.15 08/14/2027	470,000.00	08/12/2024 4.18%	469,619.30 469,635.99	100.93 3.80%	474,390.09 2,546.49	0.64% 4,754.10	A1/A+ NA	2.87 2.60
023135BC9	AMAZON.COM INC 3.15 08/22/2027	750,000.00	06/26/2024 4.90%	712,095.00 715,256.49	98.17 3.82%	736,260.70 2,559.38	1.00% 21,004.20	A1/AA AA-	2.89 2.72
66815L2T5	NORTHWESTERN MUTUAL GLOBAL FUNDING 4.11 09/12/2027	545,000.00	09/05/2024 4.11%	544,983.65 544,983.93	100.44 3.95%	547,422.89 1,182.20	0.74% 2,438.96	Aaa/AA+ AAA	2.95 2.75
91324PDE9	UNITEDHEALTH GROUP INC 2.95 10/15/2027	750,000.00	08/22/2024 4.19%	722,842.50 723,765.10	97.35 3.88%	730,094.88 10,202.08	0.99% 6,329.78	A2/A+ A	3.04 2.83
Total Corporate		**16,210,000.00**	**4.18%**	**16,024,485.45 16,063,813.29**	**100.17 4.10%**	**16,230,978.36 142,106.41**	**21.98% 167,165.07**	**A1/A+ A+**	**1.93 1.77**
MONEY MARKET FUND									
94975H254	ALLSPRING:GOVT MM S	157,235.36	-- 4.52%	157,235.36 157,235.36	1.00 4.52%	157,235.36 0.00	0.21% 0.00	Aaa/AAAm NA	0.00 0.00
Total Money Market Fund		**157,235.36**	**4.52%**	**157,235.36 157,235.36**	**1.00 4.52%**	**157,235.36 0.00**	**0.21% 0.00**	**Aaa/AAAm NA**	**0.00 0.00**

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
SUPRANATIONAL									
4581X0EK0	INTER-AMERICAN DEVELOPMENT BANK 4.5 05/15/2026	750,000.00	06/27/2023 4.53%	749,422.50 749,673.08	101.03 3.84%	757,728.85 12,750.00	1.03% 8,055.77	Aaa/AAA NA	1.62 1.53
45950KDF4	INTERNATIONAL FINANCE CORP 4.375 01/15/2027	710,000.00	11/29/2023 4.49%	707,685.40 708,296.65	101.44 3.71%	720,226.91 6,559.14	0.98% 11,930.26	Aaa/AAA NA	2.29 2.15
Total Supranational		**1,460,000.00**	**4.51%**	**1,457,107.90** **1,457,969.73**	**101.23** **3.78%**	**1,477,955.76** **19,309.14**	**2.00%** **19,986.03**	**Aaa/AAA** **NA**	**1.95** **1.83**
US TREASURY									
91282CDB4	UNITED STATES TREASURY 0.625 10/15/2024	1,000,000.00	12/02/2021 0.86%	993,281.25 999,910.16	99.84 4.89%	998,365.35 2,885.93	1.35% (1,544.81)	Aaa/AA+ AA+	0.04 0.04
91282CDH1	UNITED STATES TREASURY 0.75 11/15/2024	1,000,000.00	11/10/2021 0.80%	998,554.69 999,940.66	99.50 4.84%	995,006.53 2,832.88	1.35% (4,934.13)	Aaa/AA+ AA+	0.13 0.12
91282CDN8	UNITED STATES TREASURY 1.0 12/15/2024	1,100,000.00	12/29/2021 0.99%	1,100,472.66 1,100,032.79	99.27 4.60%	1,091,921.88 3,245.90	1.48% (8,110.92)	Aaa/AA+ AA+	0.21 0.20
912828ZC7	UNITED STATES TREASURY 1.125 02/28/2025	1,000,000.00	02/03/2022 1.42%	991,054.69 998,801.97	98.65 4.45%	986,464.84 963.40	1.34% (12,337.13)	Aaa/AA+ AA+	0.41 0.41
912828ZF0	UNITED STATES TREASURY 0.5 03/31/2025	750,000.00	03/03/2021 0.54%	748,886.72 749,864.58	98.11 4.38%	735,820.31 10.30	1.00% (14,044.27)	Aaa/AA+ AA+	0.50 0.49
912828ZL7	UNITED STATES TREASURY 0.375 04/30/2025	500,000.00	01/13/2021 0.39%	499,609.38 499,947.40	97.76 4.32%	488,785.16 784.65	0.66% (11,162.25)	Aaa/AA+ AA+	0.58 0.57
912828ZT0	UNITED STATES TREASURY 0.25 05/31/2025	1,250,000.00	10/06/2021 0.72%	1,228,759.77 1,246,141.04	97.42 4.23%	1,217,736.81 1,050.20	1.65% (28,404.23)	Aaa/AA+ AA+	0.67 0.65
9128285C0	UNITED STATES TREASURY 3.0 09/30/2025	750,000.00	04/29/2022 2.90%	752,314.45 750,675.59	99.04 3.99%	742,816.40 61.81	1.01% (7,859.19)	Aaa/AA+ AA+	1.00 0.97
9128285J5	UNITED STATES TREASURY 3.0 10/31/2025	1,000,000.00	06/02/2022 2.88%	1,004,023.44 1,001,275.49	99.02 3.94%	990,156.25 12,554.35	1.34% (11,119.24)	Aaa/AA+ AA+	1.08 1.04
912828M56	UNITED STATES TREASURY 2.25 11/15/2025	1,000,000.00	08/25/2022 3.36%	966,093.75 988,188.99	98.21 3.89%	982,148.44 8,498.64	1.33% (6,040.55)	Aaa/AA+ AA+	1.13 1.08
9128285T3	UNITED STATES TREASURY 2.625 12/31/2025	1,000,000.00	08/25/2022 3.34%	977,421.88 991,581.67	98.52 3.85%	985,195.31 6,633.83	1.33% (6,386.36)	Aaa/AA+ AA+	1.25 1.20

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
9128286L9	UNITED STATES TREASURY 2.25 03/31/2026	1,000,000.00	08/29/2022 3.39%	961,640.63 983,999.84	97.81 3.77%	978,085.94 61.81	1.32% (5,913.90)	Aaa/AA+ AA+	1.50 1.45
912828U24	UNITED STATES TREASURY 2.0 11/15/2026	1,500,000.00	05/09/2023 3.65%	1,418,964.84 1,451,126.65	96.68 3.64%	1,450,195.32 11,331.52	1.96% (931.33)	Aaa/AA+ AA+	2.13 2.04
912828V98	UNITED STATES TREASURY 2.25 02/15/2027	1,000,000.00	11/29/2022 4.06%	930,585.94 960,869.97	96.91 3.62%	969,140.62 2,873.64	1.31% 8,270.65	Aaa/AA+ AA+	2.38 2.28
91282CEF4	UNITED STATES TREASURY 2.5 03/31/2027	1,100,000.00	11/03/2022 4.46%	1,014,148.44 1,051,361.46	97.43 3.59%	1,071,726.57 75.55	1.45% 20,365.10	Aaa/AA+ AA+	2.50 2.39
91282CEN7	UNITED STATES TREASURY 2.75 04/30/2027	1,500,000.00	02/13/2024 4.39%	1,427,167.97 1,441,473.15	97.94 3.59%	1,469,121.09 17,262.23	1.99% 27,647.94	Aaa/AA+ AA+	2.58 2.44
91282CEW7	UNITED STATES TREASURY 3.25 06/30/2027	1,250,000.00	11/03/2022 4.44%	1,187,792.97 1,213,312.87	99.16 3.57%	1,239,453.13 10,266.64	1.68% 26,140.26	Aaa/AA+ AA+	2.75 2.58
91282CFH9	UNITED STATES TREASURY 3.125 08/31/2027	800,000.00	01/30/2023 3.72%	779,968.75 787,252.84	98.76 3.58%	790,093.75 2,140.88	1.07% 2,840.91	Aaa/AA+ AA+	2.92 2.75
9128283F5	UNITED STATES TREASURY 2.25 11/15/2027	1,500,000.00	05/16/2023 3.59%	1,417,031.25 1,442,431.91	96.10 3.58%	1,441,464.84 12,747.96	1.95% (967.07)	Aaa/AA+ AA+	3.13 2.95
9128283W8	UNITED STATES TREASURY 2.75 02/15/2028	1,250,000.00	09/27/2024 3.51%	1,220,019.53 1,220,043.85	97.38 3.58%	1,217,187.50 4,390.29	1.65% (2,856.35)	Aaa/AA+ AA+	3.38 3.17
9128285M8	UNITED STATES TREASURY 3.125 11/15/2028	1,500,000.00	04/18/2024 4.72%	1,402,792.96 1,412,391.50	98.26 3.58%	1,473,867.18 17,705.50	2.00% 61,475.68	Aaa/AA+ AA+	4.13 3.78
Total US Treasury		**22,750,000.00**	**2.95%**	**22,020,585.96 22,290,624.36**	**98.10 3.93%**	**22,314,753.21 118,377.93**	**30.22% 24,128.85**	**Aaa/AA+ AA+**	**1.80 1.70**
Total Portfolio		**73,990,920.82**	**3.88%**	**72,797,729.48 73,236,825.82**	**99.64 3.96%**	**73,850,279.20 492,740.85**	**100.00% 613,453.38**	**Aa2/AA AA**	**2.18 1.86**
Total Market Value + Accrued						**74,343,020.04**			

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
CASH									
CCYUSD	Receivable	13,342.83	--	13,342.83	1.00	13,342.83	0.05%	Aaa/AAA	0.00
			0.00%	13,342.83	0.00%	0.00	0.00	AAA	0.00
Total Cash		**13,342.83**	**0.00%**	**13,342.83**	**1.00**	**13,342.83**	**0.05%**	**Aaa/AAA**	**0.00**
				13,342.83	**0.00%**	**0.00**	**0.00**	**AAA**	**0.00**
COMMERCIAL PAPER									
89233GNX0	Toyota Motor Credit Corporation 01/31/2025	1,000,000.00	05/29/2024	963,636.11	98.44	984,447.00	3.35%	P-1/A-1+	0.34
			5.47%	982,038.89	4.66%	0.00	2,408.11	F1	0.33
62479LP33	MUFG Bank, Ltd. - New York Branch 02/03/2025	2,000,000.00	07/29/2024	1,946,497.23	98.41	1,968,164.00	6.71%	P-1/A-1	0.34
			5.29%	1,964,236.12	4.66%	0.00	3,927.88	NA	0.34
Total Commercial Paper		**3,000,000.00**	**5.35%**	**2,910,133.34**	**98.42**	**2,952,611.00**	**10.06%**	**P-1/AA-**	**0.34**
				2,946,275.00	**4.66%**	**0.00**	**6,336.00**	**A+**	**0.33**
MONEY MARKET FUND									
94975H254	ALLSPRING:GOVT MM S	5,255,437.98	--	5,255,437.98	1.00	5,255,437.98	17.91%	Aaa/AAAm	0.00
			4.52%	5,255,437.98	4.52%	0.00	0.00	NA	0.00
Total Money Market Fund		**5,255,437.98**	**4.52%**	**5,255,437.98**	**1.00**	**5,255,437.98**	**17.91%**	**Aaa/AAAm**	**0.00**
				5,255,437.98	**4.52%**	**0.00**	**0.00**	**NA**	**0.00**
NEGOTIABLE CD									
89115BL57	Toronto-Dominion Bank - New York Branch 5.65 11/20/2024	1,500,000.00	11/20/2023	1,500,000.00	100.09	1,501,291.50	5.12%	P-1/A-1+	0.14
			5.65%	1,500,000.00	4.79%	74,156.25	1,291.50	F1+	0.14
Total Negotiable CD		**1,500,000.00**	**5.65%**	**1,500,000.00**	**100.09**	**1,501,291.50**	**5.12%**	**P-1/A-1+**	**0.14**
				1,500,000.00	**4.79%**	**74,156.25**	**1,291.50**	**F1+**	**0.14**
US TREASURY									
912797GW1	UNITED STATES TREASURY 10/03/2024	1,500,000.00	10/19/2023	1,424,710.52	99.97	1,499,608.76	5.11%	P-1/A-1+	0.01
			5.47%	1,499,568.54	4.77%	0.00	40.21	F1+	0.01

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
91282CFQ9	UNITED STATES TREASURY 4.375 10/31/2024	2,000,000.00	02/20/2024 5.18%	1,989,062.50 1,998,703.06	99.95 4.89%	1,999,021.40 36,616.85	6.81% 318.34	Aaa/AA+ AA+	0.08 0.08
912797LD7	UNITED STATES TREASURY 11/14/2024	2,000,000.00	08/21/2024 5.16%	1,976,550.00 1,987,716.67	99.43 4.75%	1,988,608.88 0.00	6.78% 892.21	P-1/A-1+ F1+	0.12 0.12
912797MP9	UNITED STATES TREASURY 12/17/2024	2,000,000.00	08/21/2024 5.07%	1,968,003.75 1,978,942.64	99.04 4.59%	1,980,814.16 0.00	6.75% 1,871.52	P-1/A-1+ F1+	0.21 0.21
91282CGD7	UNITED STATES TREASURY 4.25 12/31/2024	2,000,000.00	03/07/2024 5.11%	1,986,406.25 1,995,848.89	99.89 4.67%	1,997,718.76 21,480.98	6.81% 1,869.87	Aaa/AA+ AA+	0.25 0.24
91282CDS7	UNITED STATES TREASURY 1.125 01/15/2025	1,300,000.00	03/06/2024 5.09%	1,257,242.19 1,285,565.83	99.01 4.59%	1,287,152.35 3,099.86	4.39% 1,586.51	Aaa/AA+ AA+	0.29 0.28
9128283Z1	UNITED STATES TREASURY 2.75 02/28/2025	1,250,000.00	07/29/2024 5.05%	1,233,642.58 1,238,426.35	99.32 4.40%	1,241,552.74 2,943.72	4.23% 3,126.38	Aaa/AA+ AA+	0.41 0.41
912828ZC7	UNITED STATES TREASURY 1.125 02/28/2025	1,300,000.00	04/04/2024 5.09%	1,255,109.38 1,279,533.15	98.65 4.45%	1,282,404.29 1,252.42	4.37% 2,871.14	Aaa/AA+ AA+	0.41 0.41
912797KJ5	UNITED STATES TREASURY 03/20/2025	2,000,000.00	04/19/2024 5.18%	1,909,068.89 1,953,438.89	97.97 4.44%	1,959,436.12 0.00	6.68% 5,997.23	P-1/A-1+ F1+	0.47 0.46
912797KS5	UNITED STATES TREASURY 04/17/2025	1,500,000.00	04/24/2024 5.16%	1,427,000.94 1,459,513.13	97.83 4.08%	1,467,453.75 0.00	5.00% 7,940.62	P-1/A-1+ F1+	0.54 0.53
912797LB1	UNITED STATES TREASURY 05/15/2025	1,500,000.00	05/16/2024 5.12%	1,426,492.50 1,454,235.00	97.52 4.09%	1,462,851.26 0.00	4.98% 8,616.26	P-1/A-1+ F1+	0.62 0.61
912797LN5	UNITED STATES TREASURY 06/12/2025	1,500,000.00	07/09/2024 5.05%	1,432,494.69 1,449,120.63	97.27 4.01%	1,459,010.75 0.00	4.97% 9,890.12	P-1/A-1+ F1+	0.70 0.68
Total US Treasury		**19,850,000.00**	**5.15%**	**19,285,784.19** **19,580,612.78**	**98.88** **4.50%**	**19,625,633.20** **65,393.82**	**66.87%** **45,020.42**	**Aaa/AAA** **AAA**	**0.33** **0.32**
Total Portfolio		**29,618,780.81**	**5.08%**	**28,964,698.34** **29,295,668.60**	**81.32** **4.54%**	**29,348,316.51** **139,550.07**	**100.00%** **52,647.91**	**Aaa/AA+** **AA+**	**0.26** **0.25**
Total Market Value + Accrued						**29,487,866.58**			

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
ABS									
47788UAC6	JDOT 2021 A3 0.36 09/15/2025	1,049.87	03/02/2021 0.37%	1,049.67 1,049.83	99.81 5.41%	1,047.84 0.17	0.00% (2.00)	Aaa/NA AAA	0.96 0.04
43815EAC8	HAROT 2021-3 A3 0.41 11/18/2025	48,040.53	08/17/2021 0.41%	48,039.83 48,040.37	99.26 5.18%	47,684.24 7.11	0.02% (356.12)	NA/AAA AAA	1.13 0.15
43815GAC3	HAROT 2021-4 A3 0.88 01/21/2026	50,240.11	11/16/2021 0.89%	50,229.52 50,237.12	98.70 5.24%	49,585.98 12.28	0.02% (651.14)	Aaa/NA AAA	1.31 0.30
47789QAC4	JDOT 2021-B A3 0.52 03/16/2026	49,845.33	07/13/2021 0.52%	49,840.88 49,844.11	98.83 4.69%	49,261.40 11.52	0.02% (582.72)	Aaa/NA AAA	1.46 0.28
89238JAC9	TAOT 2021-D A3 0.71 04/15/2026	50,362.18	11/09/2021 0.95%	50,361.10 50,361.93	98.81 4.64%	49,763.78 15.89	0.02% (598.15)	NA/AAA AAA	1.54 0.30
44935FAD6	HART 2021-C A3 0.74 05/15/2026	80,896.85	07/27/2022 3.67%	77,278.61 79,459.34	99.08 5.23%	80,151.86 26.61	0.04% 692.51	NA/AAA AAA	1.62 0.20
05602RAD3	BMWOT 2022-A A3 3.21 08/25/2026	91,153.87	05/10/2022 3.23%	91,149.13 91,151.90	99.33 4.75%	90,541.52 48.77	0.04% (610.37)	Aaa/AAA NA	1.90 0.44
47787JAC2	JDOT 2022 A3 0.36 09/15/2026	98,049.70	03/10/2022 2.34%	98,028.01 98,040.86	98.85 4.69%	96,922.00 101.10	0.04% (1,118.86)	Aaa/NA AAA	1.96 0.49
448977AD0	HART 2022-A A3 2.22 10/15/2026	64,149.77	05/02/2022 3.40%	62,586.12 63,487.47	98.90 4.95%	63,443.89 63.29	0.03% (43.57)	NA/AAA AAA	2.04 0.40
448988AD7	HALST 24A A3 5.02 03/15/2027	255,000.00	01/17/2024 5.03%	254,951.68 254,962.26	100.81 4.45%	257,068.13 568.93	0.12% 2,105.86	NA/AAA AAA	2.45 1.30
05611UAD5	BMWLT 2024-1 A3 4.98 03/25/2027	750,000.00	06/20/2024 5.40%	746,015.63 746,419.21	100.96 4.35%	757,222.43 622.50	0.35% 10,803.21	Aaa/AAA NA	2.48 1.41
36265WAD5	GMCAR 2022-3 A3 3.64 04/16/2027	128,367.88	07/06/2022 3.93%	128,366.99 128,367.48	99.46 4.67%	127,676.78 194.69	0.06% (690.69)	Aaa/NA AAA	2.54 0.54
44934FAD7	HALST 24B A3 5.41 05/17/2027	280,000.00	05/14/2024 5.41%	279,992.22 279,993.16	101.70 4.37%	284,762.02 673.24	0.13% 4,768.85	NA/AAA AAA	2.63 1.54
02582JJT8	AMXCA 2022-2 A 3.39 05/17/2027	510,000.00	05/17/2022 3.42%	509,887.19 509,966.16	99.28 4.61%	506,328.51 768.40	0.23% (3,637.65)	NA/AAA AAA	0.62 0.60
161571HS6	CHAIT 2022-1 A 3.97 09/15/2027	1,000,000.00	05/11/2023 4.28%	993,945.31 995,875.62	99.68 4.35%	996,774.50 1,764.44	0.46% 898.88	NR/AAA AAA	2.96 0.92
58770JAD6	MBALT 2024-A A3 5.32 01/18/2028	190,000.00	05/17/2024 5.73%	189,977.77 189,979.95	102.19 4.33%	194,166.02 449.24	0.09% 4,186.06	Aaa/NA AAA	3.30 2.06

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
58769GAD5	MBALT 2024-B A3 4.23 02/15/2028	295,000.00	09/17/2024 4.24%	294,950.35 294,950.59	99.87 4.34%	294,630.90 207.98	0.14% (319.69)	NA/AAA NA	3.38 1.76
05592XAD2	BMWOT 2023-A A3 5.47 02/25/2028	135,000.00	07/11/2023 5.47%	134,976.08 134,982.35	101.24 4.43%	136,673.34 123.08	0.06% 1,690.99	NA/AAA AAA	3.41 1.12
438123AC5	HAROT 2023-4 A3 5.67 06/21/2028	235,000.00	11/01/2023 5.74%	234,958.62 234,966.67	102.32 4.18%	240,460.30 370.13	0.11% 5,493.63	Aaa/NA AAA	3.73 1.47
89239FAD4	TAOT 2023-D A3 5.54 08/15/2028	195,000.00	11/07/2023 6.30%	194,978.98 194,982.88	102.33 4.19%	199,552.31 480.13	0.09% 4,569.43	NA/AAA AAA	3.88 1.64
437918AC9	HAROT 2024-1 A3 5.21 08/15/2028	670,000.00	02/13/2024 5.27%	669,970.86 669,974.83	101.77 4.18%	681,856.92 1,551.42	0.31% 11,882.09	Aaa/AAA NA	3.88 1.61
89238DAD0	TAOT 2024-A A3 4.83 10/16/2028	375,000.00	01/23/2024 4.89%	374,924.96 374,935.64	101.11 4.20%	379,178.51 805.00	0.17% 4,242.87	Aaa/AAA NA	4.04 1.62
47800RAD5	JDOT 2024 A3 4.96 11/15/2028	180,000.00	03/11/2024 5.12%	179,989.92 179,991.08	101.66 4.20%	182,992.10 396.80	0.08% 3,001.02	Aaa/NA AAA	4.13 2.04
36268GAD7	GMCAR 2024-1 A3 4.85 12/18/2028	360,000.00	-- 4.90%	359,958.35 359,964.26	101.27 4.18%	364,563.65 727.50	0.17% 4,599.39	Aaa/NA AAA	4.22 1.74
096919AD7	BMWOT 2024-A A3 5.18 02/26/2029	320,000.00	06/04/2024 5.24%	319,951.39 319,954.55	102.19 4.05%	327,015.26 276.27	0.15% 7,060.71	Aaa/AAA NA	4.41 1.84
47786WAD2	JDOT 2024-B A3 5.2 03/15/2029	365,000.00	06/11/2024 5.26%	364,928.64 364,932.97	102.53 4.20%	374,232.93 843.56	0.17% 9,299.96	Aaa/NA AAA	4.45 2.36
02582JKH2	AMXCA 2024-1 A 5.23 04/16/2029	570,000.00	04/16/2024 5.30%	569,883.15 569,893.49	102.98 4.03%	587,009.77 1,324.93	0.27% 17,116.28	NA/AAA AAA	4.54 2.33
05522RDJ4	BACCT 2024-1 A 4.93 03/15/2029	365,000.00	06/06/2024 4.93%	364,979.52 364,980.82	102.32 4.03%	373,471.76 799.76	0.17% 8,490.94	Aaa/AAA NA	4.45 2.41
Total ABS		**7,712,156.08**	**4.77%**	**7,696,150.48 7,701,746.91**	**101.08 4.31%**	**7,794,038.65 13,234.74**	**3.59% 92,291.74**	**Aaa/AAA AAA**	**3.26 1.48**
AGENCY									
3133ENKS8	FEDERAL FARM CREDIT BANKS FUNDING CORP 1.125 01/06/2025	425,000.00	01/06/2022 1.20%	424,043.75 424,914.98	99.09 4.60%	421,137.44 1,128.91	0.19% (3,777.54)	Aaa/AA+ AA+	0.27 0.26
3130AWER7	FEDERAL HOME LOAN BANKS 4.625 06/06/2025	1,000,000.00	06/13/2023 4.74%	997,830.00 999,254.63	100.37 4.06%	1,003,698.81 14,774.31	0.46% 4,444.18	Aaa/AA+ AA+	0.68 0.66

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
3135G05X7	FEDERAL NATIONAL MORTGAGE ASSOCIATION 0.375 08/25/2025	1,000,000.00	03/07/2022 1.76%	953,120.00 987,854.15	96.87 3.95%	968,654.49 375.00	0.45% (19,199.66)	Aaa/AA+ AA+	0.90 0.88
3133EPJX4	FEDERAL FARM CREDIT BANKS FUNDING CORP 3.625 02/17/2026	1,000,000.00	05/15/2023 3.89%	993,250.00 996,621.65	99.70 3.85%	996,959.11 4,430.56	0.46% 337.46	Aaa/AA+ AA+	1.38 1.33
3130B0ZP7	FEDERAL HOME LOAN BANKS 4.875 03/13/2026	1,000,000.00	06/21/2024 4.85%	1,000,450.00 1,000,378.95	101.52 3.79%	1,015,164.68 2,437.50	0.47% 14,785.73	Aaa/AA+ AA+	1.45 1.39
3133EPHH1	FEDERAL FARM CREDIT BANKS FUNDING CORP 4.0 04/28/2026	1,500,000.00	05/09/2023 3.90%	1,504,095.00 1,502,168.39	100.20 3.87%	1,502,987.12 25,500.00	0.69% 818.73	Aaa/AA+ AA+	1.57 1.49
3133EPVP7	FEDERAL FARM CREDIT BANKS FUNDING CORP 4.75 07/08/2026	1,000,000.00	12/06/2023 4.48%	1,006,424.00 1,004,389.28	101.67 3.76%	1,016,662.70 10,951.39	0.47% 12,273.42	Aaa/AA+ AA+	1.77 1.67
3133EPZY4	FEDERAL FARM CREDIT BANKS FUNDING CORP 5.0 07/30/2026	1,000,000.00	11/09/2023 4.85%	1,003,740.00 1,002,512.17	102.23 3.73%	1,022,266.31 8,472.22	0.47% 19,754.14	Aaa/AA+ AA+	1.83 1.73
3130AXU63	FEDERAL HOME LOAN BANKS 4.625 11/17/2026	1,000,000.00	11/30/2023 4.53%	1,002,530.00 1,001,816.83	102.01 3.63%	1,020,139.03 17,215.28	0.47% 18,322.20	Aaa/AA+ AA+	2.13 1.98
3133EP6K6	FEDERAL FARM CREDIT BANKS FUNDING CORP 4.5 03/26/2027	1,000,000.00	03/25/2024 4.45%	1,001,450.00 1,001,199.73	101.93 3.68%	1,019,281.54 625.00	0.47% 18,081.81	Aaa/AA+ AA+	2.48 2.34
3130B0TY5	FEDERAL HOME LOAN BANKS 4.75 04/09/2027	865,000.00	04/10/2024 4.85%	862,716.40 863,077.85	102.76 3.59%	888,916.15 19,402.43	0.41% 25,838.30	Aaa/AA+ AA+	2.52 2.32
3133ERDS7	FEDERAL FARM CREDIT BANKS FUNDING CORP 4.75 05/06/2027	1,000,000.00	05/22/2024 4.70%	1,001,317.00 1,001,156.96	102.78 3.62%	1,027,797.30 19,131.94	0.47% 26,640.34	Aaa/AA+ AA+	2.60 2.39
3130B1EF0	FEDERAL HOME LOAN BANKS 4.625 06/11/2027	1,000,000.00	06/26/2024 4.57%	1,001,530.00 1,001,393.87	102.60 3.60%	1,025,965.66 17,600.69	0.47% 24,571.79	Aaa/AA+ AA+	2.70 2.48
3133ERMB4	FEDERAL FARM CREDIT BANKS FUNDING CORP 4.25 07/23/2027	1,000,000.00	07/18/2024 4.26%	999,690.00 999,709.82	101.64 3.63%	1,016,411.93 8,027.78	0.47% 16,702.11	Aaa/AA+ AA+	2.81 2.61
3130ATUS4	FEDERAL HOME LOAN BANKS 4.25 12/10/2027	1,000,000.00	05/15/2023 3.66%	1,024,620.00 1,017,185.32	101.97 3.59%	1,019,722.50 13,104.17	0.47% 2,537.18	Aaa/AA+ AA+	3.19 2.93
3130ATS57	FEDERAL HOME LOAN BANKS 4.5 03/10/2028	1,000,000.00	04/24/2023 3.76%	1,032,720.00 1,023,074.86	102.91 3.59%	1,029,124.55 2,625.00	0.47% 6,049.69	Aaa/AA+ AA+	3.44 3.17
3130AWC24	FEDERAL HOME LOAN BANKS 4.0 06/09/2028	1,000,000.00	07/06/2023 4.49%	978,470.00 983,852.50	101.53 3.55%	1,015,319.37 12,444.44	0.47% 31,466.87	Aaa/AA+ AA+	3.69 3.37
3130AWTR1	FEDERAL HOME LOAN BANKS 4.375 09/08/2028	1,250,000.00	09/07/2023 4.49%	1,243,625.00 1,244,982.35	102.73 3.62%	1,284,184.31 3,493.92	0.59% 39,201.96	Aaa/AA+ AA+	3.94 3.59
3133EPWK7	FEDERAL FARM CREDIT BANKS FUNDING CORP 4.5 09/22/2028	1,250,000.00	10/12/2023 4.71%	1,238,412.50 1,240,668.30	103.31 3.60%	1,291,417.21 1,406.25	0.60% 50,748.91	Aaa/AA+ AA+	3.98 3.62

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
Total Agency		**19,290,000.00**	**4.21%**	**19,270,033.65** **19,296,212.57**	**101.56** **3.73%**	**19,585,810.21** **183,146.79**	**9.03%** **289,597.65**	**Aaa/AA+** **AA+**	**2.38** **2.20**
AGENCY CMBS									
3137BM7C4	FHMS K-051 A2 3.308 09/25/2025	486,628.73	05/16/2022 2.99%	490,411.51 487,683.88	98.89 4.39%	481,233.53 1,341.47	0.22% (6,450.35)	Aaa/AA+ AAA	0.99 0.85
3137BNGT5	FHMS K-054 A2 2.745 01/25/2026	1,000,000.00	02/15/2023 4.64%	949,570.31 977,946.06	98.13 4.24%	981,306.70 2,287.50	0.45% 3,360.64	Aaa/AA+ AAA	1.32 1.15
3137BSP72	FHMS K-058 A2 2.653 08/25/2026	710,000.00	11/29/2022 4.51%	664,903.91 687,451.95	97.49 3.99%	692,195.12 1,569.69	0.32% 4,743.16	Aaa/AA+ AAA	1.90 1.78
3137BVZ82	FHMS K-063 A2 3.43 01/25/2027	500,000.00	12/05/2022 4.27%	484,082.03 491,180.69	98.82 3.92%	494,086.25 1,429.17	0.23% 2,905.56	Aaa/AA+ AAA	2.32 2.06
3137F2LJ3	FHMS K-066 A2 3.117 06/25/2027	1,000,000.00	05/10/2023 3.93%	969,218.75 979,736.02	97.84 3.94%	978,365.80 2,597.50	0.45% (1,370.22)	Aaa/AA+ AAA	2.73 2.45
3137FAWS3	FHMS K-067 A2 3.194 07/25/2027	1,000,000.00	05/10/2023 3.92%	971,562.50 981,085.67	97.95 3.93%	979,504.70 2,661.67	0.45% (1,580.97)	Aaa/AA+ AA+	2.82 2.60
3137FBU79	FHMS K-069 A2 3.187 09/25/2027	747,367.10	06/09/2023 4.41%	712,392.65 723,180.23	97.89 3.92%	731,588.76 1,984.88	0.34% 8,408.54	Aaa/AAA AA+	2.99 2.70
3137FETN0	FHMS K-073 A2 3.35 01/25/2028	965,000.00	05/24/2023 4.27%	927,455.47 938,425.55	98.31 3.87%	948,693.24 2,693.96	0.44% 10,267.69	Aaa/AA+ AAA	3.32 2.99
Total Agency CMBS		**6,408,995.83**	**4.17%**	**6,169,597.13** **6,266,690.05**	**98.10** **4.01%**	**6,286,974.09** **16,565.84**	**2.90%** **20,284.05**	**Aaa/AA+** **AAA**	**2.39** **2.15**
CASH									
CCYUSD	Receivable	2,533.55	-- 0.00%	2,533.55 2,533.55	1.00 0.00%	2,533.55 0.00	0.00% 0.00	Aaa/AAA AAA	0.00 0.00
CCYUSD	Receivable	13,342.83	-- 0.00%	13,342.83 13,342.83	1.00 0.00%	13,342.83 0.00	0.01% 0.00	Aaa/AAA AAA	0.00 0.00
90PITT$00	City of Pittsburg	8,325,282.89	06/30/2024 0.00%	8,325,282.89 8,325,282.89	1.00 0.00%	8,325,282.89 0.00	3.84% 0.00	NA/NA NA	0.00 0.00
90PITT$02	City of Pittsburg	68,003,589.32	-- 0.00%	68,003,589.32 68,003,589.32	1.00 0.00%	68,010,932.42 0.00	31.35% 7,343.10	NA/NA NA	0.00 0.00

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
				76,344,748.59	**1.00**	**76,352,091.69**	**35.20%**	**Aaa/AAA**	**0.00**
Total Cash		**76,344,748.59**	**0.00%**	**76,344,748.59**	**0.00%**	**0.00**	**7,343.10**	**AAA**	**0.00**
COMMERCIAL PAPER									
89233GNX0	Toyota Motor Credit Corporation 01/31/2025	1,000,000.00	05/29/2024 5.47%	963,636.11 982,038.89	98.44 4.66%	984,447.00 0.00	0.45% 2,408.11	P-1/A-1+ F1	0.34 0.33
62479LP33	MUFG Bank, Ltd. - New York Branch 02/03/2025	2,000,000.00	07/29/2024 5.29%	1,946,497.23 1,964,236.12	98.41 4.66%	1,968,164.00 0.00	0.91% 3,927.88	P-1/A-1 NA	0.34 0.34
Total Commercial Paper		**3,000,000.00**	**5.35%**	**2,910,133.34 2,946,275.00**	**98.42 4.66%**	**2,952,611.00 0.00**	**1.36% 6,336.00**	**P-1/AA- A+**	**0.34 0.33**
CORPORATE									
78015K7C2	ROYAL BANK OF CANADA 2.25 11/01/2024	500,000.00	05/19/2021 0.74%	525,750.00 500,633.53	99.76 5.07%	498,811.08 4,687.50	0.23% (1,822.45)	A1/A AA-	0.09 0.08
57636QAN4	MASTERCARD INC 2.0 03/03/2025	600,000.00	10/28/2021 1.05%	618,294.00 601,921.64	98.94 4.54%	593,661.58 933.33	0.27% (8,260.06)	Aa3/A+ NA	0.42 0.41
87612EBL9	TARGET CORP 2.25 04/15/2025	500,000.00	02/17/2022 2.08%	502,465.00 500,364.12	98.73 4.66%	493,663.65 5,187.50	0.23% (6,700.48)	A2/A A	0.54 0.52
437076CM2	HOME DEPOT INC 2.7 04/15/2025	500,000.00	03/24/2022 2.76%	499,125.00 499,846.05	98.94 4.71%	494,713.17 6,225.00	0.23% (5,132.88)	A2/A A	0.54 0.52
06406RBC0	BANK OF NEW YORK MELLON CORP 3.35 04/25/2025	510,000.00	04/19/2022 3.35%	509,928.60 509,986.57	99.30 4.61%	506,430.94 7,403.50	0.23% (3,555.63)	A1/A AA-	0.57 0.55
26442UAA2	DUKE ENERGY PROGRESS LLC 3.25 08/15/2025	500,000.00	04/18/2022 3.21%	500,605.00 500,121.97	99.14 4.26%	495,686.41 2,076.39	0.23% (4,435.57)	Aa3/A WR	0.87 0.85
57629WDK3	MASSMUTUAL GLOBAL FUNDING II 4.15 08/26/2025	750,000.00	05/10/2023 4.74%	740,385.00 746,220.63	99.77 4.41%	748,263.09 3,026.04	0.34% 2,042.46	Aa3/AA+ AA+	0.90 0.87
931142EW9	WALMART INC 3.9 09/09/2025	155,000.00	09/06/2022 3.92%	154,891.50 154,966.05	99.80 4.11%	154,696.99 369.42	0.07% (269.06)	Aa2/AA AA	0.94 0.91
857477BR3	STATE STREET CORP 1.746 02/06/2026	190,000.00	02/02/2022 1.75%	190,000.00 190,000.00	98.82 5.27%	187,760.50 506.83	0.09% (2,239.50)	A1/A AA-	1.35 0.34
00440EAV9	CHUBB INA HOLDINGS LLC 3.35 05/03/2026	750,000.00	08/24/2023 5.19%	715,927.50 729,848.85	98.82 4.12%	741,172.94 10,329.17	0.34% 11,324.09	A3/A A	1.59 1.51

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
69371RR32	PACCAR FINANCIAL CORP 1.1 05/11/2026	600,000.00	02/10/2023 4.54%	538,422.00 569,419.39	95.50 4.01%	573,015.47 2,566.67	0.26% 3,596.09	A1/A+ NA	1.61 1.56
89236TJK2	TOYOTA MOTOR CREDIT CORP 1.125 06/18/2026	250,000.00	01/11/2023 4.55%	223,112.50 236,577.73	95.34 3.96%	238,348.83 804.69	0.11% 1,771.10	A1/A+ A+	1.71 1.66
857477CD3	STATE STREET CORP 5.272 08/03/2026	350,000.00	07/31/2023 5.27%	350,000.00 350,000.00	102.12 4.06%	357,414.47 2,972.82	0.16% 7,414.47	A1/A AA-	1.84 1.65
06428CAA2	BANK OF AMERICA NA 5.526 08/18/2026	500,000.00	08/24/2023 5.48%	500,680.00 500,422.18	102.67 4.03%	513,372.28 3,300.25	0.24% 12,950.09	Aa1/A+ AA	1.88 1.69
437076CV2	HOME DEPOT INC 4.95 09/30/2026	500,000.00	11/30/2023 4.86%	501,140.00 500,795.72	101.98 3.91%	509,880.23 68.75	0.24% 9,084.51	A2/A A	2.00 1.81
61690U7W4	MORGAN STANLEY BANK NA 5.882 10/30/2026	335,000.00	10/30/2023 5.88%	335,000.00 335,000.00	103.60 4.06%	347,070.75 8,265.03	0.16% 12,070.75	Aa3/A+ AA-	2.08 1.83
438516BL9	HONEYWELL INTERNATIONAL INC 2.5 11/01/2026	750,000.00	05/10/2023 3.96%	714,847.50 728,919.58	97.41 3.81%	730,553.03 7,812.50	0.34% 1,633.45	A2/A A	2.09 1.98
713448FW3	PEPSICO INC 5.125 11/10/2026	275,000.00	11/08/2023 5.13%	274,925.75 274,947.84	102.56 3.85%	282,046.31 5,520.05	0.13% 7,098.48	A1/A+ NA	2.11 1.88
24422EXF1	JOHN DEERE CAPITAL CORP 4.5 01/08/2027	500,000.00	01/18/2024 4.52%	499,705.00 499,773.77	101.29 3.90%	506,436.97 5,187.50	0.23% 6,663.20	A1/A A+	2.27 2.12
78016HZT0	ROYAL BANK OF CANADA 4.875 01/19/2027	665,000.00	01/10/2024 4.88%	664,833.75 664,872.58	101.87 4.01%	677,427.66 6,483.75	0.31% 12,555.08	A1/A AA-	2.30 2.14
17275RBQ4	CISCO SYSTEMS INC 4.8 02/26/2027	1,000,000.00	-- 4.81%	999,831.60 999,864.92	102.19 3.84%	1,021,884.59 4,666.67	0.47% 22,019.67	A1/AA- NA	2.41 2.17
857477CL5	STATE STREET CORP 4.993 03/18/2027	325,000.00	03/13/2024 4.99%	325,000.00 325,000.00	102.36 3.98%	332,683.80 585.98	0.15% 7,683.80	A1/A AA-	2.46 2.23
665859AW4	NORTHERN TRUST CORP 4.0 05/10/2027	600,000.00	09/12/2022 4.08%	597,906.00 598,827.90	100.16 3.93%	600,976.22 9,400.00	0.28% 2,148.32	A2/A+ A+	2.61 2.34
14913UAL4	CATERPILLAR FINANCIAL SERVICES CORP 5.0 05/14/2027	1,000,000.00	05/15/2024 4.89%	1,002,930.00 1,002,562.41	102.77 3.88%	1,027,717.99 19,027.78	0.47% 25,155.58	A2/A A+	2.62 2.40
09290DAH4	BLACKROCK FUNDING INC 4.6 07/26/2027	530,000.00	07/17/2024 4.60%	529,984.10 529,985.07	101.94 3.86%	540,307.64 4,401.94	0.25% 10,322.56	Aa3/AA- NA	2.82 2.53
69371RT30	PACCAR FINANCIAL CORP 4.45 08/06/2027	560,000.00	08/01/2024 4.50%	559,255.20 559,293.29	101.57 3.86%	568,813.24 3,807.22	0.26% 9,519.95	A1/A+ NA	2.85 2.64
532457CP1	ELI LILLY AND CO 4.15 08/14/2027	470,000.00	08/12/2024 4.18%	469,619.30 469,635.99	100.93 3.80%	474,390.09 2,546.49	0.22% 4,754.10	A1/A+ NA	2.87 2.60

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
023135BC9	AMAZON.COM INC 3.15 08/22/2027	750,000.00	06/26/2024 4.90%	712,095.00 715,256.49	98.17 3.82%	736,260.70 2,559.38	0.34% 21,004.20	A1/AA AA-	2.89 2.72
66815L2T5	NORTHWESTERN MUTUAL GLOBAL FUNDING 4.11 09/12/2027	545,000.00	09/05/2024 4.11%	544,983.65 544,983.93	100.44 3.95%	547,422.89 1,182.20	0.25% 2,438.96	Aaa/AA+ AAA	2.95 2.75
91324PDE9	UNITEDHEALTH GROUP INC 2.95 10/15/2027	750,000.00	08/22/2024 4.19%	722,842.50 723,765.10	97.35 3.88%	730,094.88 10,202.08	0.34% 6,329.78	A2/A+ A	3.04 2.83
Total Corporate		**16,210,000.00**	**4.18%**	**16,024,485.45 16,063,813.29**	**100.17 4.10%**	**16,230,978.36 142,106.41**	**7.48% 167,165.07**	**A1/A+ A+**	**1.93 1.77**
EQUITY MUTUAL FUND									
90PARS$00	City of Pittsburg	3,868,055.47	-- 0.00%	3,868,055.47 3,868,055.47	1.05 0.00%	4,050,622.16 0.00	1.87% 182,566.69	NA/NA NA	0.00 0.00
Total Equity Mutual Fund		**3,868,055.47**	**0.00%**	**3,868,055.47 3,868,055.47**	**1.05 0.00%**	**4,050,622.16 0.00**	**1.87% 182,566.69**	**NA/NA NA**	**0.00 0.00**
INVESTMENT POOL									
90PITT$01	City of Pittsburg	33,253,574.55	-- 0.00%	33,253,574.55 33,253,574.55	1.00 0.00%	33,322,112.96 0.00	15.36% 68,538.41	NA/NA NA	0.00 0.00
Total Investment Pool		**33,253,574.55**	**0.00%**	**33,253,574.55 33,253,574.55**	**1.00 0.00%**	**33,322,112.96 0.00**	**15.36% 68,538.41**	**NA/NA NA**	**0.00 0.00**
MONEY MARKET FUND									
94975H254	ALLSPRING:GOVT MM S	157,235.36	-- 4.52%	157,235.36 157,235.36	1.00 4.52%	157,235.36 0.00	0.07% 0.00	Aaa/AAAm NA	0.00 0.00
94975H254	ALLSPRING:GOVT MM S	5,255,437.98	-- 4.52%	5,255,437.98 5,255,437.98	1.00 4.52%	5,255,437.98 0.00	2.42% 0.00	Aaa/AAAm NA	0.00 0.00
Total Money Market Fund		**5,412,673.34**	**4.52%**	**5,412,673.34 5,412,673.34**	**1.00 4.52%**	**5,412,673.34 0.00**	**2.50% 0.00**	**Aaa/AAAm NA**	**0.00 0.00**
NEGOTIABLE CD									

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
89115BL57	Toronto-Dominion Bank - New York Branch 5.65 11/20/2024	1,500,000.00	11/20/2023 5.65%	1,500,000.00 1,500,000.00	100.09 4.79%	1,501,291.50 74,156.25	0.69% 1,291.50	P-1/A-1+ F1+	0.14 0.14
Total Negotiable CD		**1,500,000.00**	**5.65%**	**1,500,000.00 1,500,000.00**	**100.09 4.79%**	**1,501,291.50 74,156.25**	**0.69% 1,291.50**	**P-1/A-1+ F1+**	**0.14 0.14**
SUPRANATIONAL									
4581X0EK0	INTER-AMERICAN DEVELOPMENT BANK 4.5 05/15/2026	750,000.00	06/27/2023 4.53%	749,422.50 749,673.08	101.03 3.84%	757,728.85 12,750.00	0.35% 8,055.77	Aaa/AAA NA	1.62 1.53
45950KDF4	INTERNATIONAL FINANCE CORP 4.375 01/15/2027	710,000.00	11/29/2023 4.49%	707,685.40 708,296.65	101.44 3.71%	720,226.91 6,559.14	0.33% 11,930.26	Aaa/AAA NA	2.29 2.15
Total Supranational		**1,460,000.00**	**4.51%**	**1,457,107.90 1,457,969.73**	**101.23 3.78%**	**1,477,955.76 19,309.14**	**0.68% 19,986.03**	**Aaa/AAA NA**	**1.95 1.83**
US TREASURY									
912797GW1	UNITED STATES TREASURY 10/03/2024	1,500,000.00	10/19/2023 5.47%	1,424,710.52 1,499,568.54	99.97 4.77%	1,499,608.76 0.00	0.69% 40.21	P-1/A-1+ F1+	0.01 0.01
91282CDB4	UNITED STATES TREASURY 0.625 10/15/2024	1,000,000.00	12/02/2021 0.86%	993,281.25 999,910.16	99.84 4.89%	998,365.35 2,885.93	0.46% (1,544.81)	Aaa/AA+ AA+	0.04 0.04
91282CFQ9	UNITED STATES TREASURY 4.375 10/31/2024	2,000,000.00	02/20/2024 5.18%	1,989,062.50 1,998,703.06	99.95 4.89%	1,999,021.40 36,616.85	0.92% 318.34	Aaa/AA+ AA+	0.08 0.08
912797LD7	UNITED STATES TREASURY 11/14/2024	2,000,000.00	08/21/2024 5.16%	1,976,550.00 1,987,716.67	99.43 4.75%	1,988,608.88 0.00	0.92% 892.21	P-1/A-1+ F1+	0.12 0.12
91282CDH1	UNITED STATES TREASURY 0.75 11/15/2024	1,000,000.00	11/10/2021 0.80%	998,554.69 999,940.66	99.50 4.84%	995,006.53 2,832.88	0.46% (4,934.13)	Aaa/AA+ AA+	0.13 0.12
91282CDN8	UNITED STATES TREASURY 1.0 12/15/2024	1,100,000.00	12/29/2021 0.99%	1,100,472.66 1,100,032.79	99.27 4.60%	1,091,921.88 3,245.90	0.50% (8,110.92)	Aaa/AA+ AA+	0.21 0.20
912797MP9	UNITED STATES TREASURY 12/17/2024	2,000,000.00	08/21/2024 5.07%	1,968,003.75 1,978,942.64	99.04 4.59%	1,980,814.16 0.00	0.91% 1,871.52	P-1/A-1+ F1+	0.21 0.21
91282CGD7	UNITED STATES TREASURY 4.25 12/31/2024	2,000,000.00	03/07/2024 5.11%	1,986,406.25 1,995,848.89	99.89 4.67%	1,997,718.76 21,480.98	0.92% 1,869.87	Aaa/AA+ AA+	0.25 0.24
91282CDS7	UNITED STATES TREASURY 1.125 01/15/2025	1,300,000.00	03/06/2024 5.09%	1,257,242.19 1,285,565.83	99.01 4.59%	1,287,152.35 3,099.86	0.59% 1,586.51	Aaa/AA+ AA+	0.29 0.28

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
912828ZC7	UNITED STATES TREASURY 1.125 02/28/2025	1,000,000.00	02/03/2022 1.42%	991,054.69 998,801.97	98.65 4.45%	986,464.84 963.40	0.45% (12,337.13)	Aaa/AA+ AA+	0.41 0.41
9128283Z1	UNITED STATES TREASURY 2.75 02/28/2025	1,250,000.00	07/29/2024 5.05%	1,233,642.58 1,238,426.35	99.32 4.40%	1,241,552.74 2,943.72	0.57% 3,126.38	Aaa/AA+ AA+	0.41 0.41
912828ZC7	UNITED STATES TREASURY 1.125 02/28/2025	1,300,000.00	04/04/2024 5.09%	1,255,109.38 1,279,533.15	98.65 4.45%	1,282,404.29 1,252.42	0.59% 2,871.14	Aaa/AA+ AA+	0.41 0.41
912797KJ5	UNITED STATES TREASURY 03/20/2025	2,000,000.00	04/19/2024 5.18%	1,909,068.89 1,953,438.89	97.97 4.44%	1,959,436.12 0.00	0.90% 5,997.23	P-1/A-1+ F1+	0.47 0.46
912828ZF0	UNITED STATES TREASURY 0.5 03/31/2025	750,000.00	03/03/2021 0.54%	748,886.72 749,864.58	98.11 4.38%	735,820.31 10.30	0.34% (14,044.27)	Aaa/AA+ AA+	0.50 0.49
912797KS5	UNITED STATES TREASURY 04/17/2025	1,500,000.00	04/24/2024 5.16%	1,427,000.94 1,459,513.13	97.83 4.08%	1,467,453.75 0.00	0.68% 7,940.62	P-1/A-1+ F1+	0.54 0.53
912828ZL7	UNITED STATES TREASURY 0.375 04/30/2025	500,000.00	01/13/2021 0.39%	499,609.38 499,947.40	97.76 4.32%	488,785.16 784.65	0.23% (11,162.25)	Aaa/AA+ AA+	0.58 0.57
912797LB1	UNITED STATES TREASURY 05/15/2025	1,500,000.00	05/16/2024 5.12%	1,426,492.50 1,454,235.00	97.52 4.09%	1,462,851.26 0.00	0.67% 8,616.26	P-1/A-1+ F1+	0.62 0.61
912828ZT0	UNITED STATES TREASURY 0.25 05/31/2025	1,250,000.00	10/06/2021 0.72%	1,228,759.77 1,246,141.04	97.42 4.23%	1,217,736.81 1,050.20	0.56% (28,404.23)	Aaa/AA+ AA+	0.67 0.65
912797LN5	UNITED STATES TREASURY 06/12/2025	1,500,000.00	07/09/2024 5.05%	1,432,494.69 1,449,120.63	97.27 4.01%	1,459,010.75 0.00	0.67% 9,890.12	P-1/A-1+ F1+	0.70 0.68
9128285C0	UNITED STATES TREASURY 3.0 09/30/2025	750,000.00	04/29/2022 2.90%	752,314.45 750,675.59	99.04 3.99%	742,816.40 61.81	0.34% (7,859.19)	Aaa/AA+ AA+	1.00 0.97
9128285J5	UNITED STATES TREASURY 3.0 10/31/2025	1,000,000.00	06/02/2022 2.88%	1,004,023.44 1,001,275.49	99.02 3.94%	990,156.25 12,554.35	0.46% (11,119.24)	Aaa/AA+ AA+	1.08 1.04
912828M56	UNITED STATES TREASURY 2.25 11/15/2025	1,000,000.00	08/25/2022 3.36%	966,093.75 988,188.99	98.21 3.89%	982,148.44 8,498.64	0.45% (6,040.55)	Aaa/AA+ AA+	1.13 1.08
9128285T3	UNITED STATES TREASURY 2.625 12/31/2025	1,000,000.00	08/25/2022 3.34%	977,421.88 991,581.67	98.52 3.85%	985,195.31 6,633.83	0.45% (6,386.36)	Aaa/AA+ AA+	1.25 1.20
9128286L9	UNITED STATES TREASURY 2.25 03/31/2026	1,000,000.00	08/29/2022 3.39%	961,640.63 983,999.84	97.81 3.77%	978,085.94 61.81	0.45% (5,913.90)	Aaa/AA+ AA+	1.50 1.45
912828U24	UNITED STATES TREASURY 2.0 11/15/2026	1,500,000.00	05/09/2023 3.65%	1,418,964.84 1,451,126.65	96.68 3.64%	1,450,195.32 11,331.52	0.67% (931.33)	Aaa/AA+ AA+	2.13 2.04
912828V98	UNITED STATES TREASURY 2.25 02/15/2027	1,000,000.00	11/29/2022 4.06%	930,585.94 960,869.97	96.91 3.62%	969,140.62 2,873.64	0.45% 8,270.65	Aaa/AA+ AA+	2.38 2.28

Cusip	Security Description	Par Value/ Units	Purchase Date Purchase Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody's/ S&P/ Fitch	Maturity Duration
91282CEF4	UNITED STATES TREASURY 2.5 03/31/2027	1,100,000.00	11/03/2022 4.46%	1,014,148.44 1,051,361.46	97.43 3.59%	1,071,726.57 75.55	0.49% 20,365.10	Aaa/AA+ AA+	2.50 2.39
91282CEN7	UNITED STATES TREASURY 2.75 04/30/2027	1,500,000.00	02/13/2024 4.39%	1,427,167.97 1,441,473.15	97.94 3.59%	1,469,121.09 17,262.23	0.68% 27,647.94	Aaa/AA+ AA+	2.58 2.44
91282CEW7	UNITED STATES TREASURY 3.25 06/30/2027	1,250,000.00	11/03/2022 4.44%	1,187,792.97 1,213,312.87	99.16 3.57%	1,239,453.13 10,266.64	0.57% 26,140.26	Aaa/AA+ AA+	2.75 2.58
91282CFH9	UNITED STATES TREASURY 3.125 08/31/2027	800,000.00	01/30/2023 3.72%	779,968.75 787,252.84	98.76 3.58%	790,093.75 2,140.88	0.36% 2,840.91	Aaa/AA+ AA+	2.92 2.75
9128283F5	UNITED STATES TREASURY 2.25 11/15/2027	1,500,000.00	05/16/2023 3.59%	1,417,031.25 1,442,431.91	96.10 3.58%	1,441,464.84 12,747.96	0.66% (967.07)	Aaa/AA+ AA+	3.13 2.95
9128283W8	UNITED STATES TREASURY 2.75 02/15/2028	1,250,000.00	09/27/2024 3.51%	1,220,019.53 1,220,043.85	97.38 3.58%	1,217,187.50 4,390.29	0.56% (2,856.35)	Aaa/AA+ AA+	3.38 3.17
9128285M8	UNITED STATES TREASURY 3.125 11/15/2028	1,500,000.00	04/18/2024 4.72%	1,402,792.96 1,412,391.50	98.26 3.58%	1,473,867.18 17,705.50	0.68% 61,475.68	Aaa/AA+ AA+	4.13 3.78
Total US Treasury		**42,600,000.00**	**3.98%**	**41,306,370.15 41,871,237.15**	**98.46 4.20%**	**41,940,386.41 183,771.75**	**19.34% 69,149.27**	**Aaa/AA+ AA+**	**1.11 1.06**
Total Portfolio		**217,060,203.86**	**2.01%**	**215,212,930.05 215,982,996.64**	**45.45 1.96%**	**216,907,546.14 632,290.92**	**100.00% 924,549.49**	**Aa1/AA AA**	**0.78 0.67**
Total Market Value + Accrued						**217,539,837.06**			

CHANDLER ASSET MANAGEMENT

TRANSACTIONS

TRANSACTION LEDGER

City of Pittsburg | Account #10607|07/01/2024 Through 09/30/2024|

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	07/23/2024	3133ERMB4	1,000,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP 4.25 07/23/2027	99.969	4.26%	(999,690.00)	0.00	(999,690.00)	0.00
Purchase	07/26/2024	09290DAH4	530,000.00	BLACKROCK FUNDING INC 4.6 07/26/2027	99.997	4.60%	(529,984.10)	0.00	(529,984.10)	0.00
Purchase	08/06/2024	69371RT30	560,000.00	PACCAR FINANCIAL CORP 4.45 08/06/2027	99.867	4.50%	(559,255.20)	0.00	(559,255.20)	0.00
Purchase	08/14/2024	532457CP1	470,000.00	ELI LILLY AND CO 4.15 08/14/2027	99.919	4.18%	(469,619.30)	0.00	(469,619.30)	0.00
Purchase	08/23/2024	91324PDE9	750,000.00	UNITEDHEALTH GROUP INC 2.95 10/15/2027	96.379	4.19%	(722,842.50)	(7,866.67)	(730,709.17)	0.00
Purchase	09/12/2024	66815L2T5	545,000.00	NORTHWESTERN MUTUAL GLOBAL FUNDING 4.11 09/12/2027	99.997	4.11%	(544,983.65)	0.00	(544,983.65)	0.00
Purchase	09/25/2024	58769GAD5	295,000.00	MBALT 2024-B A3 4.23 02/15/2028	99.983	4.24%	(294,950.35)	0.00	(294,950.35)	0.00
Purchase	09/30/2024	9128283W8	1,250,000.00	UNITED STATES TREASURY 2.75 02/15/2028	97.602	3.51%	(1,220,019.53)	(4,296.88)	(1,224,316.41)	0.00
Total Purchase			**5,400,000.00**				**(5,341,344.63)**	**(12,163.55)**	**(5,353,508.18)**	**0.00**
TOTAL ACQUISITIONS			**5,400,000.00**				**(5,341,344.63)**	**(12,163.55)**	**(5,353,508.18)**	**0.00**
DISPOSITIONS										
Maturity	07/09/2024	06367TQW3	(750,000.00)	BANK OF MONTREAL 0.625 07/09/2024	100.000	0.63%	750,000.00	0.00	750,000.00	0.00
Maturity	07/15/2024	79466LAG9	(115,000.00)	SALESFORCE INC 0.625 07/15/2024	100.000	0.63%	115,000.00	0.00	115,000.00	0.00
Maturity	07/15/2024	91282CCL3	(1,000,000.00)	UNITED STATES TREASURY 0.375 07/15/2024	100.000	0.38%	1,000,000.00	0.00	1,000,000.00	0.00
Maturity	08/15/2024	91282CCT6	(1,000,000.00)	UNITED STATES TREASURY 0.375 08/15/2024	100.000	0.38%	1,000,000.00	0.00	1,000,000.00	0.00
Maturity	09/11/2024	037833DM9	(750,000.00)	APPLE INC 1.8 09/11/2024	100.000	1.80%	750,000.00	0.00	750,000.00	0.00

TRANSACTION LEDGER

City of Pittsburg | Account #10607|07/01/2024 Through 09/30/2024|

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
Maturity	09/23/2024	4581X0DZ8	(895,000.00)	INTER-AMERICAN DEVELOPMENT BANK 0.5 09/23/2024	100.000	0.50%	895,000.00	0.00	895,000.00	0.00
Total Maturity			**(4,510,000.00)**				**4,510,000.00**	**0.00**	**4,510,000.00**	**0.00**
TOTAL DISPOSITIONS			**(4,510,000.00)**				**4,510,000.00**	**0.00**	**4,510,000.00**	**0.00**

TRANSACTION LEDGER

City of Pittsburg Liquidity | Account #10617|07/01/2024 Through 09/30/2024|

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	07/10/2024	912797LN5	1,500,000.00	UNITED STATES TREASURY 06/12/2025	95.500	5.05%	(1,432,494.69)	0.00	(1,432,494.69)	0.00
Purchase	07/31/2024	62479LP33	2,000,000.00	MUFG Bank, Ltd. - New York Branch 02/03/2025	97.325	5.29%	(1,946,497.23)	0.00	(1,946,497.23)	0.00
Purchase	07/31/2024	9128283Z1	1,250,000.00	UNITED STATES TREASURY 2.75 02/28/2025	98.691	5.05%	(1,233,642.58)	(14,291.78)	(1,247,934.36)	0.00
Purchase	08/22/2024	912797MP9	2,000,000.00	UNITED STATES TREASURY 12/17/2024	98.400	5.07%	(1,968,003.75)	0.00	(1,968,003.75)	0.00
Purchase	08/22/2024	912797LD7	2,000,000.00	UNITED STATES TREASURY 11/14/2024	98.828	5.16%	(1,976,550.00)	0.00	(1,976,550.00)	0.00
Total Purchase			**8,750,000.00**				**(8,557,188.25)**	**(14,291.78)**	**(8,571,480.03)**	**0.00**
TOTAL ACQUISITIONS			**8,750,000.00**				**(8,557,188.25)**	**(14,291.78)**	**(8,571,480.03)**	**0.00**
DISPOSITIONS										
Maturity	07/31/2024	91282CFA4	(3,000,000.00)	UNITED STATES TREASURY 3.0 07/31/2024	100.000	3.00%	3,000,000.00	0.00	3,000,000.00	0.00
Maturity	08/08/2024	912797GK7	(2,000,000.00)	UNITED STATES TREASURY 08/08/2024	100.000	0.00%	2,000,000.00	0.00	2,000,000.00	0.00
Maturity	08/15/2024	912797KB2	(2,000,000.00)	UNITED STATES TREASURY 08/15/2024	100.000	0.00%	2,000,000.00	0.00	2,000,000.00	0.00
Maturity	09/06/2024	21684XH82	(2,000,000.00)	COÖPERATIEVE RABOBANK U.A., NEW YORK BRANCH 5.9 09/06/2024	100.000	5.90%	2,000,000.00	0.00	2,000,000.00	0.00
Maturity	09/15/2024	91282CCX7	(2,800,000.00)	UNITED STATES TREASURY 0.375 09/15/2024	100.000	0.38%	2,800,000.00	0.00	2,800,000.00	0.00
Total Maturity			**(11,800,000.00)**				**11,800,000.00**	**0.00**	**11,800,000.00**	**0.00**
TOTAL DISPOSITIONS			**(11,800,000.00)**				**11,800,000.00**	**0.00**	**11,800,000.00**	**0.00**

TRANSACTION LEDGER

City of Pittsburg Managed/Reporting Cons | Account #10639|07/01/2024 Through 09/30/2024|

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	07/10/2024	912797LN5	1,500,000.00	UNITED STATES TREASURY 06/12/2025	95.500	5.05%	(1,432,494.69)	0.00	(1,432,494.69)	0.00
Purchase	07/23/2024	3133ERMB4	1,000,000.00	FEDERAL FARM CREDIT BANKS FUNDING CORP 4.25 07/23/2027	99.969	4.26%	(999,690.00)	0.00	(999,690.00)	0.00
Purchase	07/26/2024	09290DAH4	530,000.00	BLACKROCK FUNDING INC 4.6 07/26/2027	99.997	4.60%	(529,984.10)	0.00	(529,984.10)	0.00
Purchase	07/31/2024	62479LP33	2,000,000.00	MUFG Bank, Ltd. - New York Branch 02/03/2025	97.325	5.29%	(1,946,497.23)	0.00	(1,946,497.23)	0.00
Purchase	07/31/2024	9128283Z1	1,250,000.00	UNITED STATES TREASURY 2.75 02/28/2025	98.691	5.05%	(1,233,642.58)	(14,291.78)	(1,247,934.36)	0.00
Purchase	08/06/2024	69371RT30	560,000.00	PACCAR FINANCIAL CORP 4.45 08/06/2027	99.867	4.50%	(559,255.20)	0.00	(559,255.20)	0.00
Purchase	08/14/2024	532457CP1	470,000.00	ELI LILLY AND CO 4.15 08/14/2027	99.919	4.18%	(469,619.30)	0.00	(469,619.30)	0.00
Purchase	08/22/2024	912797MP9	2,000,000.00	UNITED STATES TREASURY 12/17/2024	98.400	5.07%	(1,968,003.75)	0.00	(1,968,003.75)	0.00
Purchase	08/22/2024	912797LD7	2,000,000.00	UNITED STATES TREASURY 11/14/2024	98.828	5.16%	(1,976,550.00)	0.00	(1,976,550.00)	0.00
Purchase	08/23/2024	91324PDE9	750,000.00	UNITEDHEALTH GROUP INC 2.95 10/15/2027	96.379	4.19%	(722,842.50)	(7,866.67)	(730,709.17)	0.00
Purchase	09/12/2024	66815L2T5	545,000.00	NORTHWESTERN MUTUAL GLOBAL FUNDING 4.11 09/12/2027	99.997	4.11%	(544,983.65)	0.00	(544,983.65)	0.00
Purchase	09/25/2024	58769GAD5	295,000.00	MBALT 2024-B A3 4.23 02/15/2028	99.983	4.24%	(294,950.35)	0.00	(294,950.35)	0.00
Purchase	09/30/2024	90PARS$00	219,001.47	City of Pittsburg	1.000	0.00%	(219,001.47)	0.00	(219,001.47)	0.00
Purchase	09/30/2024	9128283W8	1,250,000.00	UNITED STATES TREASURY 2.75 02/15/2028	97.602	3.51%	(1,220,019.53)	(4,296.88)	(1,224,316.41)	0.00
Total Purchase			**14,369,001.47**				**(14,117,534.35)**	**(26,455.33)**	**(14,143,989.68)**	**0.00**
TOTAL ACQUISITIONS			**14,369,001.47**				**(14,117,534.35)**	**(26,455.33)**	**(14,143,989.68)**	**0.00**
DISPOSITIONS										

TRANSACTION LEDGER

CHANDLER ASSET MANAGEMENT

City of Pittsburg Managed/Reporting Cons | Account #10639|07/01/2024 Through 09/30/2024|

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
Maturity	07/09/2024	06367TQW3	(750,000.00)	BANK OF MONTREAL 0.625 07/09/2024	100.000	0.63%	750,000.00	0.00	750,000.00	0.00
Maturity	07/15/2024	79466LAG9	(115,000.00)	SALESFORCE INC 0.625 07/15/2024	100.000	0.63%	115,000.00	0.00	115,000.00	0.00
Maturity	07/15/2024	91282CCL3	(1,000,000.00)	UNITED STATES TREASURY 0.375 07/15/2024	100.000	0.38%	1,000,000.00	0.00	1,000,000.00	0.00
Maturity	07/31/2024	91282CFA4	(3,000,000.00)	UNITED STATES TREASURY 3.0 07/31/2024	100.000	3.00%	3,000,000.00	0.00	3,000,000.00	0.00
Maturity	08/08/2024	912797GK7	(2,000,000.00)	UNITED STATES TREASURY 08/08/2024	100.000	0.00%	2,000,000.00	0.00	2,000,000.00	0.00
Maturity	08/15/2024	912797KB2	(2,000,000.00)	UNITED STATES TREASURY 08/15/2024	100.000	0.00%	2,000,000.00	0.00	2,000,000.00	0.00
Maturity	08/15/2024	91282CCT6	(1,000,000.00)	UNITED STATES TREASURY 0.375 08/15/2024	100.000	0.38%	1,000,000.00	0.00	1,000,000.00	0.00
Maturity	09/06/2024	21684XH82	(2,000,000.00)	COÖPERATIEVE RABOBANK U.A., NEW YORK BRANCH 5.9 09/06/2024	100.000	5.90%	2,000,000.00	0.00	2,000,000.00	0.00
Maturity	09/11/2024	037833DM9	(750,000.00)	APPLE INC 1.8 09/11/2024	100.000	1.80%	750,000.00	0.00	750,000.00	0.00
Maturity	09/15/2024	91282CCX7	(2,800,000.00)	UNITED STATES TREASURY 0.375 09/15/2024	100.000	0.38%	2,800,000.00	0.00	2,800,000.00	0.00
Maturity	09/23/2024	4581X0DZ8	(895,000.00)	INTER-AMERICAN DEVELOPMENT BANK 0.5 09/23/2024	100.000	0.50%	895,000.00	0.00	895,000.00	0.00
Total Maturity			**(16,310,000.00)**				**16,310,000.00**	**0.00**	**16,310,000.00**	**0.00**
Sale	09/30/2024	90PITT$01	(8,374,649.57)	City of Pittsburg	1.000	0.00%	8,374,649.57	0.00	8,374,649.57	0.00
Total Sale			**(8,374,649.57)**				**8,374,649.57**	**0.00**	**8,374,649.57**	**0.00**
TOTAL DISPOSITIONS			**(24,684,649.57)**				**24,684,649.57**	**0.00**	**24,684,649.57**	**0.00**

2024 Chandler Asset Management, Inc, An Independent Registered Investment Adviser.

Information contained herein is confidential. Prices are provided by ICE Data Services Inc ("IDS"), an independent pricing source. In the event IDS does not provide a price or if the price provided is not reflective of fair market value, Chandler will obtain pricing from an alternative approved third party pricing source in accordance with our written valuation policy and procedures. Our valuation procedures are also disclosed in Item 5 of our Form ADV Part 2A.

Performance results are presented gross-of-advisory fees and represent the client's Total Return. The deduction of advisory fees lowers performance results. These results include the reinvestment of dividends and other earnings. Past performance may not be indicative of future results. Therefore, clients should not assume that future performance of any specific investment or investment strategy will be profitable or equal to past performance levels. All investment strategies have the potential for profit or loss. Economic factors, market conditions or changes in investment strategies, contributions or withdrawals may materially alter the performance and results of your portfolio.

Index returns assume reinvestment of all distributions. Historical performance results for investment indexes generally do not reflect the deduction of transaction and/or custodial charges or the deduction of an investment management fee, the incurrence of which would have the effect of decreasing historical performance results. It is not possible to invest directly in an index.

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Fixed income investments are subject to interest, credit and market risk. Interest rate risk: the value of fixed income investments will decline as interest rates rise. Credit risk: the possibility that the borrower may not be able to repay interest and principal. Low rated bonds generally have to pay higher interest rates to attract investors willing to take on greater risk. Market risk: the bond market in general could decline due to economic conditions, especially during periods of rising interest rates.

Ratings information have been provided by Moody's, S&P and Fitch through data feeds we believe to be reliable as of the date of this statement, however we cannot guarantee its accuracy.

Security level ratings for U.S. Agency issued mortgage-backed securities ("MBS") reflect the issuer rating because the securities themselves are not rated. The issuing U.S. Agency guarantees the full and timely payment of both principal and interest and carries a AA+/Aaa/AAA by S&P, Moody's and Fitch respectively.

Benchmark	Disclosure
ICE BofA 3-Month US Treasury Bill Index	The ICE BofA US 3-Month Treasury Bill Index is comprised of a single issue purchased at the beginning of the month and held for a full month. At the end of the month that issue is sold and rolled into a newly selected issue. The issue selected at each month-end rebalancing is the outstanding Treasury Bill that matures closest to, but not beyond, three months from the rebalancing date.
ICE BofA 1-3 Yr US Treasury & Agency Index	The ICE BofA 1-3 Year US Treasury & Agency Index tracks the performance of US dollar denominated US Treasury and nonsubordinated US agency debt issued in the US domestic market. Qualifying securities must have an investment grade rating (based on an average of Moody's, S&P and Fitch). Qualifying securities must have at least one year remaining term to final maturity and less than three years remaining term to final maturity, at least 18 months to maturity at time of issuance, a fixed coupon schedule, and a minimum amount outstanding of $1 billion for sovereigns and $250 million for agencies.

City of Pittsburg
Finance Division
65 Civic Avenue
Pittsburg, California 94565

November 4, 2024

Honorable Mayor and City Council:

I have reviewed the City of Pittsburg's Treasury Report for the quarter ending September 30, 2024, and find that it complies with the Investment Policy established by my office.

Sincerely,

Nancy Parent
City Treasurer

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Accepting Project 2231 - West Leland Road and Loveridge Road Phase II Rehabilitation as Complete and Authorizing the City Engineer to File a Notice of Completion

MEETING DATE: November 18, 2024

EXECUTIVE SUMMARY

Project 2231 - West Leland Road and Loveridge Road Phase II Rehabilitation (the "Project") milled and overlayed, with hot mix asphalt, West Leland Road from Broadway Avenue to John Henry Johnson Parkway, West Leland Road from Crestview Drive to Railroad Avenue, and Loveridge Road from California Avenue to Pittsburg Antioch Highway. This resolution will accept the construction contract as complete and authorize the City Engineer to file a Notice of Completion.

FISCAL IMPACT

The Project was funded by a $2,410,000 One Bay Area Grant (Resolution No. 24-14420) and $1,940,000 of RMRA funds (Resolution Nos. 20-13859, 21-13988, and 22-14125) for a total approved budget of $4,350,000. After payment of all expenditures for staff time, design, construction, release of retention, and project close out, the total anticipated expenditures for the Project are $4,170,000. Any unspent funds should be returned to the source fund account.

An updated CIP Project Sheet is attached.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution accepting the Project as complete and authorizing the City Engineer to file a Notice of Completion.

BACKGROUND

On November 18, 2015, the City was awarded the Metropolitan Transportation Commission One Bay Area Grant II in the amount of $2,410,000. On December 21, 2020, the City Council adopted Resolution No. 20-13859, approving an addendum to the 5-year Capital Improvement Program for Fiscal Years (FY) 2019/20 through 2023/24, allocating $300,000 of RMRA Funds to the Project.

On June 20, 2021, the City Council adopted Resolution No. 21-13942, approving the Operating Budget for FY 2021/22, allocating $40,000 of RMRA Funds to the Project. On September 21, 2021, the City Council adopted Resolution No. 21-13988, allocating $1,100,000 of RMRA Funds to the Project. On July 18, 2022, the City Council adopted Resolution No. 22-14125, approving the Five-Year Capital Improvement Program for FY 2022/23 through 2026/27 allocating $500,000 of RMRA Funds to the Project.

On November 29, 2023, twelve bids were received for project construction. Ghilotti Construction Company, Inc. was the lowest responsive, responsible bidder with a bid of $3,264,406.30. On January 16, 2024, City Council adopted Resolution No. 24-14420, accepting the One Bay Area Grant II.

On January 16, 2024, City Council adopted Resolution No. 24-14421, accepting the plans and specifications, declining to waive bid irregularity, and awarding a construction contract to Ghilotti Construction Company in the amount of $3,264,406.30. During construction, there was a total of four contract change orders issued in the amount of $306,206.65 for a total contract amount of $3,570,612.95.

SUBCOMMITTEE FINDINGS

This item was not reviewed by a subcommittee.

STAFF ANALYSIS

This project rehabilitated approximately 7.3 lane miles of two major arterial roadways. The Project was part of the Five-Year Pavement Management Plan with the primary goal to increase the City's pavement condition index. Successfully completing this project on schedule and within budget was an important step to improving Pittsburg's roadway network.

ATTACHMENTS: Resolution
CIP Project Sheet

Report Prepared by: Gabriel Piña, Associate Engineer

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Accepting Project 2231 - West Leland Road And Loveridge Road Phase II Rehabilitation As Complete and Authorizing the City Engineer to File a Notice of Completion	)	RESOLUTION NO. 24-

WHEREAS, Project 2231 - West Leland Road and Loveridge Road Phase II Rehabilitation (the "Project") milled and overlayed, with hot mix asphalt, West Leland Road from Broadway Avenue to John Henry Johnson Parkway, West Leland Road from Crestview Drive to Railroad Avenue, and Loveridge Road from California Avenue to Pittsburg Antioch Highway; and

WHEREAS, on November 18, 2015, the City was awarded the Metropolitan Transportation Commission One Bay Area Grant II in the amount of $2,410,000; and

WHEREAS, on December 21, 2020, the City Council adopted Resolution No. 20-13859, approving an addendum to the 5-year Capital Improvement Program for Fiscal Years (FY) 2019/20 through 2023/24, allocating $300,000 of RMRA Funds to the Project; and

WHEREAS, on June 20, 2021, the City Council adopted Resolution No. 21-13942, approving the Operating Budget for FY 2021/22, allocating $40,000 of RMRA Funds to the Project; and

WHEREAS, on September 21, 2021, the City Council adopted Resolution No. 21-13988, allocating $1,100,000 of RMRA Funds to the Project; and

WHEREAS, on July 18, 2022, the City Council adopted Resolution No. 22-14125, approving the Five-Year Capital Improvement Program for FY 2022/23 through 2026/27, allocating $500,000 of RMRA Funds to the Project; and

WHEREAS, on November 29, 2023, twelve bids were received for project construction. Ghilotti Construction Company, Inc. was the lowest responsive, responsible bidder with a bid of $3,264,406.30; and

WHEREAS, on January 16, 2024, City Council adopted Resolution No. 24-14420, accepting the One Bay Area Grant II; and

WHEREAS, on January 16, 2024, City Council adopted Resolution No. 24-14421, accepting the plans and specifications, declining to waive bid irregularity, and awarding a construction contract to Ghilotti Construction Company in the amount of $3,264,406.30; and

WHEREAS, there were four contract change orders in the amount of $306,206.65 for a total contract amount of $3,570,612.95; and

WHEREAS, the total anticipated expenditures for the Project, including staff time, design, construction, release of retention, and project close out, are $4,170,000, and the estimated remaining balance will be returned to the source fund account.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pittsburg hereby accepts the Project as complete and authorizes the City Engineer to file a Notice of Completion and file said document with the office of the Recorder of the County of Contra Costa, State of California, within 10 days from the date hereof.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 18th day of November 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

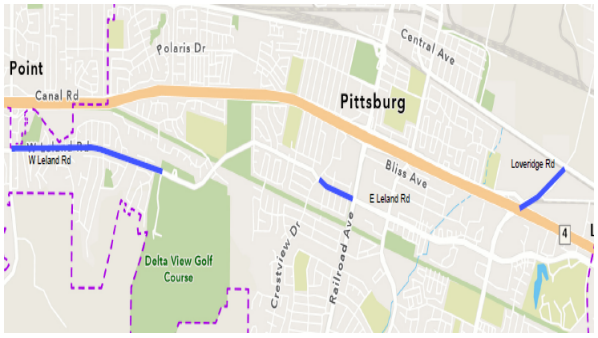
_____
Juan Antonio Banales, Mayor

ATTEST BY:

_____
Alice E. Evenson, City Clerk

Project Title: **Project #:**

(OBAG II) Pavement Improvement 2231



Project Category:	Streets
Location:	W. Leland Rd and Loveridge Rd
Project Manager:	G. Piña
Project Priority:	1C – Essential
Project Status:	Construction
Est. Completion Date:	2024/25

Description/Justification:

The limits of work include Loveridge Road from California Avenue to Pittsburg-Antioch Highway, West Leland Road from Broadway Avenue to Serrano Way, West Leland Road from Crestview Drive to Railroad Avenue, and West Leland Road from Bailey Road to John Henry Johnson Parkway. This project will use a variety of pavement management techniques as appropriate to extend the useful life of the roadway as well as concrete work to upgrade ramps to current ADA standard regulations.

Supplemental Information:

In September 2021, the City was awarded OBAG II grant funding for this project in the amount of $2,410,000.

PROJECT FINANCING		CURRENT		PROPOSED					
PROJECT EXPENDITURES		**Prior**	**2023/24**	**2024/25**	**2025/26**	**2026/27**	**2027/28**	**2028/29**	**TOTAL**
1101	**Staff Time**	$ 9,692	$ 51,525	$ 15,012					**$ 76,228**
2122	**Design**	$ 442,524	$ 2,933						**$ 445,456**
2281	**Construction**		$ 2,932,790	$ 638,370					**$ 3,571,160**
2372	**Administrative Overhead**	$ 8,817	$ 39,148	$ 29,191					**$ 77,156**
TOTAL		**$ 461,032**	**$ 3,026,395**	**$ 682,573**					**$ 4,170,000**
PROJECT FUNDING		**Prior**	**2023/24**	**2024/25**	**2025/26**	**2026/27**	**2027/28**	**2028/29**	**TOTAL**
	Federal/State Funding	$ 2,410,000							**$ 2,410,000**
328	**RMRA**	$ 1,940,000							**$ 1,940,000**
TOTAL		$ 4,350,000							**$ 4,350,000**

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Accepting the Plans and Specifications, Reallocating Unused American Rescue Plan Act Funds, Allocating Additional Funds, and Awarding Project 3080 - Pittsburg Premier Fields

MEETING DATE: November 18, 2024

EXECUTIVE SUMMARY

Project 3080 - Pittsburg Premier Fields (the "Project") will construct a multi-purpose field with parking, landscaping, a traffic signal on West Leland Road, and walking trails near the intersection of West Leland Road and John Henry Johnson Parkway. If adopted, this Resolution will accept the project plans and specifications, reallocate unused American Rescue Plan Act (ARPA) project funds, allocate additional funding, and authorize the City Manager to execute a construction contract with Carone and Company, Inc.

FISCAL IMPACT

The bid proposal from Carone and Company, Inc., is for $5,038,000.

This item will reallocate unused ARPA funds from the projects listed below to the Project:

- $19,574 from Sports Tourism (Project 1804)
- $692 from the Police Department Servers Project (Project 3090)
- $5,157 from the Police Department Electric Vehicle Charging Installation Project (Project 1802)
- $28,347 from the Citywide Electric Vehicle Fleet Implementation Study (Project 1800)

Funding for construction will be provided by the following sources:

• $1,842,811	American Rescue Plan Act (ARPA)	(Reso. No. 24-14533)
• $1,615,000	General Fund Surplus	(Reso. No. 23-14317)
• $438,461	Measure M Surplus	(Reso. No. 24-14533)
• $2,263,000	Parks Dedication Fees (PDF)	(Reso. No. 24-14533)
• $53,770	ARPA	Reallocated with this resolution
• $557,000	FY 2020/21 General Fund Surplus	Allocated with this resolution

If approved, the total Project budget will be $6,770,042.

An updated CIP sheet is attached to this report.

RECOMMENDATION

City Council adopt the attached Resolution accepting the plans and specifications, reallocating unused ARPA funds, allocating additional funding in the amount of $610,770 to the Project as follows; $53,770 from ARPA and $557,000 from Fiscal Year 2020/21 General Fund Surplus, and authorizing the City Manager to execute a construction contract for the Project with Carone and Company, Inc. in the amount of $5,038,000.

Staff recommends that the City Council allocate a construction contingency in the amount of $503,800 for unanticipated costs and contract change orders.

Staff further recommends that the City Engineer be authorized to approve contract change orders in an amount not to exceed 50% of the construction contingency, and the City Manager be authorized to approve change orders in an amount not to exceed the approved Project budget.

BACKGROUND

On June 19, 2023, the City Council adopted Resolution No. 23-14317, approving the Operating Budget for Fiscal Year 2023/24, allocating $1,615,000 of General Fund Surplus Funds to the Project. On September 16, 2024, the City Council adopted Resolution No. 24-14533 adopting the 5-year Capital Improvement Program, allocating $1,842,811 of ARPA funds, $438,461 of Measure M Surplus funds, and $2,263,000 of PDF funds to the Project.

On October 9, 2024, staff advertised the Project for construction bids. On October 31, 2024, construction bids were received and Carone and Company, Inc. was the lowest responsive, responsible bidder with a base bid of $5,038,000.

Staff received nine bid proposals for project construction. The bids have been checked for arithmetical errors, completeness, and conformance with the bid requirements.

SUBCOMMITTEE FINDINGS

The general reallocation of remaining balances in ARPA-funded projects to other ARPA-funded projects was discussed at the October 18, 2024 Finance Management Subcommittee Meeting.

STAFF ANALYSIS

The Project aims to enhance community amenities by installing a new multipurpose field near the intersection of West Leland Road and John Henry Johnson Parkway. The project will install a multi-purpose field, a traffic signal, landscaping, irrigation, parking lot, and trails. This project will create a much-needed space for community members to participate in sporting events within their hometown.

Projects 1904, 3090. 1802, and 1800 are complete and have remaining unused ARPA funds. In alignment with City Council priorities and the federal deadline to obligate all ARPA funds by December 31, 2024, these remaining funds can be used to offset costs of constructing the Project.

Staff received nine bid proposals for the construction of the Project. The low bid has been checked for arithmetical errors, completeness, and conformance with the bid requirements. The bid proposal submitted by Carone and Company, Inc. was the lowest responsive, responsible bid.

ATTACHMENT: Resolution
CIP Project Sheet

Report Prepared By: Gabriel Piña, Associate Engineer

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Accepting the Plans and Specifications, Reallocating Unused American Rescue Plan Act Funds, Allocating Additional Funds, and Awarding Project 3080 - Pittsburg 24-Premier Fields	)	RESOLUTION NO. 24-

WHEREAS, Project 3080 - Pittsburg Premier Fields (the "Project") is for the construction of a multi-purpose field, a traffic signal, landscaping, parking, and walking trails near the intersection of West Leland Road and John Henry Johnson Parkway; and

WHEREAS, on June 19, 2023, the City Council adopted Resolution No. 23-14317, approving the Operating Budget for Fiscal Year 2023/24, allocating $1,615,000 of General Fund Surplus Funds to the Project; and

WHEREAS, on September 16, 2024, the City Council adopted Resolution No. 24-14533 adopting the 5-year Capital Improvement Program, allocating $1,842,811 of American Rescue Plan Act (ARPA) funds, $438,461 of Measure M Surplus funds, and $2,263,000 of Parks Dedication Fee funds to the Project; and

WHEREAS, on October 9, 2024, staff advertised the Project for construction bids; and

WHEREAS, on October 31, 2024, nine (9) bids for construction of the Project were received; and

WHEREAS, Carone and Company, Inc. was ranked as the lowest, responsive, and responsible bidder based on the selection criteria with a base bid in the amount of $5,038,000; and

WHEREAS, staff recommends that the City Council accept the plans and specifications; and

WHEREAS, staff recommends that the City Council allocate $53,770 from ARPA and $557,000 from Fiscal Year 2020/21 General Fund Surplus to the Project; and

WHEREAS, staff recommends that the City Council authorize the City Manager to execute a construction contract with Carone and Company, Inc. in the amount of $5,038,000; and

WHEREAS, staff recommends establishing a contingency in an amount of $503,800 for unanticipated costs and contract change orders; and

WHEREAS, staff further recommends that the City Engineer be authorized to approve contract change orders in an amount not to exceed 50% of the construction contingency, and the City Manager be authorized to approve change orders in an amount not to exceed the approved Project budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pittsburg hereby accepts the plans and specifications, awards a construction contract with Carone and Company, Inc. in the amount of $5,038,000, authorizes a construction contingency in the amount of $503,800, authorizes the City Engineer to approve contract change orders in an amount not to exceed 50% of the contingency, and authorizes the City Manager to approve change orders for an amount not to exceed the approved Project budget.

BE IT FURTHER RESOLVED, that the City Council of the City of Pittsburg reallocates $53,770 of ARPA funds from the following projects to the Project:

- $19,574 from Sports Tourism (Project 1804)
- $692 from the Police Department Servers Project (Project 3090)
- $5,157 from the Police Department Electric Vehicle Charging Installation Project (Project 1802)
- $28,347 from the Citywide Electric Vehicle Fleet Implementation Study (Project 1800)

BE IT FURTHER RESOLVED, that the City Council of the City of Pittsburg allocates additional funding in the amount of $557,000 from Fiscal Year 2020/21 General Fund Surplus.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 18th day of November 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

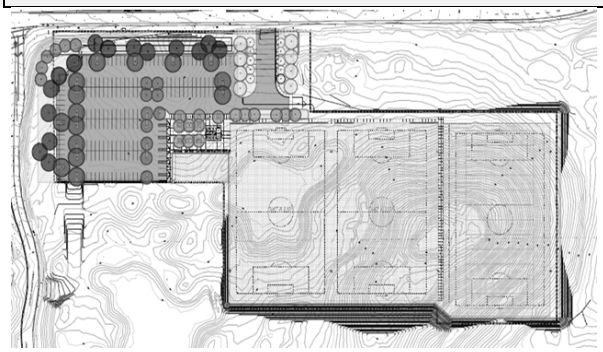
_____
Juan Antonio Banales, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

Project Title: **Project #:**

Pittsburg Premier Fields — 3080



Project Category:	Parks
Location:	Old Delta View Golf Course
Project Manager:	M. Mena
Project Priority:	1E – Essential
Project Status:	Construction
Est. Completion Date:	2028/29

Description/Justification:

The project will be split into two phases. The first phase of the Project aims to enhance community amenities by installing one multipurpose field near the intersection of West Leland Road and John Henry Johnson Parkway. The project will construct one multipurpose field with trails circling the facility that connect to existing trails, traffic signal control intersection improvements, parking lot which will include lighting, landscape, irrigation, water quality features, site furnishing, tree plantings, and other amenities within the project limits. This project will create a much-needed space for community members to participate in sporting events within their hometown. In the second phase the other two fields, restroom and sports highlighting will be constructed.

Supplemental Information:

PROJECT FINANCING		CURRENT		PROPOSED					
PROJECT EXPENDITURES		**Prior**	**2023/24**	**2024/25**	**2025/26**	**2026/27**	**2027/28**	**2028/29**	**TOTAL**
1101	**Staff Time**		$ 55,039	$ 113,000	$ 50,064			$ 550,000	**$ 768,103**
2122	**Design**	$ 29,200	$ 558,166	$ 20,510	$ 7,000				**$ 614,876**
2281	**Construction**		$ 71,146	$ 4,212,100	$ 1,488,554			$ 8,659,498	**$ 14,431,298**
2372	**Administrative Overhead**		$ 1,429	$ 113,000	$ 50,064			$ 550,000	**$ 714,493**
TOTAL		**$ 29,200**	**$ 685,780**	**$ 4,458,610**	**$ 1,595,682**			**$ 9,759,498**	**$ 16,528,770**

PROJECT FUNDING		Prior	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	TOTAL
298	**ARPA**			$ 1,896,581					**$ 1,896,581**
110	**General Fund Surplus**		$ 1,615,000	$ 557,000					**$ 2,172,000**
304	**Park Dedication Fund**			$ 2,263,000					**$ 2,263,000**
111	**Measure M Surplus**			$ 438,461					**$ 438,461**
	Unfunded							$ 9,758,728	**$ 9,758,728**
TOTAL			**$ 1,615,000**	**$ 5,155,042**				**$ 9,758,728**	**$ 16,528,770**

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Accepting Project 2040 - 2023/24 Pavement Management as Complete and Authorizing the City Engineer to File a Notice of Completion

MEETING DATE: November 18, 2024

EXECUTIVE SUMMARY

Project 2040, 2023/24 Pavement Management (the "Project") implemented various pavement treatments including overlay, three-layer treatment, cape seal, micro-surfacing, base repair, and crack sealing to rehabilitate local/residential streets. This resolution will accept the construction contract as complete and authorize the City Engineer to file a Notice of Completion.

FISCAL IMPACT

The Project was funded with $2,451,300 from the General Fund (Fund 110), $807,000 from RMRA (Fund 228), $650,000 from Measure M Funds (Fund 111), $500,000 from HUTA (Fund 203), and $147,141 from the CalRecycle Grant for a total project budget of $4,555,441.

The City entered a construction contract with Radius Earthwork Inc., for $4,015,421.42. The final construction cost for the Project is $4,336,248.21. After payment of all expenditures for design, construction, release of retention, and project close out, the total anticipated expenditures for the Project are $4,435,000. Any unspent funds pertaining to the Project will be returned to the source of funding.

The updated CIP project sheet is attached to this report.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution accepting the Project as complete and authorizing the City Engineer to file a Notice of Completion.

BACKGROUND

On April 16, 2024, the Project was advertised for construction.

On May 6, 2024, bids for construction of the Project were opened and Radius Earthwork Inc, was the lowest responsive, responsible bidder with a base bid of $4,015,421.42.

On May 20, 2024, the City awarded the Project to Radius Earthwork Inc.

On October 25, 2024, the contractor completed the Project.

SUBCOMMITTEE FINDINGS

On December 15, 2023, staff presented the draft 5-year Pavement Maintenance Plan to the Infrastructure and Transportation Subcommittee. The Subcommittee provided feedback on the plan and approved a recommendation to prioritize “Zone 3” for the Project.

STAFF ANALYSIS

Project 2040, 2023/24 Pavement Management is part of the City’s long-term pavement management plan to maintain and rehabilitate the City’s street network. The Project has increased the useful life of local and residential streets, enhanced road safety conditions, and contributed to the goal of raising the City’s Pavement Condition Index (PCI) score.

ATTACHMENTS: Resolution
CIP Project Sheet

Report Prepared By: Savon Reese, Associate Engineer

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Accepting Project 2040, 2023/24	)	
Pavement Management as Complete	)	RESOLUTION NO. 24-
And Authorizing the City Engineer	)	
To File a Notice of Completion	)	

WHEREAS, Project 2040, 2023/24 Pavement Management (the "Project") rehabilitated pavement on various streets in the southwestern quadrant of the City near John Henry Johnson Park; and

WHEREAS, on April 16, 2024, staff advertised the Project for construction bids; and

WHEREAS, on May 6, 2024, construction bids for the Project were opened, two (2) bids were received, and Radius Earthwork Inc, was the lowest responsive, responsible bidder with a base bid in the amount of $4,015,421.42; and

WHEREAS, on October 25, 2024, the contractor completed the project; and

WHEREAS, the total anticipated expenditures for the Project including design, construction, and staff costs are $4,435,000.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pittsburg hereby accepts the Project as complete and authorizes the City Engineer to execute a Notice of Completion and file said document with the Office of the Recorder of the County of Contra Costa, State of California, within 10 days from the date hereof.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 18th day of November 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Juan Antonio Banales, Mayor

ATTEST BY:

_____
Alice E. Evenson, City Clerk

Project Title: **Project #:**

2023/24 Pavement Management 2040

Project Category:	Streets
Location:	Maintenance Zone 3
Project Manager:	S. Reese
Project Priority:	1A - Essential
Project Status:	Construction
Est. Completion Date:	2024/25

Description/Justification:
The City of Pittsburg has divided its pavement management plan into 10 zones. The project will use a variety of pavement management techniques such as pavement overlay, reconstruction, inlay, slurry seal, patch paving, base failure repairs, and crack sealing.

Supplemental Information:
On June 6, 2022, the city allocated $600,000 from the General Fund to the pavement slurry project which was in "suspense" mode. Once the 2023/24 Pavement Management Project was established the 2022/23 FY project funding re-activated.

PROJECT FINANCING		CURRENT		PROPOSED					
PROJECT EXPENDITURES		Prior	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	TOTAL
1101	Staff Time		$ 30,000	$ 35,000					$ 65,000
2281	Construction		$ 1,000,000	$ 3,340,000					$ 4,340,000
2372	Administrative Overhead		$ 15,000	$ 15,000					$ 30,000
TOTAL			$ 1,045,000	$ 3,390,000					$ 4,435,000
PROJECT FUNDING		Prior	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	TOTAL
110	General Fund	$ 600,000	$ 600,000						$ 1,200,000
110	General Fund Surplus		$ 1,251,300						$ 1,251,300
	CalRecycle		$ 147,141						$ 147,141
111	Measure M		$ 650,000						$ 650,000
203	HUTA		$ 500,000						$ 500,000
228	RMRA		$ 807,000						$ 807,000
TOTAL		$ 600,000	$ 3,955,441						$ 4,555,441

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Accepting Project 2987 - East Third Street Remediation as Complete and Authorizing the City Engineer to File a Notice of Completion

MEETING DATE: November 18, 2024

EXECUTIVE SUMMARY

Project 2987 - East Third Street Remediation (the "Project") removed lead and petroleum contaminated soil at East Third Street and replaced it with suitable material. This Resolution will accept the construction contract as complete and authorize the City Engineer to file a Notice of Completion.

FISCAL IMPACT

The Project was funded by a $534,437 Department of Toxic Substance Control Equitable Communities Revitalization (DOTSCECR) Grant (Resolution No. 23-14324) for a total approved budget of $534,437. After payment of all expenditures for staff time, construction, release of retention, and project close out, the total anticipated expenditures for the Project are $342,000. Any unspent funds are requested to be returned to the source.

An updated CIP project sheet is attached to this report.

RECOMMENDATION

Staff recommends that the City Council adopt the attached Resolution accepting the Project as complete and authorizing the City Engineer to file a Notice of Completion.

BACKGROUND

On June 19, 2023, City Council adopted Resolution No. 23-14324 accepting the $534,437 DOTSCECR Grant.

On June 6, 2024, staff advertised the project for construction bids. On June 27, 2024, the City received proposals for Project construction, and Innovative Construction Solutions was the lowest, most qualified bidder with a base bid in the amount of $329,739.

On July 15, 2024, City Council adopted Resolution No. 24-14512 accepting the corrective action plan and specifications and awarding a construction contract to Innovative Construction Solutions in the amount of $329,739.

During construction, there was a total of one contract change order issued in the negative amount of ($622.50) for a total contract amount of $329,116.50.

SUBCOMMITTEE FINDINGS

This item was not reviewed by a subcommittee.

STAFF ANALYSIS

The Project was for the removal of lead and petroleum contaminated soil at East Third Street. Lead and petroleum can be toxic to both humans and the environment. Lead can cause a variety of health issues including impaired cognitive function, hypertension, renal disease, cardiovascular disease, and stroke. Petroleum is also a toxic pollutant that can cause health issues including throat and stomach irritation, difficulty breathing, and pneumonia. For these reasons it was critical that the Project remove the contaminated soil to protect the health and wellbeing of the Pittsburg community.

ATTACHMENTS: Resolution
CIP Project Sheet

Report Prepared by: Gabriel Piña, Associate Engineer

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Accepting Project 2987- East Third Street Remediation as Complete and Authorizing the City Engineer to File a Notice of Completion	)	RESOLUTION NO. 24-

WHEREAS, Project 2987 - East Third Street Remediation (the "Project") removed lead and petroleum contaminated soil at East Third Street and replaced it with suitable material; and

WHEREAS, on June 19, 2023, the City Council adopted Resolution No. 23-14324, accepting the $534,437 Department of Toxic Substance Control Equitable Communities Revitalization (DOTSCECR) Grant; and

WHEREAS, on June 6, 2024, staff advertised the project for construction bids; and

WHEREAS, on June 27, 2024, the City received proposals for project construction, and Innovative Construction Solutions was the lowest, most qualified bidder with a base bid in the amount of $329,739; and

WHEREAS, on July 15, 2024, City Council adopted Resolution No. 24-14512, accepting the corrective action plan and specifications and awarding a construction contract to Innovative Construction Solutions in the amount of $329,739; and

WHEREAS, there was one contract change order in the negative amount of ($622.50) for a total contract amount of $329,116.50; and

WHEREAS, the total anticipated expenditures for the Project, including design, construction, and staff costs are $342,000, and the estimated remaining balance will be returned to the funding source.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pittsburg hereby accepts the Project as complete and authorizes the City Engineer to file a Notice of Completion and file said document with the Office of the Recorder of the County of Contra Costa, State of California, within 10 days from the date hereof.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 18th day of November 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Juan Antonio Banales, Mayor

ATTEST BY:

_____
Alice E. Evenson, City Clerk

Project Title: **Project #:**

East 3rd Street Remediation — 2987

Project Category:	General
Location:	495 E. 3rd Street
Project Manager:	S. Bellafronte
Project Priority:	1A - Essential
Project Status:	Construction
Est. Completion Date:	2024/25

Description/Justification:
This project includes remediation design and remediation of four City-owned parcels on 3rd Street. (APNs 073-010-005, 073-010-004, 073-010-003, 073-010-002).

Supplemental Information:
The City has been granted $1.1 million in US EPA Brownfield funding through a $300,000 Assessment Grant and an $800,000 Multipurpose Grant. In September 2022, the City expended the full Assessment Grant and closed it out. Under the Assessment Grant, the City conducted Phase II investigations of four City-owned parcels and has received approval from the EPA to move forward with remediation design on the parcels. Under the Multipurpose Grant, remediation of at least one City-owned site is required by the grant term end: September 30, 2025.

In 2022, the City applied for a DTSC ECRG grant for $544,438 to conduct the remediation, and was selected for funding in April 2023. The City has accepted the funding and executed a Grant Agreement.

In August 2021, the City Council approved a $374,000 contract with TRC for services including but not limited to Cleanup Preparation Services and Corrective Action Plans, and on November 6th an Amendment to the contract to include bid and construction support. About $50,000 of this contract can be attributed to activities at this site.

PROJECT FINANCING		CURRENT		PROPOSED					
PROJECT EXPENDITURES		**Prior**	**2023/24**	**2024/25**	**2025/26**	**2026/27**	**2027/28**	**2028/29**	**TOTAL**
1101	**Staff Time**			$ -					
2122	**Design**		$ 10,286	$ 1,385					**$ 11,672**
2281	**Construction**			$ 329,117					**$ 329,117**
2372	**Administrative Overhead**			$ 1,212					**$ 1,212**
TOTAL			**$ 10,286**	**$ 331,714**					**$ 342,000**
PROJECT FUNDING		**Prior**	**2023/24**	**2024/25**	**2025/26**	**2026/27**	**2027/28**	**2028/29**	**TOTAL**
5147	**Department of Toxic Substance Control (DTSC)**	$ 534,437							**$ 534,437**
TOTAL		**$ 534,437**							**$ 534,437**

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Authorizing the Execution of a First Amendment to an Agreement with the California Department of Transportation for Project 2019 BART Pedestrian and Bicycle Connectivity

MEETING DATE: November 18, 2024

EXECUTIVE SUMMARY

Project 2019 BART Pedestrian and Bicycle Connectivity (the "Project") is for the construction of pedestrian and bicycle pathways to provide better access around the Pittsburg Center BART Station This Resolution will authorize the City Manager to execute Amendment Number One of the Project Specific Pedestrian and Bicycle Maintenance Agreement (PSMA) with the California Department of Transportation (Caltrans) per the attached revisions as specified in the Amendment.

FISCAL IMPACT

There is no fiscal impact with the authorization of this Agreement. Once the pedestrian and bicycle pathways are complete, the City will assume responsibility for their continued maintenance.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute Amendment Number One of the PSMA for the Project.

BACKGROUND

On September 25, 2006, the City Council adopted Resolution No. 06-10643, authorizing the City Manager to execute the Freeway Maintenance Agreement clarifying the City's and Caltrans' maintenance responsibilities of relocated or reconstructed portions of local roads and appurtenant facilities.

Between December 18, 2019, and September 5, 2022, staff and design consultants coordinated with Caltrans to develop the PSMA, Amendment Number One of the Freeway Maintenance Agreement, and the State Highway Relinquishment Agreement.

These agreements were prepared specifically to define the City's and Caltrans' maintenance responsibilities for pedestrian and bicycle pathway improvements constructed within the Project.

On October 3, 2022, the City Council adopted Resolution No. 22-14191, authorizing the City Manager to execute the PSMA, Amendment Number One of the Freeway Maintenance Agreement, and a State Highway Relinquishment Agreement. On October 10, 2024, staff and Caltrans finalized Amendment Number One to the PSMA which updated the attached exhibits to the agreement.

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

In order to construct the Class 1 bicycle and pedestrian facility along California Avenue in Caltrans rights-of-way (ROW), a PSMA was necessary to define maintenance responsibilities of the new facility. After the PSMA was approved, City staff modified the design of the improvements in Caltrans ROW to remove the wide parking area on the south side of California Avenue and install storm water bioretention. This Amendment One to the PSMA will clarify the approval of the revised plans by Caltrans and designate the City as being responsible for the continued maintenance of all the improvements, including the bioretention areas.

ATTACHMENTS: Resolution
Amendment No. 1 to Project Specific Maintenance Agreement

Report Prepared By: Khristin Labao, Associate Engineer

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Authorizing the Execution of a First Amendment to an Agreement with the California Department of Transportation for Project 2019, BART Pedestrian & Bicycle Connectivity	RESOLUTION NO. 24-

WHEREAS, Project 2019-BART Pedestrian & Bicycle Connectivity (the "Project") is for the construction of pedestrian and bicycle pathways to provide better access around the Pittsburg Center BART Station; and

WHEREAS, on September 25, 2006, the City Council adopted Resolution No. 06-10643, authorizing the City Manager to execute the Freeway Maintenance Agreement clarifying the City's and the California Department of Transportation (Caltrans) maintenance responsibilities of relocated or reconstructed portions of local roads and appurtenant facilities; and

WHEREAS, on October 3, 2022, the City Council adopted Resolution No. 22-14191, authorizing the City Manager to execute the Project Specific Pedestrian and Bicycle Maintenance Agreement (PSMA), Amendment Number One of the Freeway Maintenance Agreement, and a State Highway Relinquishment Agreement; and

WHEREAS, on October 10, 2024, Caltrans finalized Amendment Number One to the PSMA; and

WHEREAS, these agreements are prepared specifically to define maintenance responsibilities for pedestrian and bicycle pathway improvements constructed within the Project; and

WHEREAS, once all agreements are executed, Caltrans will finalize approval of the design plan submittals and authorize the release funding for Project construction.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Pittsburg hereby authorizes the City Manager to execute Amendment Number One of the PSMA with Caltrans for Project 2019-BART Pedestrian and Bicycle Connectivity.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 18th day of November 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Juan Antonio Banales, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

AMENDMENT NUMBER 1 TO
PROJECT SPECIFIC PEDESTRIAN AND BICYCLE MAINTENANCE AGREEMENT
WITH CITY OF PITTSBURG

This Amendment Number 1 to the Freeway Maintenance Agreement identified below (AMENDMENT), entered into and effective on _____, is between the State of California, acting by and through the Department of Transportation, hereinafter referred to as ("STATE"), and City of Pittsburg, a municipal corporation, hereinafter referred to as ("CITY"), acting by and through its Mayor. CITY and STATE together are hereafter referred to as "PARTIES".

RECITALS:

1. PARTIES, entered into an agreement on November 10, 2022, entitled "Project Specific Maintenance Agreement with City of Pittsburg" hereafter referred to as ("AGREEMENT"), AGREEMENT defined the terms and conditions applicable to CITY's maintenance duties of pedestrians and bicycle paths between Railroad Avenue and Harbor Streets and from eastbound onramp between Railroad Avenue and existing BART parking facility on Bliss Avenue within STATE right of way along State Route 4, as shown in Exhibit "A" of AGREEMENT.

2. AGREEMENT by its terms provides that it may be modified and amended at any time upon mutual consent of the PARTIES.

3. The purpose of this AMENDMENT is to assign and expand the maintenance responsibilities of bioretention areas on California Avenue.

4. PARTIES to amend AGREEMENT as provided herein.

IT IS THEREFORE MUTUALLY AGREED:

5. Existing Article 5.11 is deleted and New Article 5.11 is hereby added and made a part of AGREEMENT to read as follows:

   "5.11.ROADWAY SECTION – CALIFORNIA AVENUE
   CITY will maintain, at CITY expense, all portions of city streets, appurtenant structures, drainage facilities, bioretention areas and bordering areas, within the designated areas on the attached maps marked EXHIBIT "A". City will maintain, at CITY expense, a safe facility for bicycle travel along the entire length of the roadways by providing sweeping, graffiti and debris removal when necessary; and all signing and striping, crosswalks, non-STATE standard materials, and pavement markings required for the direction and operation of the roadways."

6. EXHIBIT "A" is hereby deleted and replaced by EXHIBIT "A" (REVISION 1).

7. EXHIBIT "A"; Sheet 2 is hereby deleted and replaced by EXHIBIT "A"; Sheet 2 (REVISION 1).

8. EXHIBIT "A"; Sheet 4 is hereby deleted and replaced by EXHIBIT "A"; Sheet 4 (REVISION 1).

9. EXHIBIT "A"; Sheet 5 is hereby deleted and replaced by EXHIBIT "A"; Sheet 5 (REVISION 1). In all other respects, AGREEMENT shall remain in full force and effect.

10. All other terms and conditions of AGREEMENT shall remain in full force and effect.

11. AMENDMENT is hereby deemed to be included and made a part of AGREEMENT.

IN WITNESS WHEREOF, PARTIES hereto have set their hands and seals the day and year first above written.

THE CITY OF PITTSBURG

By: _____
JUAN ANTONIO BANALES
City Mayor

Initiated and Approved:

By: _____
GARRETT EVANS
City Manager

ATTEST:

By: _____
ALICE E. EVENSON
City Clerk

By: _____
DONNA MOONEY
City Attorney

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATON

By: _____
LEAH BUDU Date
Deputy District Director
Maintenance

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
04	CC	04	23.0–23.4	1	7

STATE OF CALIFORNIA

DEPARTMENT OF TRANSPORTATION

PROJECT PLANS FOR CONSTRUCTION ON

STATE HIGHWAY AND CITY STREET

IN CONTRA COSTA COUNTY
IN PITTSBURG BETWEEN
RAILROAD AVENUE AND HARBOR STREET

FEDERAL PROJECT NO. CML 5127(036)
CITY CONTRACT NO. 2019
SEPTEMBER 20, 2024

INDEX OF SHEETS

SHEET NO.	TITLE
1	TITLE SHEET
2	TYPICAL SECTIONS
3	TYPICAL SECTIONS
4	CALIFORNIA AVENUE LAYOUT
5	CALIFORNIA AVENUE LAYOUT
6	BLISS AVENUE LAYOUT
7	RAILROAD AVENUE LAYOUT

LEGEND

AREA WITHIN CALTRANS R/W TO BE MAINTAINED BY THE CITY

RIGHT–OF–WAY

LIGHTING

VIDEO CAMERA

PROJECT MAP
SCALE: 1"=600'

LOCATION MAP

VICINITY MAP
NOT TO SCALE

APPROVED AS TO IMPACT ON STATE FACILITIES AND CONFORMANCE WITH APPLICABLE STATE STANDARDS AND PRACTICES AND THAT TECHNICAL OVERSIGHT WAS PERFORMED.

CONSULTANT DESIGN MANAGER

CALTRANS DESIGN OVERSIGHT APPROVAL
DEANA DE LA VEGA

LICENSE Exp DATE

REGISTRATION No.
53184

DATE SIGNED

EXHIBIT A (REVISION 1)

CITY OF PITTSBURG
65 CIVIC AVENUE
PITTSBURG, CA 94565

0421000238

CONTRACT No.	2019
PROJECT ID	0421000238

DATE PLOTTED => $DATE
TIME PLOTTED => $TIME
LAST REVISION

BORDER LAST REVISED 7/1/2010 CALTRANS WEB SITE IS: HTTP//WWW.DOT.CA.GOV/

RELATIVE BORDER SCALE IS IN INCHES 286 0 1 2 3

USERNAME =>$USER
DWG FILE => $REQUEST

UNIT 0000 PROJECT NUMBER & PHASE 0421000238

NOTES
1. FOR FULL EXTENT OF RIGHT-OF-WAY TO BE MAINTAINED BY THE CITY, SEE FREEWAY MAINTENANCE AGREEMENT DATED NOVEMBER 10, 2022.

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
04	CC	04	23.0-23.4	2	7

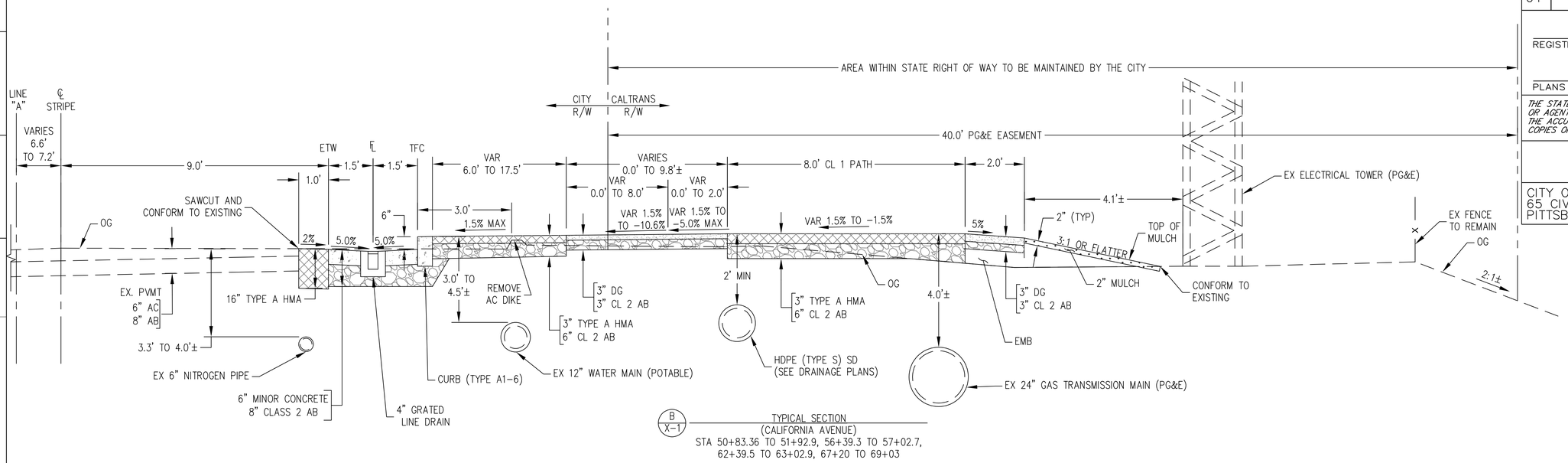
REGISTERED CIVIL ENGINEER — 01-17-23 DATE

PLANS APPROVAL DATE

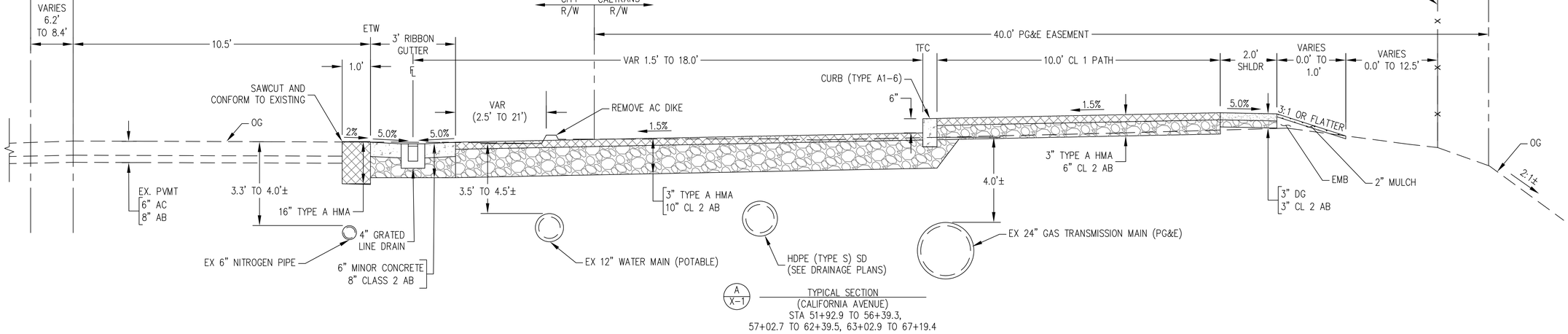
THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

REGISTERED PROFESSIONAL ENGINEER — No. — Exp. — CIVIL — STATE OF CALIFORNIA

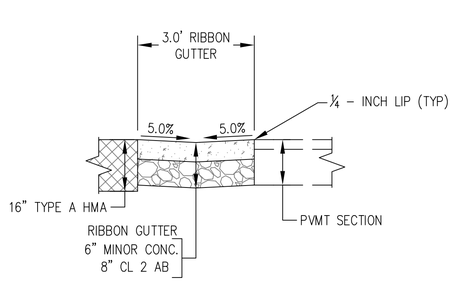
CITY OF PITTSBURG
65 CIVIC AVENUE
PITTSBURG, CA 94565



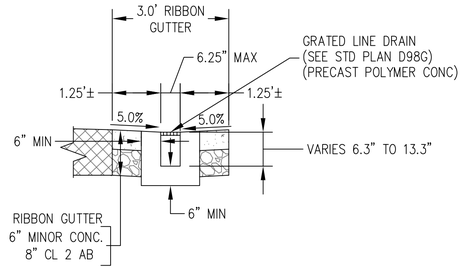
B / X-1 TYPICAL SECTION (CALIFORNIA AVENUE)
STA 50+83.36 TO 51+92.9, 56+39.3 TO 57+02.7, 62+39.5 TO 63+02.9, 67+20 TO 69+03



A / X-1 TYPICAL SECTION (CALIFORNIA AVENUE)
STA 51+92.9 TO 56+39.3, 57+02.7 TO 62+39.5, 63+02.9 TO 67+19.4



WITHOUT GRATED LINE DRAIN
NOT TO SCALE



WITH GRATED LINE DRAIN
NOT TO SCALE

RIBBON GUTTER DETAIL
(CALIFORNIA AVENUE)

EXHIBIT A (REVISION 1)

DESIGNED BY	CHECKED BY	FUNCTIONAL SUPERVISOR	DATE	REVISED BY	DATE REVISED
			01/17/2023		01/17/2023

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION

LAST REVISION 01-17-23 — DATE PLOTTED => — TIME PLOTTED =>

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Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
04	CC	04	23.0–23.4	3	7

NOTES
1. FOR FULL EXTENT OF RIGHT–OF–WAY TO BE MAINTAINED BY THE CITY, SEE FREEWAY MAINTENANCE AGREEMENT DATED NOVEMBER 10, 2022.

REGISTERED CIVIL ENGINEER — 01–17–23 DATE

PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER — No. — Exp. — CIVIL — STATE OF CALIFORNIA

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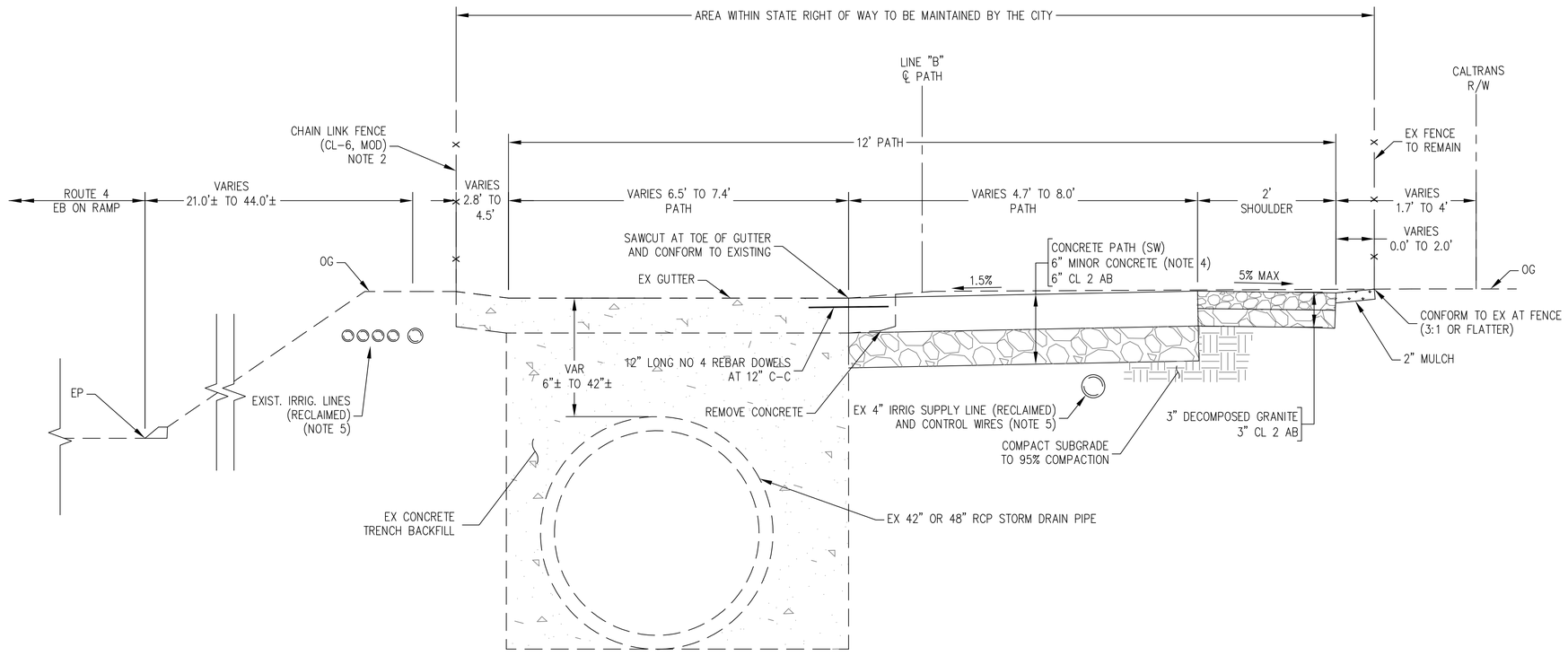
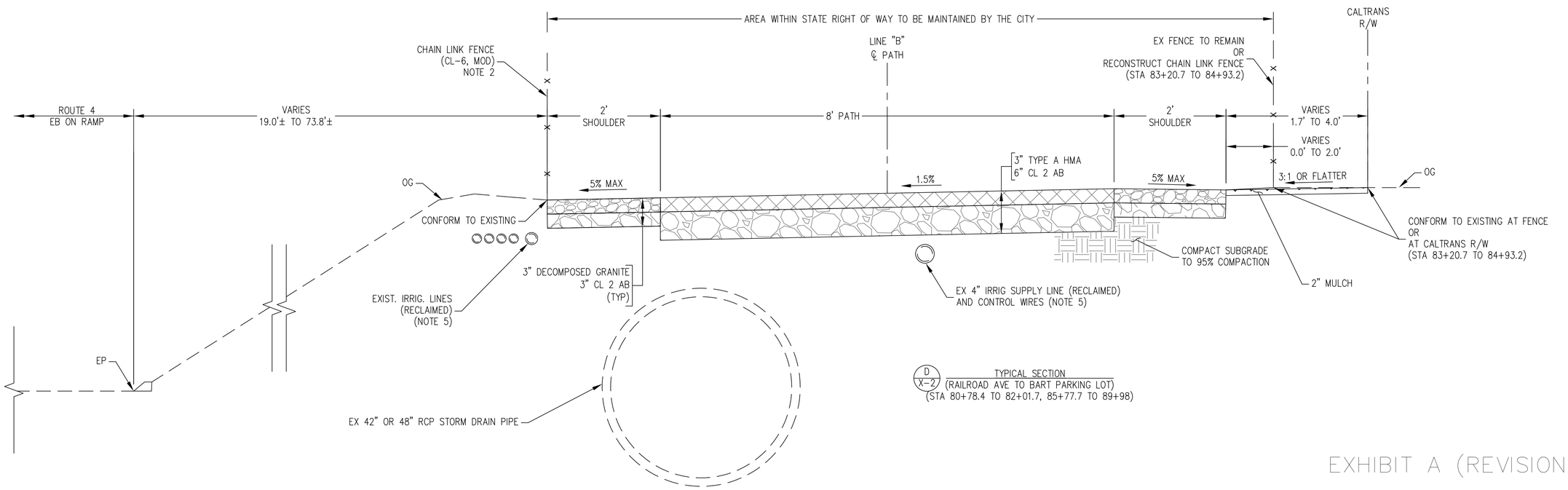
CITY OF PITTSBURG
65 CIVIC AVENUE
PITTSBURG, CA 94565



E / X–2 TYPICAL SECTION
(RAILROAD AVE TO BART PARKING LOT)
(STA 82+25 TO 85+77.70)



D / X–2 TYPICAL SECTION
(RAILROAD AVE TO BART PARKING LOT)
(STA 80+78.4 TO 82+01.7, 85+77.7 TO 89+98)

EXHIBIT A (REVISION 1)

DESIGNED BY	CHECKED BY	FUNCTIONAL SUPERVISOR	DATE	REVISED BY	DATE REVISED
			01/17/2023		01/17/2023

STATE OF CALIFORNIA – DEPARTMENT OF TRANSPORTATION
Caltrans

LAST REVISION 01–17–23 | DATE PLOTTED => | TIME PLOTTED =>

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Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
04	CC	04	23.0–23.4	4	7

REGISTERED CIVIL ENGINEER — DATE 01-17-23

PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER — No. — Exp. — CIVIL — STATE OF CALIFORNIA

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CITY OF PITTSBURG
65 CIVIC AVENUE
PITTSBURG, CA 94565

NOTES

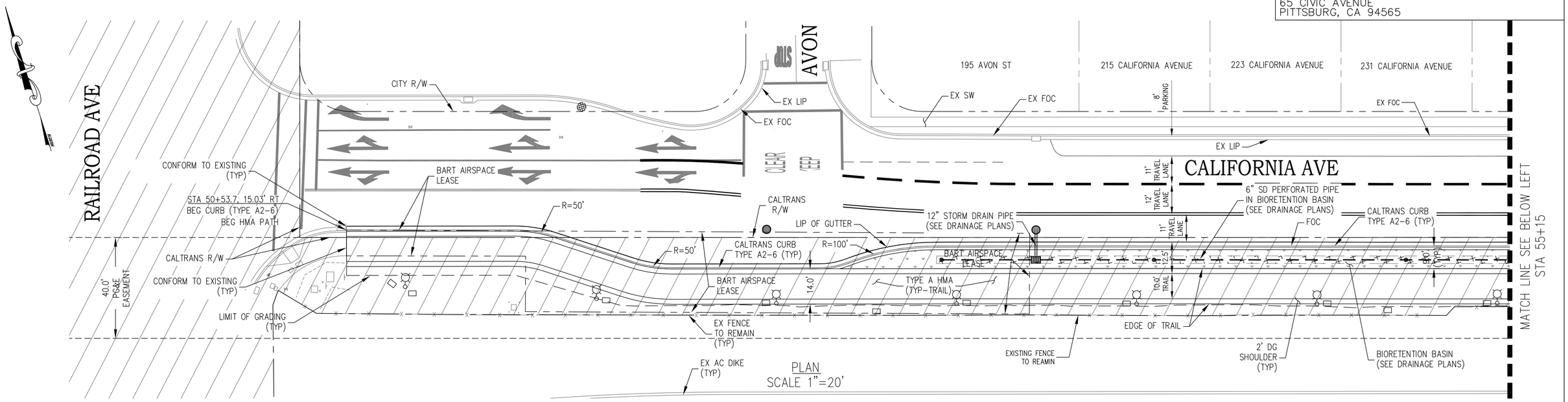
1. FOR FULL EXTENT OF RIGHT OF WAY TO BE MAINTAINED BY CITY, SEE FREEWAY MAINTENANCE AGREEMENT DATED NOVEMBER 10, 2022.

LEGEND

AREA WITHIN CALTRANS R/W TO BE MAINTAINED BY THE CITY

RIGHT–OF–WAY

LIGHTING



PLAN
SCALE 1"=20'

PLAN
SCALE 1"=20'

EXHIBIT A (REVISION 1)

DATE	REVISED BY
01/17/2023	DATE REVISED

DESIGNED BY — CHECKED BY

FUNCTIONAL SUPERVISOR

STATE OF CALIFORNIA – DEPARTMENT OF TRANSPORTATION — Caltrans

LAST REVISION 01-17-23 — DATE PLOTTED => TIME PLOTTED =>

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RELATIVE BORDER SCALE IS IN INCHES 0 1 2 3

UNIT

PROJECT NUMBER & PHASE 0421000238 EA 2W580

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
04	CC	04	23.0–23.4	5	7

REGISTERED CIVIL ENGINEER — 01-17-23 DATE

PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER — No. — Exp. — CIVIL — STATE OF CALIFORNIA

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CITY OF PITTSBURG
65 CIVIC AVENUE
PITTSBURG, CA 94565

DATE	REVISED BY
01/17/2023	DATE REVISED

DESIGNED BY
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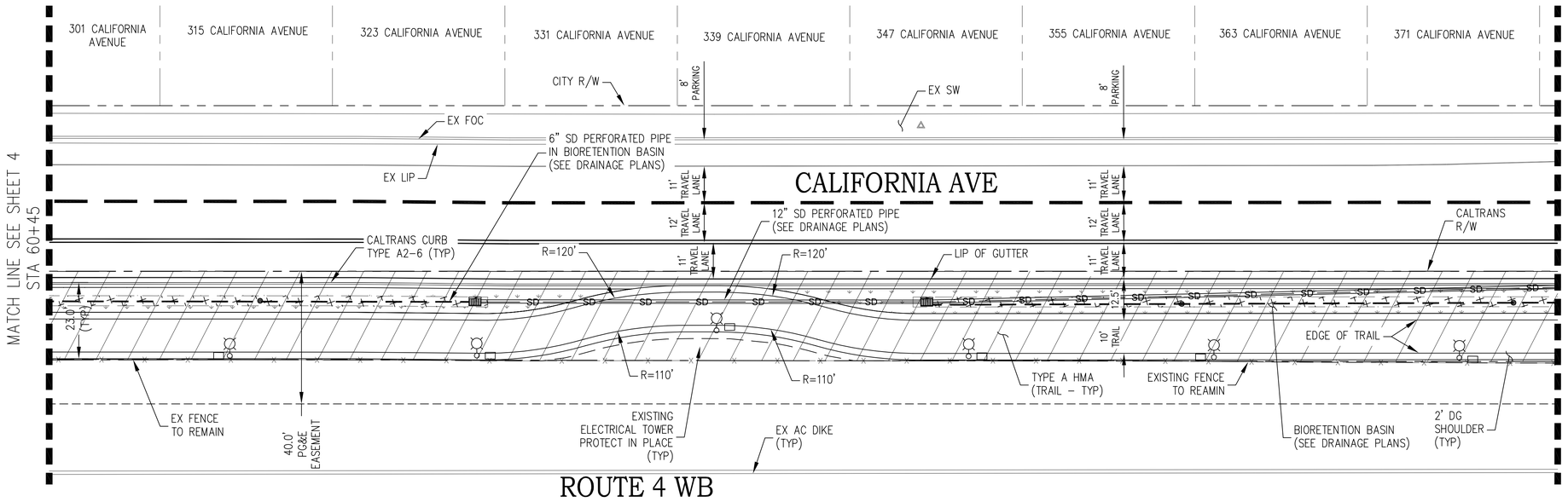
FUNCTIONAL SUPERVISOR
STATE OF CALIFORNIA – DEPARTMENT OF TRANSPORTATION



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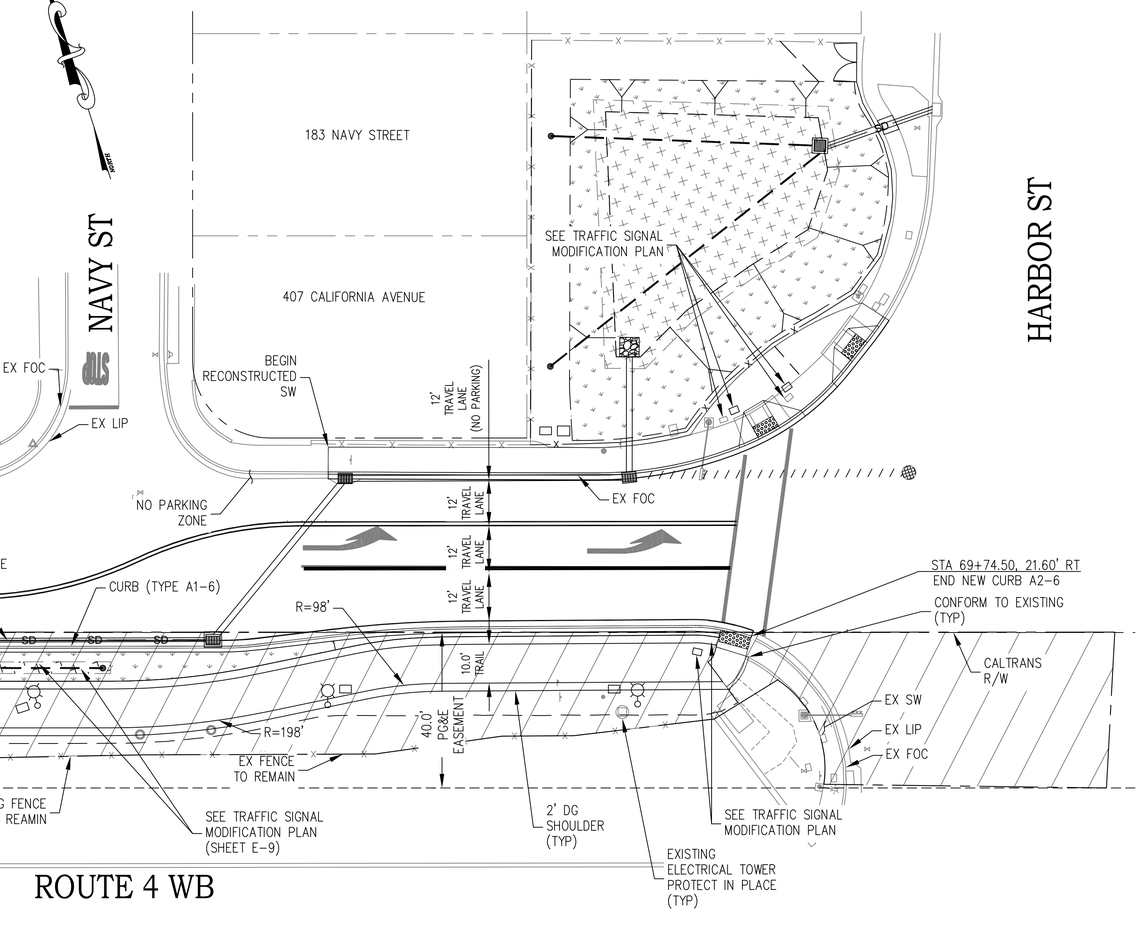

LEGEND

AREA WITHIN CALTRANS R/W TO BE MAINTAINED BY THE CITY

RIGHT-OF-WAY

LIGHTING

NOTES

1. FOR FULL EXTENT OF RIGHT OF WAY TO BE MAINTAINED BY CITY. SEE FREEWAY MAINTENANCE AGREEMENT DATED NOVEMBER 10, 2022.

EXHIBIT A (REVISION 1)

LAST REVISION	DATE PLOTTED =>
01-17-23	TIME PLOTTED =>

BORDER LAST REVISED 8/1/2010

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DWG FILE => 4-5_l_ca-ave.dwg

RELATIVE BORDER SCALE IS IN INCHES 0 1 2 3

UNIT | PROJECT NUMBER & PHASE 0421000238 | EA 2W580

NOTES

1. FOR FULL EXTENT OF RIGHT OF WAY TO BE MAINTAINED BY CITY.
   SEE FREEWAY MAINTENANCE AGREEMENT DATED NOVEMBER 10, 2022.

LEGEND

AREA WITHIN CALTRANS R/W TO BE MAINTAINED BY THE CITY

CALTRANS R/W LINE

LIGHTING

VIDEO CAMERA

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
04	CC	04	23.0–24.4	6	7

REGISTERED CIVIL ENGINEER DATE

PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER — No. Exp. CIVIL — STATE OF CALIFORNIA

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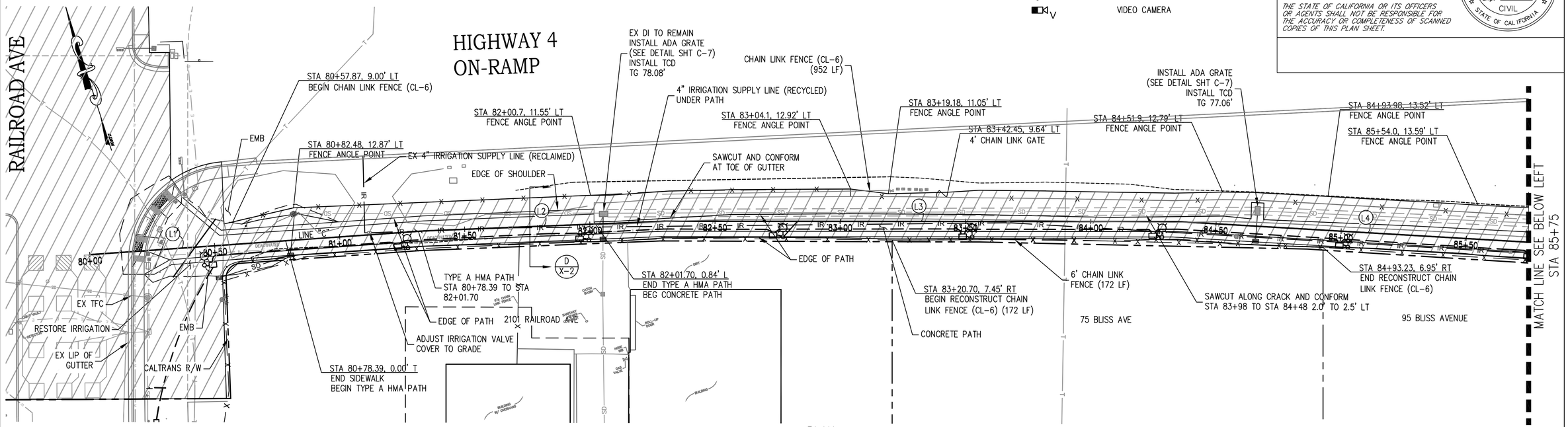
DATE	REVISED BY
01/17/2023	DATE REVISED

DESIGNED BY | CHECKED BY

FUNCTIONAL SUPERVISOR

STATE OF CALIFORNIA – DEPARTMENT OF TRANSPORTATION

Caltrans



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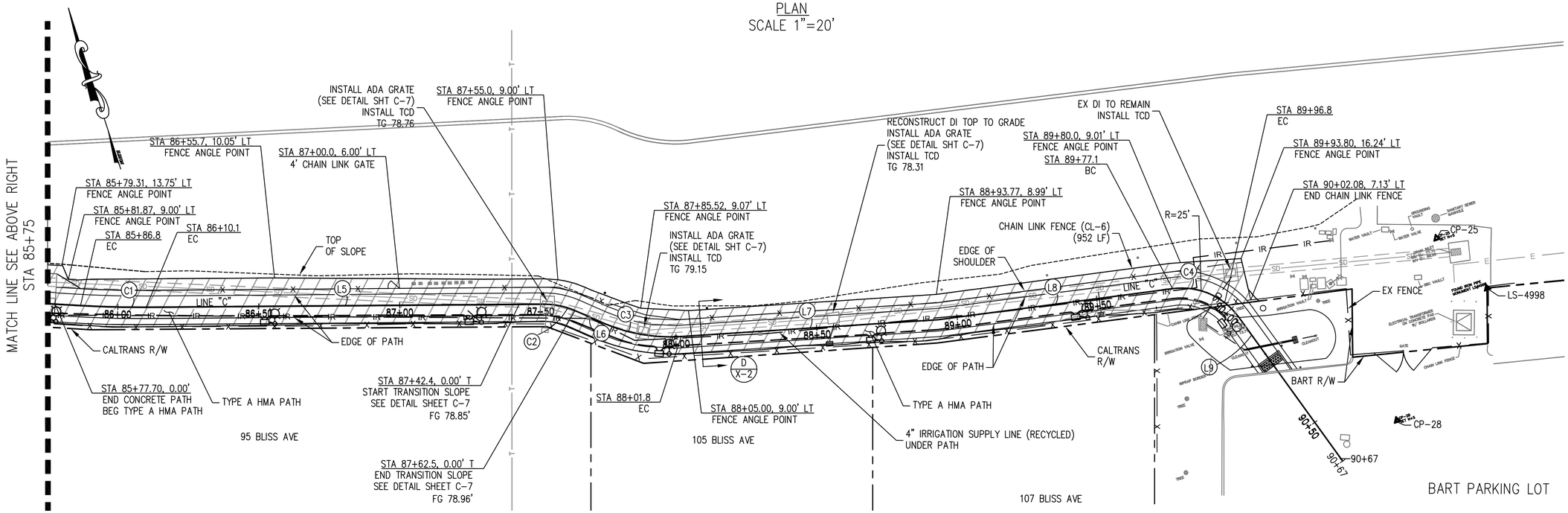

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EXHIBIT A (REVISION 1)

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01-17-23	TIME PLOTTED =>

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RELATIVE BORDER SCALE IS IN INCHES 0 1 2 3

UNIT | PROJECT NUMBER & PHASE 0421000238 | EA 2W580

NOTES
1. FOR FULL EXTENT OF RIGHT-OF-WAY TO BE MAINTAINED BY THE CITY, SEE FREEWAY MAINTENANCE AGREEMENT DATED NOVEMBER 10, 2022.

LEGEND

AREA WITHIN CALTRANS R/W TO BE MAINTAINED BY THE CITY

CALTRANS R/W LINE

LIGHTING

VIDEO CAMERA

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
04	CC	04	23.0-24.4	7	7

REGISTERED CIVIL ENGINEER DATE

PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER No. Exp. CIVIL STATE OF CALIFORNIA

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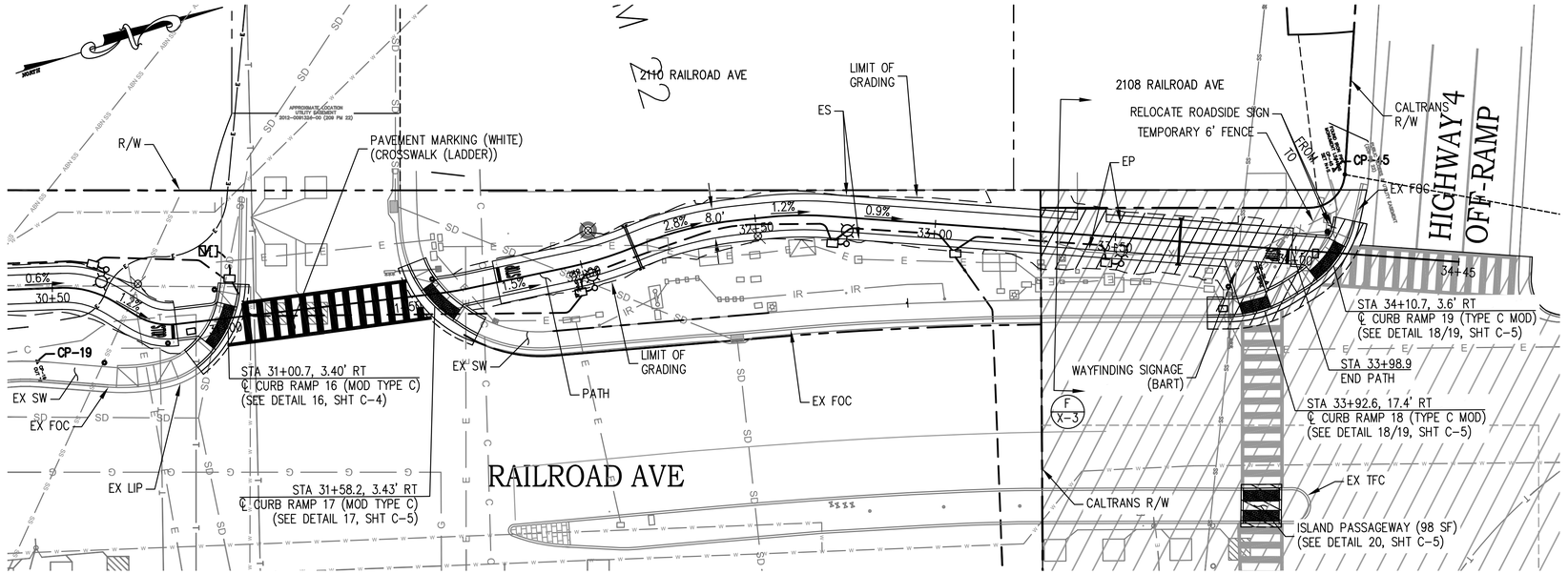

PLAN
SCALE 1"=20'

EXHIBIT A (REVISION 1)

DATE	REVISED BY	DATE REVISED
01/17/2023		01/17/2023

DESIGNED BY
CHECKED BY
FUNCTIONAL SUPERVISOR
STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
Caltrans

LAST REVISION 01-17-23
DATE PLOTTED =>
TIME PLOTTED =>

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UNIT
PROJECT NUMBER & PHASE 0421000238 EA 2W580

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Accepting Project 2205 – West Leland Road Street Lighting as Complete and Authorizing the City Engineer to File a Notice of Completion

MEETING DATE: November 18, 2024

EXECUTIVE SUMMARY

Project 2205 - West Leland Road Street Lighting Project (the "Project") installed 30 new streetlight poles and luminaires on West Leland Road between Crestview Drive and Railroad Avenue. This resolution will accept the construction contract as complete and authorize the City Engineer to file a Notice of Completion.

FISCAL IMPACT

The Project was funded by $458,000 from HUTA Gas Tax (Fund 203), $277,330.80 from a deposit refund from Pacific Gas and Electric and $25,000 Park Dedication Fees (Fund 304) for a total Project budget of $760,331. After payment of all expenditures for staff time, construction, release of retention, and project close out, the total anticipated expenditures for the Project are $645,674. Any unspent funds are recommended be returned to the source.

An updated CIP project sheet is attached to this report.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution accepting the Project as complete and authorizing the City Engineer to file a Notice of Completion.

BACKGROUND

On November 16, 2009, the City Council adopted Resolution No. 09-11333, establishing the Underground Utility District 2009-01 along West Leland Road from Railroad Avenue to Burton Avenue (the "District"). PG&E designed the underground mainline project and managed its construction, with funding from Rule 20A benefits (the "Rule 20A Project").

Also in calendar year 2009, the City designed and installed City-owned street lighting facilities within the proposed underground utility district. However, these underground utility benefits did not apply to City-owned streetlights, requiring the City to fund the street lighting facilities within the District.

On January 17, 2012, the City Council adopted Resolution No. 12-11766, authorizing payment of $300,000 to PG&E for the estimated cost of constructing the City-owned street lighting facilities. On March 21, 2016, the City Council adopted Resolution No. 16-13171, allocating $458,000 from the HUTA Gas Tax (Fund 203) to the Project for design and construction. The PG&E deposit refund in the amount of $277,330.80 was deposited into the Project account.

On December 19, 2019, the City Council adopted Resolution No. 19-13729 approving the Five-Year Capital Improvement Program for Fiscal Year 2019/20 through 2023/24 and allocating funds for several capital projects, including $25,000 from Park Dedication Funds to the Project for additional trail lighting on Crestview Drive. The allocation resulted in a new total Project budget of $760,331.

On October 28, 2020, West Valley Construction, the contractor for PG&E's Rule 20A Project, submitted a proposal to the City in the amount of $381,478, to complete the City's Street Lighting Project. On December 21, 2020, City Council adopted Resolution No. 20-13867, accepting specifications and awarding a construction contract to West Valley Construction in the amount of $381,478.

During construction, there was a total of one contract change order issued in the amount of $1,097.55 for a total contract amount of $382,575.55.

SUBCOMMITTEE FINDINGS

This item was not reviewed by a subcommittee.

STAFF ANALYSIS

The Project improved lighting, increased overall visibility, and enhanced the safety for pedestrian and vehicular traffic. This project was significantly delayed due to the COVID-19 pandemic and the supply issues it caused. All work has been inspected and determined to be complete.

ATTACHMENTS: Resolution
Budget Summary

Report Prepared By: Andrew Peters, Assistant Engineer

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Accepting Project 2205- West Leland Road Street Lighting as Complete and Authorizing the City Engineer to File a Notice of Completion	)	RESOLUTION NO. 24-

WHEREAS, Project 2205-West Leland Road Street Lighting Project (the “Project”) installed 30 new streetlight poles and luminaires on West Leland Road between Crestview Drive and Railroad Avenue.; and

WHEREAS, on November 16, 2009, City Council adopted Resolution No. 09-11333, establishing Underground Utility District 2009-01 along West Leland Road from Railroad Avenue to Burton Avenue (the “District”); and

WHEREAS, in calendar year 2009, the City designed and installed City-owned street lighting facilities within the proposed underground utility district; and

WHEREAS, PG&E designed the underground mainline project and is managing its construction, with funding from Rule 20A benefits (the "Rule 20A Project"). However, these underground utility benefits do not apply to City-owned streetlights, so the City must pay for the street lighting facilities in the District; and

WHEREAS, on January 17, 2012, City Council adopted Resolution No. 12-11766, authorizing payment of $300,000 to PG&E for the estimated cost of constructing the City-owned street lighting facilities; and

WHEREAS, on March 21, 2016, City Council adopted Resolution No. 16-13171, allocating $458,000 from the HUTA Gas Tax (Fund 203) to the Project for design and construction. The PG&E refund in the amount of $277,330.80 was deposited into the Project account; and

WHEREAS, on December 19, 2019, City Council adopted Resolution No. 19-13729 approving the Five-Year Capital Improvement Program for Fiscal Year 2019/20 through 2023/24, allocating funding for several capital projects, including $25,000 from Park Dedication Funds to the Project for additional trail lighting on Crestview Drive. The allocation resulted in a new total Project budget of $760,331; and

WHEREAS, on October 28, 2020, West Valley Construction, the contractor for PG&E’s Rule 20A Project, submitted a proposal to the City in the amount of $381,478 for completion of the City’s Street Lighting Project; and

WHEREAS, on December 21, 2020, City Council adopted Resolution No. 20-13867, accepting plans and specifications, and awarding a construction contract to West Valley Construction in the amount of $381,478; and

WHEREAS, there was one contract change order in the amount of $1,097.55 for a total contract amount of $382,575.55; and

WHEREAS, the total anticipated expenditures for the Project, including design, construction, and staff costs are $645,674.28, and the estimated remaining balance will be returned to the funding source.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pittsburg hereby accepts the Project as complete and authorizes the City Engineer to file a Notice of Completion and file said document with the Office of the Recorder of the County of Contra Costa, State of California, within 10 days from the date hereof.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 18th day of November 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Juan Antonio Banales, Mayor

ATTEST BY:

_____
Alice E. Evenson, City Clerk

Project Budget Summary
Project 2205, West Leland Road Street Lighting Project

Project Funding:	HUTA Gas Tax		$458,000
	Deposit refund from PG & E		$277,331
	Park Dedication Fund		$25,000
		Funding Total	**$760,331**
Project Expenditures:			
	Consultant Design		$29,685
Design:			
(Code 2122)		Subtotal	$29,685
	Advertising		$390
Miscellaneous:			
(Code 1399)			
		Subtotal	$390
	Construction		$381,478
Construction:	Contract Change Orders		$1,098
(Code 2281)	Easements	$	16,843
	Equipment Purchases	$	130,382
	PG&E	$	49,061
	Legal	$	1,088
		Subtotal	$579,949
	Staff Design		$10,000
Staff Time:	Staff Construction Management		$8,891
(Code 1101)		Subtotal	$18,891
	Staff Design		$10,000
Admin:	Staff Construction Management		$6,759
(Code 2372)		Subtotal	$16,759
		Expenditures Total	**$645,674**
		Remaining Balance	**$114,657**

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Approving Contra Costa Transportation Authority's Measure J Growth Management Program Compliance Checklist for Calendar Years 2022 and 2023

MEETING DATE: November 18, 2024

EXECUTIVE SUMMARY

The Contra Costa County Transportation Authority (CCTA) requires the City to submit a biennial Growth Management Program (GMP) Compliance Checklist to be eligible to receive a percentage of Local Street Maintenance and Improvement (LSM) Measure J funds. The Measure J GMP Compliance Checklist covering Calendar Years (CY) 2022 and 2023 is required to receive ongoing LSM funds for Fiscal Years (FY's) 2023/24 and 2024/25. If adopted, this Resolution will approve the stated checklist for CY 2022 and 2023.

FISCAL IMPACT

Upon approval of the Measure J GMP Compliance Checklist covering CY 2022 and 2023, the City will be due $1,142,001 in FY 2023/24 LSM funds, as well as FY 2024/25 funds (amount TBD – paid on anniversary of first-year payment).

RECOMMENDATION

City Council review and approve the attached Measure J GMP Compliance Checklist for CY 2022 and 2023 and authorize the Mayor to certify and submit said checklist, confirming compliance with CCTA's Growth Management Program.

BACKGROUND

CCTA is responsible for ensuring that local jurisdictions are in compliance with the Growth Management Program contained in Measure J, by requiring them to complete a biennial compliance checklist. The City must submit this checklist to receive allocation of FY 2023/24 and FY 2024/25 LSM Measure J Funds.

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

Staff has completed the attached GMP compliance checklist, determined that Measure J GMP requirements have been met, and is submitting review and approval by the City Council. If accepted, the checklist will be sent to the Contra Costa Transportation Authority for their review and approval. The City accepted GMP compliance checklist will first be reviewed by CCTA staff for completeness and then by two of CCTA's standing committees: the Citizen Advisory Committee and the Planning Committee. After committee evaluation, the full CCTA Board will evaluate for compliance with the GMP. Upon approval of compliance, CCTA will allocate the City's Measure J LSM funds.

ATTACHMENT: Resolution

Report Prepared By: Nhat Phan, Associate Engineer

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Approval of Contra Costa Transportation)
Authority's Measure J Growth Management)
Program Compliance Checklist for Calendar) Resolution No. 24-
Years 2022 and 2023)

WHEREAS, the Contra Costa Transportation Authority requires the City to submit a completed Measure J Calendar Year 2022 and 2023 Growth Management Program Compliance Checklist in order to receive its allocation of Fiscal Year 2023/24 and 2024/25 Local Street Maintenance and Improvement Funds; and

WHEREAS, the City Council has reviewed the attached completed Contra Costa Transportation Authority Measure J Growth Management Program Compliance Checklist, covering the reporting period of Calendar Years 2022 and 2023.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pittsburg hereby approves the submittal of the Growth Management Program Compliance Checklist to Contra Costa Transportation Authority for allocation of Local Street Maintenance and Improvements Funds for Fiscal Year 2023/24 and 2024/25.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 18th day of November 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
_ Juan Antonio Banales, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Accepting Project 3019 - Reviving the Heart of Pittsburg Pride as Complete and Authorizing the City Engineer to File a Notice of Completion

MEETING DATE: November 18, 2024

EXECUTIVE SUMMARY

Project 3019 - Reviving the Heart of Pittsburg Pride (the "Project") installed an Old Town gateway sign, a "PITTSBURG" sign, a pocket park, art installations, and landscape upgrades at various locations along Railroad Avenue to beautify the main corridor leading to the old town area. This resolution will accept the construction contract as complete and authorize the City Engineer to file a Notice of Completion.

FISCAL IMPACT

The Project was funded with $2,891,962 of a Clean California Local Grant (Resolution No. 22-14105), $388,000 of American Rescue Plan Act Funds (Resolution No. 23-14313), and $62,000 of General Fund Surplus funds (Resolution No. 23-14313) for a total approved budget of $3,341,962. After payment of all expenditures for staff time, construction, release of retention, and project close out, the total anticipated expenditures for the Project are $3,341,962.

An updated CIP Project Sheet is attached to this report.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution accepting the Project as complete and authorizing the City Engineer to file a Notice of Completion.

BACKGROUND

On June 6, 2022, the City Council adopted Resolution No. 22-14105, accepting the $2,891,962 Clean California Grant for the design and construction of the Project. On June 5, 2023, the City Council adopted Resolution No. 23-14313, allocating $388,000 from ARPA funds and $62,000 from General Fund Surplus to the Project.

On July 7, 2023, staff advertised the project for bids. On Monday, July 31, 2023, construction bids were due to the City, no bids were received. The City then reached out to multiple contractors to submit proposals for the construction of the Project.

On Tuesday August 29, 2023, the City reached an agreement with CWS Construction Group, Inc. to construct the project with a revised scope. The revisions removed the installation of a precast wall, landscaping work, and earthwork. The total cost that CWS Construction Group, Inc. and the City agreed upon for the construction of the Project was $2,637,314.

On September 18, 2023, City Council adopted Resolution No. 23-14369 accepting the plans and specifications and awarding a construction contract to CWS Construction Group, Inc. in the amount of $2,637,314.

During construction, there was a total of three contract change orders issued in the amount of $125,461.35 for a total contract amount of $2,762,775.35.

SUBCOMMITTEE FINDINGS

This item was not reviewed by a subcommittee.

STAFF ANALYSIS

The Project provided for the beautification of the main traffic corridor leading to the popular old town area. The enhanced and innovative signs, park, art, and landscape improves the aesthetic of the travel way and draws the attention of both residents and visitors. Since the improvements have been installed, many individuals have been seen taking and posting photos and interacting with the installations. These enhancements will facilitate community engagement and increase the overall experience for people visiting Pittsburg, leading to an increase in economic opportunities for the City.

ATTACHMENTS: Resolution
CIP Project Sheet

Report Prepared by: Gabriel Piña, Associate Engineer

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Accepting Project 3019-Reviving the)
Heart of Pittsburg Pride as Complete)
And Authorizing the City Engineer to File) RESOLUTION NO. 24-
A Notice of Completion)

WHEREAS, Project 3019-Reviving the Heart of Pittsburg Pride (the "Project") installed an Old Town gateway sign, a "PITTSBURG" sign, a pocket park, art installations, and landscape upgrades at various locations along Railroad Avenue; and

WHEREAS, on June 6, 2022, the City Council adopted Resolution No. 22-14105, accepting the $2,891,962 Clean California Grant for the design and construction of the Project; and

WHEREAS, on June 5, 2023, the City Council adopted Resolution No. 23-14313, allocating $388,000 from ARPA funds and $62,000 from General Fund Surplus to the Project; and

WHEREAS, on July 7, 2023, staff advertised the project for bids; and

WHEREAS, on July 31, 2023, construction bids were due to the City, no bids were received. The City then reached out to multiple contractors to submit proposals for the construction of the Project; and

WHEREAS, on August 29, 2023, the City reached an agreement with CWS Construction Group, Inc. to construct the project with a revised scope. The total cost that CWS Construction Group, Inc. and the City agreed upon for the construction of the Project was $2,637,314; and

WHEREAS, on September 18, 2023, City Council adopted Resolution No. 23-14369 accepting the plans and specifications and awarding a construction contract to CWS Construction Group, Inc. in the amount of $2,637,314; and

WHEREAS, there were three contract change orders in the amount of $125,461.35 for a total contract amount of $2,762,775.35; and

WHEREAS, the total anticipated expenditures for the Project, including design, construction, and staff costs are $3,341,962.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pittsburg hereby accepts the Project as complete and authorizes the City Engineer to file a Notice of Completion and file said document with the Office of the Recorder of the County of Contra Costa, State of California, within 10 days from the date hereof.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 18th day of November 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Juan Antonio Banales, Mayor

ATTEST BY:

_____
Alice E. Evenson, City Clerk

Project Title: **Project #:**

Reviving the Heart of Pittsburg Pride 3019

Project Category:	General
Location:	Railroad Ave
Project Manager:	G. Pina
Project Priority:	1A – Essential
Project Status:	Construction
Est. Completion Date:	2024/25

Description/Justification:
Building on the 2009 Railroad Avenue Specific Plan, the Reviving the Heart of Pittsburg Pride is a project that aims to beautify the Railroad Avenue corridor from Civic Avenue to 8th Street through landscaping, art installation, and park development.

Supplemental Information:
Funding Sources: Clean California Local Grant with 12.5% matching from coming from American Rescue Plan Act (ARPA) funding. This project has received a 6-month grant extension and must now be completed by December 30, 2024.

PROJECT FINANCING	CURRENT		PROPOSED					
PROJECT EXPENDITURES	**Prior**	**2023/24**	**2024/25**	**2025/26**	**2026/27**	**2027/28**	**2028/29**	**TOTAL**
1101 **Staff Time**	$ 1,552	$ 28,021	$ 7,000					**$ 36,573**
2122 **Design**	$ 275,209	$ 105,175	$ 10,234					**$ 390,618**
2281 **Construction**		$ 2,603,676	$ 311,094					**$2,914,770**
2372 **Administrative Overhead**								
TOTAL	**$ 276,761**	**$ 2,736,872**	**$ 328,328**					**$3,341,961**
PROJECT FUNDING	**Prior**	**2023/24**	**2024/25**	**2025/26**	**2026/27**	**2027/28**	**2028/29**	**TOTAL**
Federal/State Funding	$ 2,891,961							**$2,891,961**
General Fund Surplus		$ 62,000						**$ 62,000**
298 **ARPA**		$ 388,000						**$ 388,000**
TOTAL	**$2,891,961**	**$ 450,000**						**$3,341,961**

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Authorizing the City Manager to Amend the Purchase Agreement for Meter Supplies with Badger Meter, Inc.

MEETING DATE: November 18, 2024

EXECUTIVE SUMMARY

Public Works employees maintain the City's water meters and purchase the necessary supplies under an annual contract with Badger Meter, Inc. If adopted, the resolution will authorize the City Manager to amend the Purchase Agreement with Badger Meter to add equipment and increase the compensation amount for the purchase of water meters and related supplies for installation in new residential and commercial developments.

FISCAL IMPACT

None from this action. Sufficient funds are available in the Water Operations Budget (501-44101-2403). For the purchase of meter supplies, this is an appropriate use of these funds.

RECOMMENDATION

City Council adopt the attached Resolution to add equipment and increase the compensation amount for the purchase of water meters and related supplies, making the total contract amount $384,000.

BACKGROUND

The City's Public Works Department operates Pittsburg Water; a water system that distributes potable water to Pittsburg customers. A feature of this procedure includes a Badger Automatic Meter Reading (AMR) system, allowing for the diagnosis and reporting of accounts where there are leaks detected.

Public Works crews are updating existing outdated 1-1/2" – 2" meters, with Advanced Metering Infrastructure (AMI) cellular meters, that assist in preventing water loss for both customers and the City. On September 16, 2024, the City Council approved Resolution No. 24-14541, authorizing execution of a contract with Badger, Meter, Inc. in the amount of $300,000 for updating these existing meters. Additionally, $84,000 is required to cover the costs of meters and related supplies needed for installations in new residential and commercial developments over the next year. These funds are specifically allocated for new meter installations only.

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

Public Works department staff are transitioning to Badger AMI cellular meters and products to update and enhance the current water system, identify the detection of leaks earlier, and to provide a useful tool for water conservation. Badger Meter, Inc., (formally National Meter and Automation) is the sole product distributor for the City's water meters. To continue enhancing the water system and maintain continuity within the system, the current contract amount with Badger Meter, Inc. requires an increase in the amount of $84,000. This additional funding will cover the initial installation of AMI meters in new residential and commercial developments throughout the City over the next year, while supplying funds for staff to continue maintaining existing and updating larger meters.

ATTACHMENTS: Resolution

Report Prepared By: Alexandria Augustine, Public Works Administrative Assistant

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Authorizing the City Manager to Amend)
The Purchase Agreement for Meter) RESOLUTION NO. 24-
Supplies with Badger Meter, Inc.)

WHEREAS, the Public Works department operates Pittsburg Water; a water system that utilizes meters to distribute potable water to approximately 19,640 residential, commercial, industrial, and institutional customers; and,

WHEREAS, an Automatic Meter Infrastructure (AMI) system assists efforts of water conservation, improves system efficiency, and enhances customer service capabilities; and,

WHEREAS, the City Council approved Resolution No. 24-14541 on September 16, 2024, authorizing execution of a contract with Badger, Meter, Inc. in the amount of $300,000 for updating existing meters; and,

WHEREAS, additional funds are needed to cover the initial installation of AMI meters in new residential and commercial developments throughout the City, while supplying funds to continue maintaining existing and updating larger meters; and,

WHEREAS, sufficient funds are available in the Water Operations Budget (501-44101-2403); and,

WHEREAS, Badger Meter, Inc., is the sole manufacturer and distributor for Badger supplies necessary to be compatible with the existing water system.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pittsburg hereby authorizes the City Manager to amend the Purchase Agreement to amend the Purchase Agreement with Badger Meter to increase the compensation by $84,000, raising the total compensation to $384,000, and add the purchase of meters and related supplies dedicated to new residential and commercial developments.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 18th day of November 2024, by the following vote:

AYES:
NOES:
ABSTAINED:
ABSENT:

Juan Antonio Banales, Mayor

ATTEST:

Alice E. Evenson, City Clerk

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Accepting Project 3118 - Corporation Yard Fueling System Replacement as Complete and Authorizing the City Engineer to File a Notice of Completion

MEETING DATE: November 18, 2024

EXECUTIVE SUMMARY

Project 3118 - Corporation Yard Fueling System Replacement (the "Project") upgraded the City's fueling system at the Environmental Center and installed monitoring wells at the Corporation Yard to meet requirements set by the California State Water Resources Control Board. This Resolution will accept the construction contract as complete and authorize the City Engineer to file a Notice of Completion.

FISCAL IMPACT

The Project was funded by $400,000 from the Building & Fleet Maintenance Fund (Fund 621), $759,100 from the Water Operations Fund (Fund 501), and $759,000 from the Sewer Operations Fund (Fund 521) for a total approved budget of $1,918,100. After payment of all expenditures for staff time, construction, release of retention, and project close out, the total anticipated expenditures for the Project are $1,580,701. Any unspent funds are requested to be returned to the source.

An updated CIP project sheet is attached to this report.

RECOMMENDATION

Staff recommends that the City Council adopt the attached Resolution accepting the Project as complete and authorizing the City Engineer to file a Notice of Completion.

BACKGROUND

On December 16, 2019, the City Council adopted Resolution No. 19-13729, approving the Five-Year Capital Improvement Program for Fiscal Year (FY) 2019/20-2023/24 and allocating $400,000 from Building & Fleet Maintenance Fund (Fund 621) to the Project.

On October 18, 2021, the City Council adopted Resolution No. 21-14004, approving the Consultant Services Agreement for the design of the Project. On September 19, 2022, the City Council adopted Resolution No. 22-14167, authorizing the purchase of a 12,000 gallon above ground storage tank from Petroleum Marketing Equipment (PME), and approving and allocating additional funds to the Project.

On June 19, 2023, the City Council adopted Resolution No. 23-14318, approving the Five-Year Capital Improvement Program for FY 2023/24-2027/28, allocating an additional $239,100 from Water Operations Fund (Fund 501) and $239,000 from Sewer Operations Fund (Fund 521) to the Project.

On December 4, 2023, staff advertised the Project for construction bids. On December 21, 2023, the City received proposals for Project construction, and GEMS Environmental Management Services, Inc. was the lowest, most qualified bidder with a base bid in the amount of $991,213. On February 20, 2024, City Council adopted Resolution No. 24-14434, accepting the plans and specifications, allocating additional funds, and awarding a construction contract to GEMS Environmental Management Services, Inc. in the amount of $991,213.

During construction, there was a total of two contract change orders issued in the amount of $3,883 for a total contract amount of $995,096.

SUBCOMMITTEE FINDINGS

This item was not reviewed by a subcommittee.

STAFF ANALYSIS

The Project was for the enhancement of the City's fleet capabilities by upgrading the fueling system at the Environmental Center. This included the demolition and removal of the existing 1,000-gallon gasoline tank and its associated fuel equipment. The upgraded above-ground storage tank, with a capacity of 12,000 gallons, has been partitioned to accommodate 8,000 gallons of gasoline and 4,000 gallons of diesel. The fueling system is a crucial infrastructure element that will provide a reliable fuel supply to the City's vehicle fleet.

Additional components of the Project include new piping, a concrete tank pad, a concrete masonry unit wall, and an automatic sliding entry gate. Monitoring wells installed at the corporation yard are ongoing until the California State Water Resources Control Board requirements are met.

ATTACHMENTS: Resolution
CIP Project Sheet

Report Prepared by: Gabriel Piña, Associate Engineer

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Accepting Project 3118 - Corporation Yard Fueling System Replacement as Complete and Authorizing the City Engineer to File a Notice of Completion	))))	RESOLUTION NO. 24-

WHEREAS, Project 3118 - Corporation Yard Fueling System Replacement (the "Project") upgraded the City's fueling system at the Environmental Center and installed monitoring wells at the Corporation Yard to meet requirements set by the California State Water Resources Control Board; and

WHEREAS, on December 16, 2019, the City Council adopted Resolution No. 19-13729, approving the Five-Year Capital Improvement Program for Fiscal Year (FY) 2019/20-2023/24, and allocating $400,000 from Building & Fleet Maintenance Fund (Fund 621) to the Project; and

WHEREAS, on October 18, 2021, the City Council adopted Resolution No. 21-14004, approving the Consultant Services Agreement for the design of the Project; and

WHEREAS, on September 19, 2022, the City Council adopted Resolution No. 22-14167, authorizing the purchase of a 12,000 gallon above ground storage tank from Petroleum Marketing Equipment (PME), and approving and allocating additional funds to the Project; and

WHEREAS, on June 19, 2023, the City Council adopted Resolution No. 23-14318, approving the Five-Year Capital Improvement Program for FY 2023/24-2027/28, allocating an additional $239,100 from Water Operations Fund (Fund 501) and $239,000 from Sewer Operations Fund (Fund 521) to the Project; and

WHEREAS, on December 4, 2023, staff advertised the Project for construction bids; and

WHEREAS, on December 21, 2023, the City received proposals for Project construction, and GEMS Environmental Management Services, Inc. was the lowest, most qualified bidder with a base bid in the amount of $991,213.00; and

WHEREAS, on February 20, 2024, City Council adopted Resolution No. 24-14434, accepting the plans and specifications, allocating additional funds, and awarding a construction contract to GEMS Environmental Management Services, Inc. in the amount of $991,213; and

WHEREAS, during construction, there was a total of two contract change orders issued in the amount of $3,883 for a total contract amount of $995,096; and

WHEREAS, the total anticipated expenditures for the Project, including design, construction, and staff costs are $1,580,701, and the estimated remaining balance will be returned to the funding source.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pittsburg hereby accepts the Project as complete and authorizes the City Engineer to file a Notice of Completion and file said document with the Office of the Recorder of the County of Contra Costa, State of California, within 10 days from the date hereof.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 18th day of November 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

_____
Juan Antonio Banales, Mayor

ATTEST BY:

_____
Alice E. Evenson, City Clerk

Project Title: **Project #:**

Corporation Yard Fueling System Replacement 3118

Project Category:	Building
Location:	Corporation Yard and Environmental Center
Project Manager:	A. Ruiz
Project Priority:	1A – Essential
Project Status:	Construction
Est. Completion Date:	2024/25

Description/Justification:

The fleet fueling system at the Corporation Yard is out of compliance per State regulatory requirements and needs major upgrades including new piping, fueling island, single wall tank replacement with above ground tanks, new dispensers, island cover and new Concrete pad. The new location of the above ground tank will be at the Environmental Center.

Supplemental Information:

None

PROJECT FINANCING	CURRENT		PROPOSED					
PROJECT EXPENDITURES	**Prior**	**2023/24**	**2024/25**	**2025/26**	**2026/27**	**2027/28**	**2028/29**	**TOTAL**
1101 **Staff Time**	$ 10,845	$ 22,456	$ 18,510					**$ 51,811**
2122 **Design**	$ 291,279	$ 6,074						**$ 297,353**
2281 **Construction**	$ 104,861	$ 116,957	$ 959,450					**$ 1,181,268**
2372 **Administrative Overhead**	$ 10,134	$ 21,134	$ 19,000					**$ 50,268**
TOTAL	**$ 417,119**	**$ 166,621**	**$ 996,960**					**$ 1,580,701**
PROJECT FUNDING	**Prior**	**2023/24**	**2024/25**	**2025/26**	**2026/27**	**2027/28**	**2028/29**	**TOTAL**
501 **Water Operations Fund**	$ 265,000	$ 494,100						**$ 759,100**
521 **Sewer Operations Fund**	$ 265,000	$ 494,000						**$ 759,000**
621 **Building Maintenance**	$ 400,000							**$ 400,000**
TOTAL	**$ 930,000**	**$ 988,100**						**$ 1,918,100**

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Resolution Authorizing California Beverage Container Recycling and Litter Reduction Act Funding Requests

MEETING DATE: November 18, 2024

EXECUTIVE SUMMARY

The State of California Department of Resources Recycling and Recovery (CalRecycle) maintains a funding program eligible to cities and counties for projects that promote beverage container recycling and litter clean up. The funding applications require a City Council Resolution for the City to be eligible to receive this non-competitive funding.

FISCAL IMPACT

Approval of this Resolution will provide the City of Pittsburg with an opportunity to receive approximately $18,000 annually in funding to implement activities related to beverage container recycling and litter reduction. Without these funds, the desired recycling programs in the schools and community would not be funded or would require the use of other City funds.

RECOMMENDATION

Staff recommends City Council adopt a Resolution authorizing the submittal of California Beverage Container Recycling and Liter Reduction Act Funding Requests in Fiscal Years 2024/2025 – 2027/2028, authorizing the City Manager to execute the application and necessary documents on behalf of the City, and authorizing the Director of Finance to receive and account for the funds provided.

BACKGROUND

The California Beverage Container Recycling and Litter Reduction Act, Section 14581 (a)(5)(A), requires CalRecycle to distribute funds to all eligible cities and counties for beverage container recycling and litter cleanup activities. The goal of CalRecycle's beverage container recycling program is to reach and maintain an 80 percent recycling rate for all California Refund Value (CRV) beverage containers - aluminum, glass, plastic and bi-

metal. Projects implemented by cities and counties will assist in reaching and maintaining this goal.

Each city is eligible to receive a minimum of $5,000 or an amount calculated by CalRecycle, on a per capita basis, whichever is greater. The per capita amount is calculated, based upon the population at the beginning of each calendar year, as stated in the annual City and County Population and Housing Estimates Report submitted to the Governor by the California Department of Finance.

Past funding from this program has benefited the community by providing collection containers for the high school, junior high schools and community college, as well as parks and City facilities. Products made of recycled plastic have also been purchased for education events including the annual Civic Pride Day and Green Footprint Festival celebrations, and the Adopt-a-Spot program. Education and media campaigns have also been funded.

SUBCOMMITTEE FINDINGS

This item was not presented to a subcommittee.

STAFF ANALYSIS

Based on population, the City of Pittsburg is eligible to receive approximately $18,000 in funding annually. To qualify to receive these funds the City must develop and implement pre-approved activities that meet specified criteria and adopt a resolution of authorization.

The criteria are as follows:

- Collection and recycling of beverage containers at large venues; schools, public areas, community areas;
- Public education or advertising promoting beverage container recycling and/or litter prevention;
- Beverage container/litter abatement in public places including community clean-up projects or other related activities involving the recycling of beverage containers;
- Supporting AB341 Mandatory Commercial Recycling requirements.

Projects being considered by staff and pending approval by CalRecycle include purchasing recycling units at schools for the collection of bottles and cans as well as for public/community areas. Advertisement and supplies for Civic Pride Day, the Green Footprint Festival, and Adopt-a-Spot are proposed funding expenses as well. These projects support the City's effort to reach the state goal of 75 percent recycling rate. The attached Resolution would authorize the funding request application and secure funds from Department of Resources Recycling and Recovery (CalRecycle) to implement approved activities outlined in the Beverage Container Recycling and Litter Reduction Act.

ATTACHMENTS: Resolution

Report Prepared By: Sara Bellafronte, Assistant to the City Manager

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Authorizing California Beverage)
Container Recycling and Litter) RESOLUTION NO. 24-
Reduction Act Funding Requests)

WHEREAS, the people of the State of California have enacted the California Beverage Container Recycling and Litter Reduction Act that provides funds to cities and counties for beverage container recycling and litter cleanup activities; and

WHEREAS, the California Department of Resources Recycling and Recovery (CalRecycle) has been delegated the responsibility for administering the funding program within the State and establishing the necessary procedures for cities and counties to obtain funds under the program; and

WHEREAS, per Section 14581 (a)(5)(D) of the California Beverage Container Recycling and Litter Reduction Act, the eligible participant must submit the Funding Request Form by the specified due date and time in order to request funds from the CalRecycle; and

WHEREAS, it is the City Council's desire and direction that staff apply for these funds on a routine annual basis for the Fiscal Year 2024/2025 to 2027/2028 period provided this program funding remains available.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the submittal of Funding Request Forms to CalRecycle for the California Beverage Container Recycling and Litter Reduction Act for the period commencing with the Fiscal Year 2024/2025 and ending with the Fiscal Year 2027/2028.

BE IT FURTHER RESOLVED that the City Council authorizes the City Manager or his designee to execute all necessary forms for the purposes of securing payments, implementing and carrying out the purpose of the grants, and authorizes the Director of Finance to receive all awarded grants funds for the purpose of administering each program.

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 18th day of November 2024, by the following vote:

AYES:
NOES:
ABSTAINED:
ABSENT:

_____
Juan Antonio Banales, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

TO: Mayor and Council Members

FROM: Garrett Evans, City Manager

SUBJECT: Adoption of a City Council Ordinance Assigning Zoning of Planned Development District to Properties Located Within the Pittsburg Technology Park Specific Plan Area and Adopting the Pittsburg Technology Park Specific Plan, AP-24-0028 (PD, SUBD, EIR)

MEETING DATE: November 18, 2024

EXECUTIVE SUMMARY

On November 4, 2024, the City Council held a public hearing certifying the Final Program Environmental Impact Report (EIR) for the Pittsburg Technology Park Specific Plan (Specific Plan), adopting the associated CEQA Findings of Fact and a Mitigation Monitoring and Reporting Program (MMRP), and approving a Vesting Tentative Map for a 12-lot Major Subdivision on an approximately 76.38-acre site located on the eastern half of the former Delta View Golf Course, south of West Leland Road.

The City Council also introduced and waived further reading of an ordinance assigning zoning of Planned Development (PD) District to properties located within the Pittsburg Technology Park Specific Plan Area and adopting the Pittsburg Technology Park Specific Plan. The ordinance is now ready for City Council adoption.

FISCAL IMPACT

One-time revenues related to construction permits and other development fees and exactions, as well as sales tax from construction, are anticipated with this proposal. There is no impact to the General Fund if this project is approved.

RECOMMENDATION

City Council to take the following action:

Move to adopt Ordinance No. 24-____ Assigning Zoning of Planned Development District to Properties Located Within the Pittsburg Technology Park Specific Plan Area and Adopting the Pittsburg Technology Park Specific Plan, AP-24-0028 (PD, SUBD, EIR).

BACKGROUND

The public hearing for this item was held at the City Council's regular meeting on November 4, 2024. After the close of the public hearing, the City Council approved the requested Zoning Map Amendment to the Plan Area to change the zoning for properties located within the Pittsburg Technology Park Plan Area from IL-O (Limited Industrial with Limited Overlay) District to a PD (Planned Development) District. See Exhibit A of Attachment 1 (Ordinance) for the proposed Zoning Map Amendment to the Pittsburg Technology Park Plan Area.

Pursuant to PMC section 18.62.060(A), adoption of a Specific Plan must be processed concurrently with a Zoning Map Amendment assigning PD District zoning to properties located within the Specific Plan Area. See Exhibit B of Attachment 1 (Ordinance) for the proposed Pittsburg Technology Park Specific Plan.

SUBCOMMITTEE FINDINGS

This item was not reviewed by a subcommittee.

STAFF ANALYSIS

After the City Council holds a public hearing and introduces an ordinance on a given matter, approval of the matter is formalized by City Council adoption of the ordinance by a majority vote at a meeting no fewer than five days after the public hearing. The ordinance becomes effective 30 days after the date of its adoption.

ATTACHMENTS:

1. Ordinance 24-____
    a. Exhibit A – Zoning Map Amendment to the Pittsburg Technology Park Plan Area
    b. Exhibit B – Pittsburg Technology Park Specific Plan
2. City Council Staff Report dated November 4, 2024

Prepared by: Alison Spells, Associate Planner

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Assigning Zoning of Planned Development District to Properties Located Within the Pittsburg Technology Park Specific Plan Area And Adopting the Pittsburg Technology Park Specific Plan, AP-24-0028 (PD, SUBD, EIR)	)))))	ORDINANCE NO. 24-

WHEREAS, on March 1, 2018, the 175-acre Delta View Golf Course ceased operations and closed; and

WHEREAS, on March 19, 2018, the City Council directed staff to explore the possible uses suggested by the public for the site, and to bring options back for further consideration; and

WHEREAS, on May 7, 2018, the City Council held a public meeting related to potential options available for reuse of the site. At the conclusion of that meeting, direction was provided to pursue both economic development and multi-purpose recreational opportunities, with the idea that economic development would help generate the funds needed to develop new diverse recreational opportunities for the community; and

WHEREAS, the City subsequently entered into an Option Agreement with a developer for a conceptual technology park development on a portion of the former Delta View Golf Course which led to informational meetings in 2019 with the Land Use Subcommittee, Planning Commission and local residents; and

WHEREAS, on November 13, 2023, a Neighborhood Meeting was held at 2201 Golf Club Road for immediate neighbors adjacent to the proposed Pittsburg Technology Park Specific Plan Area (Plan Area) to ask questions and provide input on the proposal; and

WHEREAS, on March 22, 2024, Pittsburg Data Hub, LLC, filed Planning Application No. AP-24-0028 (PD, SUBD, EIR) requesting: 1) adoption of a Specific Plan for the Pittsburg Technology Park, 2) assignment of Planned Development (PD) District zoning to properties located within the Pittsburg Technology Park Specific Plan Area, 3) adoption of a Vesting Tentative Map for a Major Subdivision within the Plan Area, and 4) certification of an Environmental Impact Report for the project and adoption of associated findings and a Mitigation Monitoring Reporting Program (MMRP); and

WHEREAS, the Plan Area is located on the eastern half of the former Delta View Golf Course, south of West Leland Road, at 2222 Golf Club Road in the IL-O (Limited Industrial with Limited Overlay) District. The Plan Area consists of three individual parcels totaling approximately 76.38 acres. Assessor Parcel Numbers (APNs): 095-160-001, 095-160-002 and 094-080-046; and

WHEREAS, all Specific Plans must comply with California Government Code Sections 65450-65457. These provisions require that a Specific Plan be consistent with

the adopted General Plan of the jurisdiction within which it is located. Per California Government Code (Title 7, Division 1, Chapter 3, Article 8, Sections 65450 et seq.) the Specific Plan acts as a regulatory document which is required to be adopted by ordinance; and

WHEREAS, the intended purpose of the Pittsburg Technology Park Specific Plan (Specific Plan) is to establish a direct connection between the City of Pittsburg's 2040 General Plan and opportunities for economic development. An overall goal of the proposed Specific Plan is to foster economic opportunities within the community by expanding the variety of technology-focused business park uses. The Plan Area is designated as "Employment Center Industrial (ECI)" in the 2040 General Plan. The Specific Plan would serve as the overarching policy document for the Plan Area and provide the necessary zoning and development standards for the development of a technology park on a portion of the former Delta View Golf Course; and

WHEREAS, objectives of the Specific Plan are to: 1) Develop a comprehensive buildout plan for the Plan Area that provides for technology park uses while incorporating essential infrastructure facilities, 2) Foster economic and employment opportunities within the community by expanding the variety of industrial, office, and technology park uses, 3) Enable the construction of industrial or office buildings that will be attractively incorporated into the landscape, while minimizing impacts to the surrounding natural environment and sensitive resources, 4) Identify and facilitate the installation and ongoing maintenance of water, sewer, drainage, and road infrastructure in connection with development projects in the Specific Plan Area, and 5) Establish guidelines and standards for building and site development aesthetics that create a distinctive and cohesive identity for the Plan Area; and

WHEREAS, pursuant to Pittsburg Municipal Code (PMC) section 18.62.060(A), adoption of a Specific Plan must be processed concurrently with a Zoning Map Amendment assigning Planned Development (PD) District zoning to properties located within the Specific Plan Area. The proposed amendment to the Zoning Map includes adoption of PD District zoning and adoption of the Specific Plan; and

WHEREAS, the Specific Plan provides the framework for future development of the Plan Area and is intended to strengthen the existing economic opportunities in the City. The proposed Specific Plan does not authorize any specific development proposal; rather, it is a framework document intended to guide future development in the Plan Area in a manner that is consistent with the vision, goals, and policies of the 2040 General Plan. Future development proposals within the Plan Area would be reviewed for consistency with the proposed Specific Plan land uses, policies, and design guidelines; and

WHEREAS, the Specific Plan includes a list of Permitted Land Uses within the Plan Area for future development proposals. The permitted land uses are based on the "Employment Center Industrial (ECI)" land use designation in the 2040 General Plan and the IL-O Zoning District Overlay for the Plan Area. There are no conditionally permitted uses. All permitted uses would be subject to development standards and design guidelines, and land use entitlement procedures and actions outlined in the proposed Specific Plan; and

WHEREAS, the 2040 General Plan contains several goals, policies and actions applicable to the Specific Plan. The Specific Plan would guide development for a diverse employment center on a vacant portion of the former Delta View Golf Course. The Specific Plan serves as a policy document with guidelines to develop a technology park. The Specific Plan would be consistent with the City's goal of providing a mix and distribution of uses and use an under-utilized site consistent with General Plan Land Use Goals 2-1 and 2-4, Policies 2-P-3.1 and 2-P-4.1. The Specific Plan specifically fulfills policies encouraging the development and intensification of employment centers, including high quality, professional office campuses, business parks, and industrial parks, located in areas fully served by public facilities and services, located along major arterials with easy freeway access and with access from public transit, and accessible to bicyclists and pedestrians (Policy 2-P-4.2). Improvements to the City's employment base through high-quality, well-paid jobs that attract the technology sector envisioned by the 2040 General Plan would also be implemented through the Specific Plan (Policy 2-P-4.5); and

WHEREAS, consistent with General Plan Economic Development Goal G-6-2 and Policy 6-P-2.9, allowed uses within the Plan Area would facilitate economic development and employment in an area that is surrounded by supportive uses including residential and community commercial. The Specific Plan would re-purpose and revitalize the former golf course, which has been closed for over six years (Policies 6-P-2.11 and 6-P-2.14); and

WHEREAS, a Draft Program Environmental Impact Report (PEIR) was prepared for the proposed project and released with the Draft Specific Plan for concurrent 45-day comment periods, that extended from July 3, 2024, to August 19, 2024. Written comments were accepted throughout the comment period and two public meetings were held on July 25, 2024; and

WHEREAS, the City received 12 comment letters during the 45-day review period for the Draft PEIR. In accordance with CEQA Guidelines Section 15088, the Final PEIR responds to the written comments received on the Draft PEIR. No new significant environmental impacts or issues, beyond those already covered in the Draft PEIR for the project were raised during the comment period. Responses to comments received during the comment period did not involve any new significant impacts or add "significant new information" that would require recirculation of the Draft PEIR pursuant to CEQA Guidelines Section 15088.5; and

WHEREAS, the City prepared a Final PEIR for the Pittsburg Technology Park Specific Plan project, dated September 2024, which includes the Draft PEIR, comments on the Draft PEIR, responses to comments on the Draft PEIR, and all revisions to the Draft PEIR for the Specific Plan project. The Final PEIR identifies the potential for significant effects on the environment from implementation of the Pittsburg Technology Park Specific Plan, all of which can be substantially reduced to less than significant through the mitigation measures identified in the Final PEIR; and

WHEREAS, PMC sections 18.16.020 and 18.62.070 identify the Planning Commission as the advisory body to the City Council on proposed changes to PD Districts of the zoning map, and requires that the Commission conduct a public hearing and determine, prior to making its recommendation, that: 1) the change proposed is consistent with the objectives, policies, general land uses and programs specified in the General Plan

and applicable specific plan; 2) a community need is demonstrated for the change proposed; and 3) its adoption will be in conformity with public convenience, general welfare and good zoning practice; and

WHEREAS, on September 10, 2024, after conducting a duly noticed public hearing, the Planning Commission adopted Resolution No. 10255, recommending the proposal in its entirety, including adoption of the Specific Plan and assignment of PD zoning to properties located within the Pittsburg Technology Park Specific Plan Area; and

WHEREAS, on or prior to Friday, October 25, 2024, in accordance with Government Code sections 65090 and 65091, and PMC section 18.14.020.A - D, a "Notice of Public Hearing," for the November 4, 2024, public hearing on this item was published in the East County Times; was posted at City Hall; and on the "Public Notices" section of the City's website. The City also mailed the notice via U.S. mail to owners of property located within 500 feet of the Plan Area, sent the notice to local service agencies whose services might be affected by the proposed project, and to individuals who had previously filed a written request for such notice. Lastly, a copy of the notice was posted on www.nextdoor.com ("Nextdoor") and was sent directly to all subscribed residents in the Nextdoor neighborhoods adjacent to the project site; and

WHEREAS, on November 4, 2024, the City Council held a duly-noticed public hearing to: 1) adopt this resolution certifying the Final Program Environmental Impact Report for the Pittsburg Technology Park Specific Plan, adopting the associated CEQA Findings of Fact and Mitigation Monitoring and Reporting Program (MMRP) and approving the Vesting Tentative Map for a Major Subdivision; and 2) introduce, waive further reading, and pass to second reading, an ordinance assigning zoning of PD (Planned Development) District to properties located within the Pittsburg Technology Park Specific Plan Area and adopting the Pittsburg Technology Park Specific Plan; at which time oral and/or written testimony was considered.

NOW, THEREFORE, the City Council of the City of Pittsburg does ORDAIN as follows:

SECTION 1. Findings.

A. The City Council finds that each fact set forth in the preceding recitals is true and correct and incorporated by reference.

B. The Draft PEIR and the Final EIR certified for this project was prepared in compliance with Public Resources Code section 21000 et seq, and that the Council has independently reviewed and considered the information contained therein. The City Council, in the exercise of its independent judgment, certified the Final PEIR in Resolution No. 24-14560.

C. Based on the City Council Staff Report entitled, "Adoption of a Resolution Certifying the Final Program Environmental Impact Report, Adopting CEQA Findings of Fact and a Mitigation Monitoring and Reporting Program, and Approving a Vesting Tentative Map; and Introduction and Waive First Reading of an Ordinance

Assigning Zoning of Planned Development District to properties located within the Pittsburg Technology Park Specific Plan Area and Adopting the Pittsburg Technology Park Specific Plan, AP-24-0028 (PD, SUBD, EIR)," dated November 4, 2024, and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue, Pittsburg, CA 94565, and based on all written and oral testimony presented at the public hearing, the City Council finds that:

1. Pursuant to PMC section 18.16.020, before the City Council makes its recommendation on an application for (1) a change of zoning district applicable to the subject property or (2) a change in the text of a land use regulation, it shall make specific written findings in accordance with PMC 18.48.030.

2. PMC section 18.62.060(A) states that a specific plan shall be processed at the same time as consideration of the application for reclassification to a PD district; this has occurred here.

3. PMC section 18.62.060(A) states that a recommendation of the Planning Commission to reclassify to a PD district must also include a recommendation for City Council approval of a specific plan. The Planning Commission recommended City Council approval of the Pittsburg Technology Park Specific Plan in Planning Commission Resolution No. 10255, adopted on September 10, 2024.

4. The proposed Zoning Map Amendment to reclassify properties located within the Pittsburg Technology Park Specific Plan Area to a Planned Development (PD) District is consistent with the objectives, policies, general land uses and programs specified in the 2040 General Plan and the applicable specific plan in that:

    a. The Plan Area is designated as "Employment Industrial Center (ECI)" in the 2040 General Plan. This land use designation is described in the 2040 General Plan as "fostering vibrant, diverse, and dynamic employment hubs that accommodate technology, advanced manufacturing, logistics, and other sectors that generate substantial employment opportunities; uses may include administrative, financial, business, professional, medical and public offices, business incubators, research and development, custom and light manufacturing, limited assembly, warehousing and distribution, data centers, technology and innovation, energy, hospitals and large-scale medical facilities, services, light and heavy automobile services, and supporting commercial uses".

    b. Permitted land uses within the Plan Area are based on the "Employment Center Industrial (ECI)" land use designation. Each permitted use, such as, administrative, business and

professional offices, financial offices, government/public offices and medical offices would be subject to the development standards and design guidelines and land use entitlement procedures and actions outlined in the proposed Specific Plan.

c. The proposed Specific Plan would guide development for a diverse employment center on a vacant portion of the former Delta View Golf Course. The proposed Specific Plan serves as a policy document with guidelines to develop a technology park. The proposed Specific Plan would be consistent with the City's goal of providing a mix and distribution of uses on an under-utilized site (Goal 2-1).

d. The proposed Specific Plan will identify and allocate adequate lands in strategic locations throughout Pittsburg to accommodate and encourage employment growth, focusing on sectors that provide high-paid and high-quality jobs and continue to promote business development sites through Think Pittsburg and other local programs (Policy 2-P-4.1).

e. The proposed Specific Plan will encourage the development and intensification of employment centers, including high quality, professional office campuses, business parks, and industrial parks, located in areas fully served by public facilities and services, located along major arterials with easy freeway access and with access from public transit, and accessible to bicyclists and pedestrians (Policy 2-P-4.2).

f. The proposed Specific Plan will promote business development in a range of sectors that contribute to the local and regional economy, provide high-wage and skilled jobs for Pittsburg residents (Goal G-2-4).

g. The proposed Specific Plan will support office, business, and industrial land uses that will improve the City's employment base through high-quality, well-paid jobs that attract the technology, energy, and industrial sectors desired by the community (Policy 2-P-4.5).

h. The proposed Specific Plan will facilitate attraction, retention, and expansion of businesses that meet the City's economic development objectives and maintain a desirable climate for conducting business in and with the City (Goal G-6-2).

i. The proposed Specific Plan will encourage new businesses and project development under the Employment Center Industrial land use classification (Policy 6-P-2.14).

5. The proposed Zoning Map Amendment to reclassify properties located within the Pittsburg Technology Park Specific Plan Area to a Planned Development (PD) District is compatible with the uses authorized in, and the regulations prescribed for, the land use district for which it is proposed, in that allowable uses within the Plan Area are permitted within the IL-O Zoning District Overlay and would be regulated by the Site Design, Development Standards and Design Guidelines within the proposed Specific Plan.

6. There is a community need for the proposed Zoning Map Amendment to reclassify properties located within the Pittsburg Technology Park Specific Plan Area to a Planned Development (PD) District in that future development consistent with the proposed Specific Plan: 1) would help achieve the objectives in the Economic Development Element of the 2040 General Plan by expanding business opportunities and encouraging employment growth as it improves the jobs/housing balance, 2) would create additional employment opportunities within the City and generate property and sales taxes on vacant, underutilized sites to help contribute to the City's revenue stream and 3) would allow for employment-generating uses that follow the prescribed development standards and design guidelines within the proposed Specific Plan.

7. Adoption of the proposed Zoning Map Amendment to reclassify properties located within the Pittsburg Technology Park Specific Plan Area to a Planned Development (PD) District would be in conformity with the public convenience, general welfare, and good zoning practice, in that the proposed Specific Plan is intended to be a long-range planning document which provides a framework for future buildout and development.

SECTION 2. Amendment.

Based on the findings and the authority set forth above, the City Council hereby:

1. Amends the Zoning Map, as referenced in Pittsburg Municipal Code, Title 18 (Zoning Ordinance) section 18.04.020(C), to change the zoning for the properties located within the Pittsburg Technology Park Specific Plan Area from IL-O (Limited Industrial with Limited Overlay) to Planned Development (PD) District zoning, as depicted in Exhibit A of this Ordinance; and

2. Adopts the Pittsburg Technology Park Specific Plan, as substantially presented in Exhibit B of this Ordinance.

SECTION 3. Effective Date.

This Ordinance shall be in full force and effective thirty (30) days after its adoption.

SECTION 4. Severability.

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such

portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 5. Publication.

The ordinance shall be posted and published in accordance with California Government Code.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Pittsburg held on November 4, 2024, and was adopted and ordered published at a regular meeting of the City Council held on November 18, 2024, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

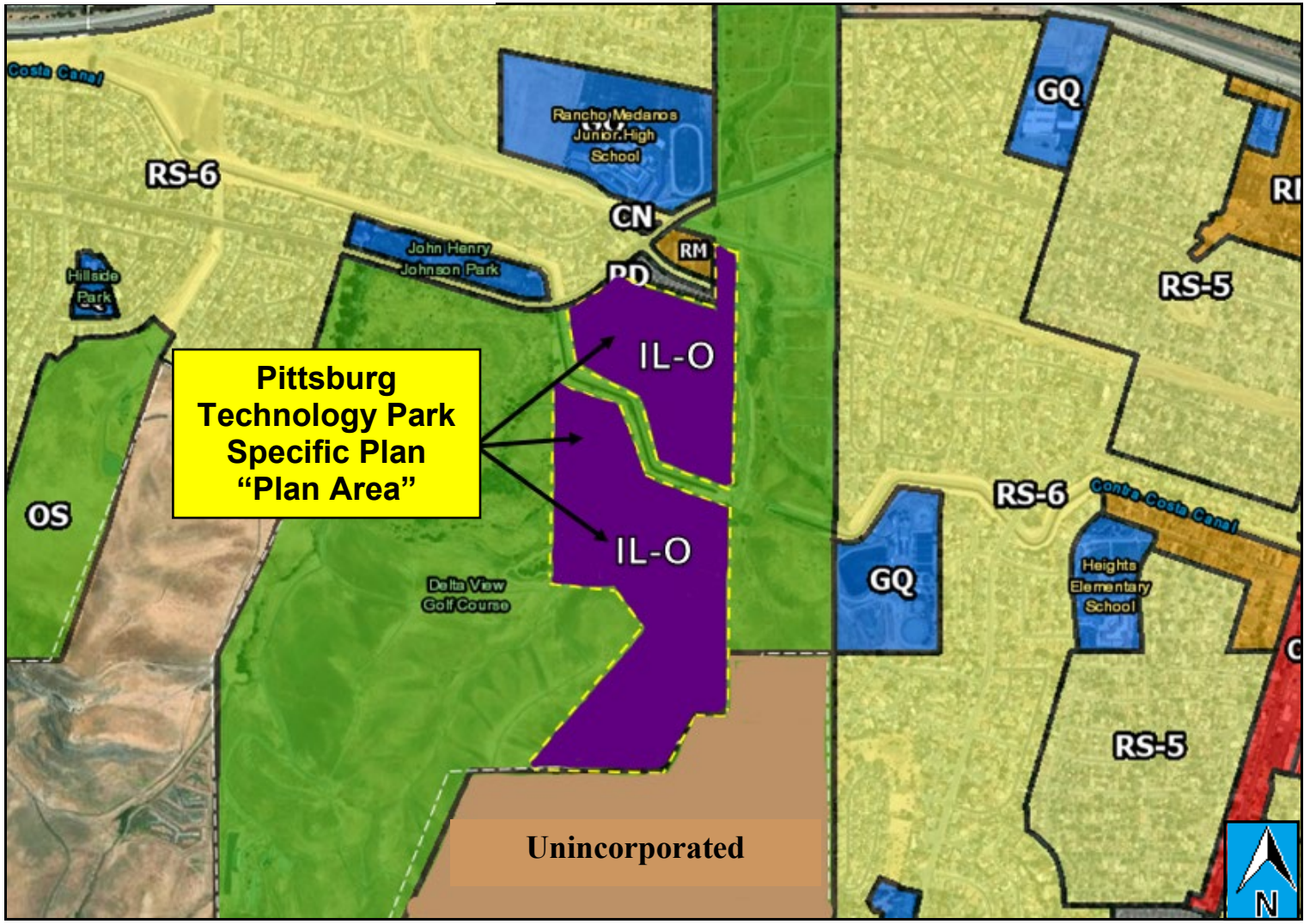
_____
Juan Antonio Banales, Mayor

ATTEST:

_____
Alice E. Evenson, City Clerk

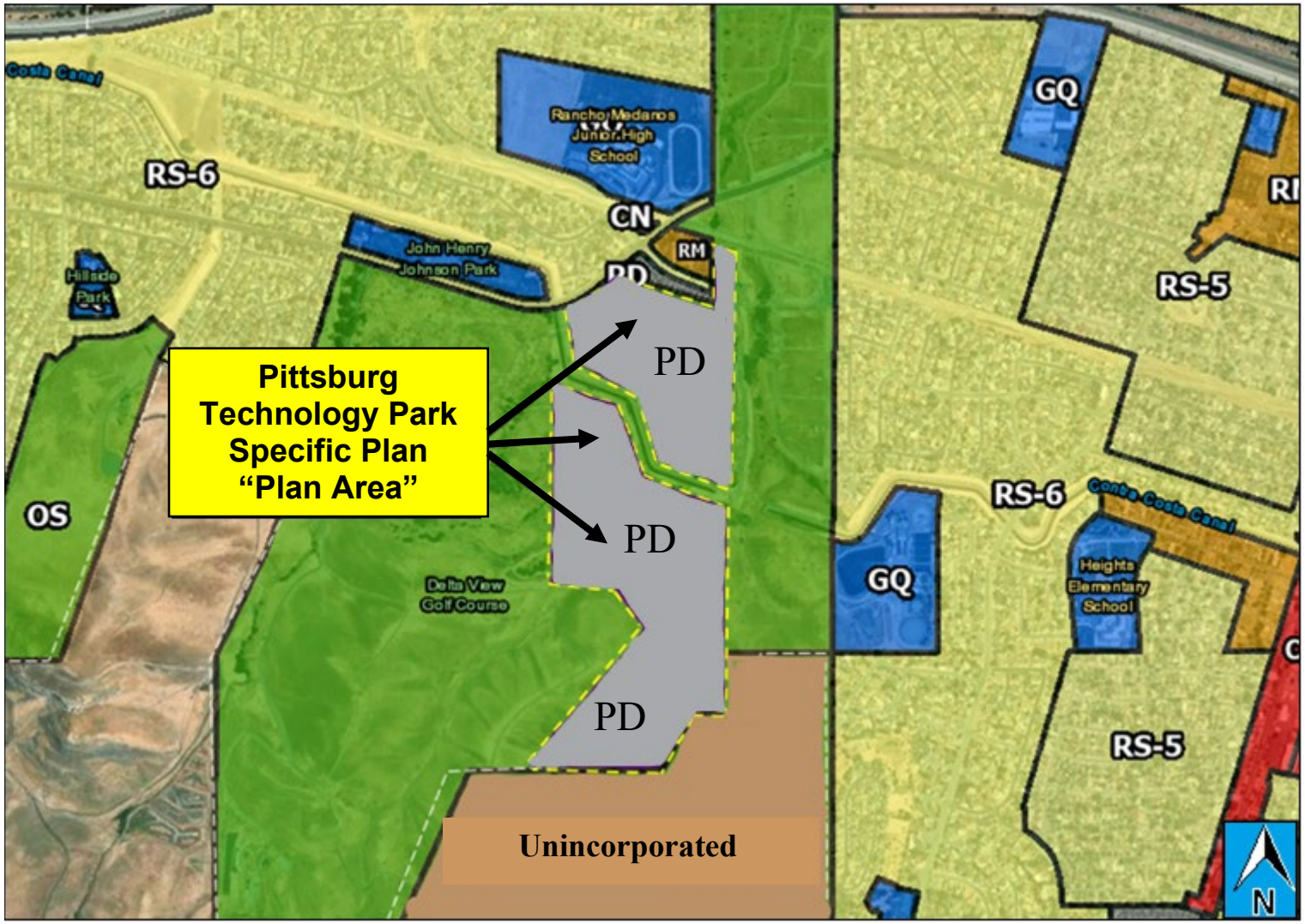
Zoning Map Amendment
Pittsburg Technology Park Specific Plan, AP-24-0028 (PD, SUBD, EIR)

Fig. 1: Existing Zoning District



CC - Community Commercial
GQ – Government & Quasi Public
IL-O - Limited Industrial
RM - Medium Density Residential
OS – Open Space
RS - Low Density Residential

Fig. 2: Proposed Zoning District



CC - Community Commercial
GQ – Government & Quasi Public
IL-O - Limited Industrial
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OS – Open Space
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Attachment 1 - Exhibit B

PITTSBURG TECHNOLOGY PARK SPECIFIC PLAN

November, 2024

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CHAPTER 1: INTRODUCTION

1.1 OVERVIEW AND CONCEPT

The purpose of the Pittsburg Technology Park Specific Plan (Specific Plan) is to provide policy and implementation actions for the development of an employment area on a portion of the former municipal Delta View Golf Course.

The Specific Plan is based on a concept for development of the area in three phases. Phase I is the development of a data center north of the Contra Costa Canal. Phases II and III cover land south of the canal and allow for the further development of the plan area as a dynamic employment hub and light industrial uses.

The Specific Plan provides a roadmap and multidisciplinary guiding principles for use in planning-related endeavors. This document incorporates a vision and goals for the area and sets development standards and guidelines for land use, site and building, public right-of-way, circulation, and mobility. Per California Government Code (Title 7, Division 1, Chapter 3, Article 8, Sections 65450 et seq.) the Specific Plan acts as a regulatory document adopted by ordinance.

1.2 PLAN AREA DESCRIPTION

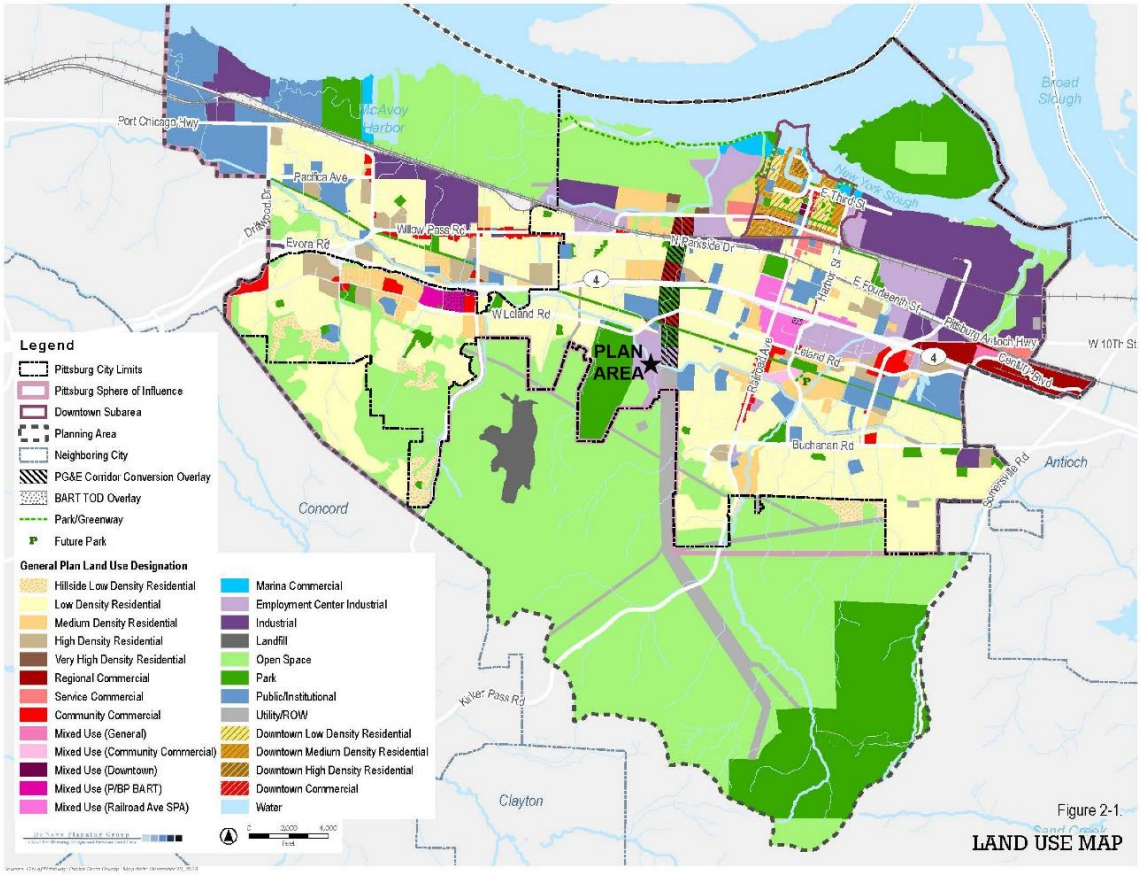
This Specific Plan envisions redevelopment of the eastern half of the former municipal Delta View Golf Course, which is closed and currently vacant. The existing property is located in the City of Pittsburg (referred to throughout document as “City”) within Contra Costa County, CA.

The Plan Area is bisected by the Contra Costa Canal, which is maintained by the Contra Costa Water District (See Figure 1: Plan Area) and is composed of two major project areas divided by the canal. The area north of the canal is 22.05 acres. The area south of the canal is 54.33 acres. The Plan Area does not include adjacent, deed-restricted land owned by Pittsburg Data Hub, LLC.

FIGURE 1: PLAN AREA

The City of Pittsburg's *2040 General Plan* was adopted by the Pittsburg City Council on May 6, 2024, under Resolution No. 24-14464. According to Figure 2-1 in the *2040 General Plan* (Land Use Map), the land use designation for the Plan Area is "Employment Center Industrial." Land use designations north of the Plan Area are a combination of "Low Density Residential" and "Public/Institutional." Land use designations west of the Plan Area are "Park," east of the Plan Area are "Utility/ROW," and south of the Plan Area is vacant land outside the city limits under the jurisdiction of Contra Costa County.

FIGURE 2: 2040 GENERAL PLAN LAND USE MAP



To achieve internal consistency between the *2040 General Plan* adopted on May 6, 2024, and the City's Zoning Ordinance, the City adopted Zoning Map Amendments, as required by Government Code 65860, on July 15, 2024. One of the Zoning Map Amendments rezoned the Plan Area from "Open Space (OS)" Zoning District to "Limited Industrial with Limited Overlay (IL-O)" Zoning District to allow for employment-generating and light manufacturing uses with specific development regulations.

Zoning for properties surrounding the Plan Area is a combination of "Single Family Residential – 6,000 square foot minimum lot size (RS-6)," "Governmental and Quasipublic (GQ)," "Planned Development, Ordinance No. 92-1044 (PD-1044)," and "Open Space (OS)" Districts.

1.3 Relationship to other City Plans

The Specific Plan serves as an extension of the Pittsburg *2040 General Plan* and can be used as both a policy and regulatory document. The Specific Plan was analyzed to ensure it is consistent with all elements of the *2040 General Plan*. Appendix A details the connection between the Specific Plan and goals and policies from the *2040 General Plan* and *Sustainability Plan*.

1.4 Specific Plan Goals

To ensure the functionality, economic sustainability, appealing aesthetics, and community enhancement of the Specific Plan, the following goals have been established:

1. Develop a comprehensive Specific Plan for the Plan Area that provides for technology park uses while incorporating essential infrastructure facilities.
2. Foster economic and employment opportunities within the community by expanding the variety of industrial, office, and technology park uses.
3. Enable the construction of industrial or office buildings that will be attractively incorporated into the landscape, while minimizing impacts to the surrounding natural environment and sensitive resources.
4. Identify and facilitate the installation and ongoing maintenance of water, sewer, drainage, and road infrastructure in connection with development projects in the Plan Area.
5. Establish guidelines and standards for building and site development aesthetics that create a distinctive and cohesive identity for the Plan Area.

1.5 Specific Plan Authority

A specific plan is a regulatory tool that local governments use to implement their general plan and to guide development in a specified area. While the general plan is the primary guide for growth and development in a community, a specific plan can focus on the unique characteristics of a special area by customizing the planning process and land use regulations for that area.

By law, specific plans are intended to implement a city or county's general plan through the development of policies, programs, and regulations that provide an intermediate level of detail between the general plan and individual development projects. As vehicles for the implementation of the goals and policies of a city's general plan, State law stipulates that specific plans can be adopted or amended only if they are consistent with the jurisdiction's adopted general plan.

The Specific Plan is enacted under Sections 65450 through 65457 of the California Government Code, which authorizes local governments with certified general plans to prepare and adopt specific plans. The Specific Plan is adopted by the City Council by ordinance and thereby establishes the zoning regulations for land use and development within the Plan Area.

The Specific Plan guides land use and development decision-making processes for the Plan Area. The Specific Plan does not replace or augment building safety codes or other non-planning-related codes. All applications for new construction, substantial modification to existing buildings, and changes in land use within the Plan Area shall be reviewed for conformance with this Specific Plan.

CHAPTER 2: EXISTING CONDITIONS

2.1 OVERVIEW

This chapter documents the existing conditions in the Plan Area prior to the adoption of the Specific Plan, including demographics, community and natural resources, land use, transportation and circulation standards, and utilities and infrastructure.

2.2 DEMOGRAPHICS

The City of Pittsburg has over 76,000 residents. The population of Pittsburg is ethnically diverse with 42% of the population identifying as Hispanic or Latino, and the largest racial populations identifying as 24% White, 23% Asian, and 20% Black or African American, according to the 2020 Decennial Census. The employment rate is 59.3% and approximately 8.8% of the population lives in poverty, according to the 2022 American Community Survey 1-Year Estimates.

2.3 COMMUNITY AND NATURAL RESOURCES

The Plan Area is approximately 76.38 acres, including areas formerly developed as the Delta View Golf Club that were owned and managed by the City, as well as undeveloped grassland hill slopes to the south and southeast (see Figure 1: Plan Area). The Plan Area is located along the southern edge of the City and consists of rolling hills along the lower slopes of the eastern Los Medanos Hills.

The property just west of the Plan Area consists of other portions of the former golf course as well as the City of Pittsburg's Stoneman Park, while lands to the south are owned by the Keller Canyon Landfill Company, and lands to the southeast are owned by Pacific Gas and Electric.

The land is vacant, and a majority of the site is undeveloped. There are some dilapidated former golf cart paths, existing structures, and a run-down parking lot from the previous Delta View Golf Course. The Contra Costa Canal crosses from the northwest to the southeast through the Plan Area. A bridge covers a portion of the canal. Elevations within the Plan Area range from approximately 68 feet to 290 feet above sea level, trending upward in elevation from the northeast to the southwest and the existing topography generally drains from the south to the north of the site (elevations ranging from 253 to 72). 3.2% of the land in the Plan Area is impervious.

2.4 LAND USE

The Plan Area is designated as Employment Center Industrial per the *2040 General Plan* Land Use Map, shown in Figure 2.

To achieve internal consistency between the *2040 General Plan* adopted on May 6, 2024, and the City's Zoning Ordinance, the City must adopt Zoning Map Amendments, as required by Government Code 65860. One of the Zoning Map Amendments will rezone the Plan Area from "Open Space (OS)" Zoning District to "Limited Industrial with Limited Overlay (IL-O)" Zoning District to allow for employment-generating and light manufacturing uses with specific development regulations.

Land uses north of the Plan Area are primarily designated as “Low Density Residential” in addition to parcels within ½ mile of the Plan Area that are designated “Public/Institutional” where Rancho Medanos Junior High School and Los Medanos Elementary School are located. The neighborhoods north of the Plan Area are mostly built on a gridded street network but are bound by State Route 4 (SR 4) and railroad tracks that limit connectivity. As a result, only a few roadways provide continuous connections. Land uses west of the Plan Area are primarily designated “Low Density Residential” and “Park”. This area is primarily served by West Leland Road and neighbors the Bay Point community which is located within unincorporated Contra Costa County. Land uses east of and neighboring the Plan Area are designated “Vacant/Utility/ROW,” which are utilized by powerlines that interrupt and limit connectivity. The land use designations east of the powerlines are mostly “Low Density Residential” and “Institutional” until Railroad Avenue, which is mostly designated as “Community Commercial.” The land use designations south of the Plan Area are primarily “Open Space” and unincorporated Contra Costa County.

2.5 Existing Transportation and Circulation Standards

The Plan Area is accessible by way of vehicular travel. The north side of the Plan Area is accessible via Golf Club Road, a Local Street. The west side of the Plan Area is accessible via John Henry Johnson Parkway, a Local Street.

The north side of the Plan Area is less than 1,000 feet away from the Delta De Anza Regional Trail, a multi-use hiking, bicycling, and equestrian trail, which can be accessed at Golf Club Road.

The City of Pittsburg is serviced by local and regional transit services provided by Tri-Delta, Bay Area Rapid Transit (BART), and County Connection. The Plan Area is accessible through Routes 388 and 390 and is served by bus stops at the intersection of Leland Road and Golf Club Road serviced by Tri-Delta Transit. The Plan Area also has access to the regional transit services provided by BART through the Yellow Line served by the Pittsburg Center station, which is approximately a mile away. Lastly, the Plan Area has access to the regional transit services provided by County Connection through the Express Route 93X bus route served by two bus stops at the intersection of Kirker Pass Road and Castlewood Drive, which is approximately a mile and a half away.

2.6 Existing Utilities and Infrastructure

See Chapter 7 for descriptions of existing utilities and infrastructure.

CHAPTER 3: LAND USE, ZONING, AND DEVELOPMENT STANDARDS

3.1 OVERVIEW

This chapter includes permitted land uses in the Plan Area. These uses are aligned with the "Employment Center Industrial" land use designation for the Plan Area in the City's *2040 General Plan*. These uses are also aligned with the overall goals of the Specific Plan in Chapter 1 and Goal 2-4 of the *2040 General Pla*n detailed in Appendix A.

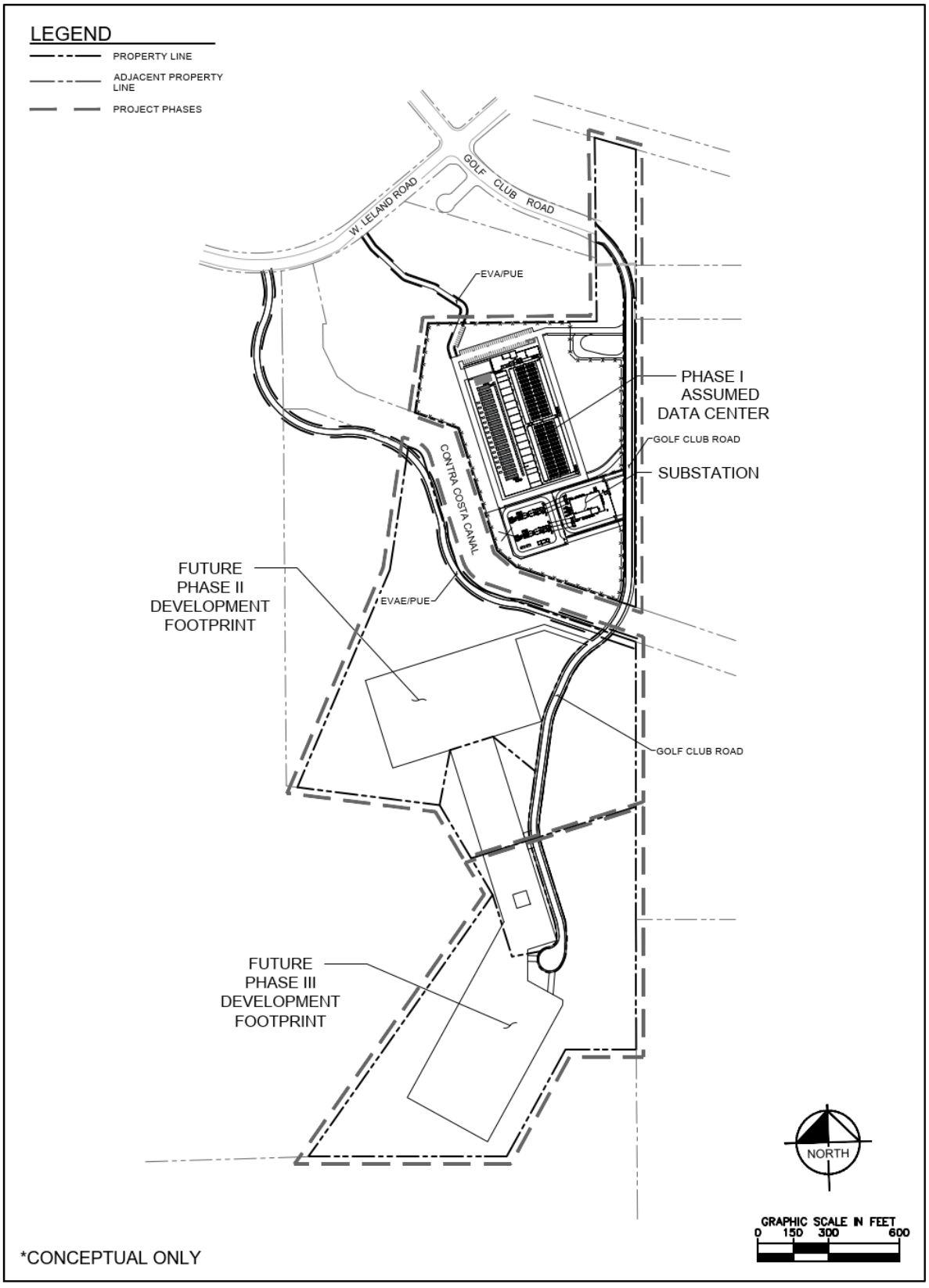
This chapter also provides design review guidelines and standards for development in the Plan Area to establish a high-quality design and character that is thoughtfully integrated into the natural topography of the surrounding area. These guidelines include direction on site design, building form, materials, color, and landscaping to meet the intent of the Specific Plan while providing flexibility for constructability. There are instances where the term "shall" is used throughout this chapter to denote a design standard that is required. Additionally, the EIR connected to this Specific Plan includes mitigation measures that act as supplementary standards for certain uses. The Zoning Administrator shall be responsible for administering the provisions of the Specific Plan and shall have authority to review and approve development projects that have been determined to be consistent with the objectives and provisions of the Specific Plan.

3.2 LAND USE

The Plan Area is designated as "Employment Industrial Center (ECI)" in the *2040 General Plan.* This land use designation is described in the *2040 General Plan* as "fostering vibrant, diverse, and dynamic employment hubs that accommodate technology, advanced manufacturing, logistics, and other sectors that generate substantial employment opportunities; uses may include administrative, financial, business, professional, medical and public offices, business incubators, research and development, custom and light manufacturing, limited assembly, warehousing and distribution, data centers, technology and innovation, energy, hospitals and large-scale medical facilities, services, light and heavy automobile services, and supporting commercial uses".

The Specific Plan is based on a concept for development of the Plan Area in three phases. The Site Plan Concept is shown in Figure 3. Phase I is the development of a data center north of the Contra Costa Canal. Phases II and III, south of the canal, allow for the development of a wide range of employment-generating commercial or industrial uses based on market conditions. The Site Plan Concept illustrates the estimated development footprint for each phase, and the circulation within the Plan Area that is described in Chapter 6.

FIGURE 3: SITE PLAN CONCEPT



3.3 PERMITTED LAND USES

The permitted land uses in the Plan Area are based on the "Employment Center Industrial (ECI)" land use designation. The permitted uses identified in the table below are subject to the development standards and design guidelines identified in this chapter, and land use entitlement procedures and actions outlined in Chapter 8.

Use Classifications	Definitions
Administrative, Business, and Professional Offices	Establishment engaged in the provision of executive, management, administrative, consulting, or professional services, such as architectural, design, engineering, real estate, information technology and technology support, insurance, investment, legal, secretarial, accounting, graphic arts, typesetting, desktop publishing, advertising, marketing, title insurance, bail bonds, travel, entertainment, collection, or personnel agency. This classification includes health program administration or management offices and workspaces created for business incubators/incubation.
Data Center	A facility providing for the storage of networked computer servers and related hardware equipment typically used by organizations for the remote storage, processing, or distribution of large amounts of data.
Energy	A facility primarily comprised of mechanical and electrical spaces that will house energy production, energy conversion, and energy distribution equipment.
Financial Offices	Financial institution, including credit union office or check cashing service, that provides retail banking services to individuals and businesses. This classification includes only those institutions engaged in the on-site circulation of cash money.
Government/Public Offices	Administrative, clerical, or public contact office of a federal, state or local government agency, including postal facilities, together with incidental storage and maintenance of vehicles.
Medical Offices and Medical Testing	Offices of state-licensed firms or organizations that provide human physical and psychological health services and resources, such as physicians, dentists, chiropractors, physical therapists, psychiatrists, psychologists, counseling and family planning services, optometrists, or acupuncturists. This classification includes only those facilities intended for outpatient medical services, and may include medical/dental laboratory incidental to the office use.

Use Classifications	Definitions
Research and Development Services and Production	Research and Development Services establishments are primarily engaged in industrial or scientific research, including limited product testing. This classification includes electronic research firm or pharmaceutical research laboratory. Research and Development Productions establishments are primarily engaged in the research, development, testing, and controlled production and wholesale of high-technology electronic, industrial, or scientific products or commodities within an enclosed building, but does not include uses that may be objectionable by reason of production of offensive odor, dust, noise, vibration, or storage of hazardous materials. Uses include biotechnology, film, and nontoxic electronic and computer component manufacturers.
Manufacturing (Custom and Limited)	An industrial activity involving the making of goods or products by manual labor or machine process, including incidental and related processing, storage, wholesaling and distribution. **Limited.** Establishment engaged in the fabrication, assembly, processing, treatment, or packaging of finished parts or products from previously prepared materials within an enclosed building, excluding food and drug processing. **Custom.** Establishment primarily engaged in on-site production of goods by hand manufacturing involving the use of hand tools and small-scale equipment. This classification may include the incidental direct sale to consumers of only those products produced on-site. Typical uses include ceramic studio, candle-making, boatwright, custom jewelry manufacture, ornamental iron works, cabinet shop, or stained/leaded glass studio.
Warehouse and Distribution (Interior and Exterior Storage)	Establishment engaged in the wholesale, distribution and warehousing of goods. Uses in this category provide storage space for bulk quantities of commercial goods, or sell or arrange the sale of goods from suppliers to other wholesalers or retailers. Establishments under this classification may sort, package and label products for distribution, but do not display merchandise or accommodate walk-in retail customers. **With Interior Storage.** Storage and handling of goods and equipment is entirely within an enclosed building. **With Exterior Storage.** Storage and handling of goods and equipment is entirely or partially outdoors, even if screened from public view. This classification does not include junk or vehicle dismantling yard, or disposal facility.

3.4 SITE DESIGN

The Plan Area is approximately 76.38 acres and is bisected by the Contra Costa Canal into two major project areas as depicted in Figure 3: Site Plan Concept. The approximately 22.05-acre area north of the canal is named Phase I and includes future development of a data center and corresponding Pacific Gas & Electric (PG&E) and/or Pittsburg Power Company (PCC) substation. The approximately 54.33-acre area south of the canal is designated for future Phases II and III and designed to accommodate the permitted uses listed in section 3.3.

Carefully planned site design is an important element of all development projects. Site design should help ensure well-functioning and safe circulation around the site and establish aesthetically pleasing developments. Controlled truck site ingress and egress and services areas located at the rear of buildings or screening from public view should be considered. Additionally, articulated building façades and integrated landscape treatments should also be considered.

3.5 DEVELOPMENT STANDARDS

The following development standards apply to all development projects within the Plan Area.

Property Development Regulations	Feet
Minimum lot area (sq. ft.)	5,000
Minimum lot width	70
Minimum yards	–
Minimum Front Setback	10
Minimum Side Setback	10
Minimum Side Setback (adjacent to an R or residential PD district)	10
Minimum Corner side Setback	10
Minimum Rear Setback	10
Minimum Rear Setback (adjacent to an R or residential PD district)	10
Maximum front yard (ft.)	–
Maximum height* of structure(s)	99
Minimum height of structure(s)	–
Maximum lot coverage	60%
Maximum FAR**	0.5
Minimum site landscaping	7%

* Height shall be calculated from the proposed finished grade to top of roof membrane. This excludes screening and architectural facades, i.e., parapet.

** Facilities owned and operated by a public utility shall not be included in FAR calculation

Estimated Development Capacity

	Size (AC)	Development Capacity (Sq. Ft.)
Phase I	22.05	347,740
Phase II	29.29	368,551
Phase III	25.04	392,567
Total	76.38	1,108,858

CHAPTER 4: DESIGN GUIDELINES

4.1 BUILDING FORM/MASSING

The shape, size, proportions, and articulation of buildings contribute to the character of the Plan Area. Designing appropriate attributes for these elements will help buildings blend into the natural character of the Plan Area and minimize the buildings' perceived size.

Appropriate attributes for a building's design elements that are visible from a public viewing area should include:

- Articulated building facades as well as varying colors and materials to reduce the visual bulk of the building.
- Accentuated entrances through projected or recessed massing or features such as an overhang.
- Variation in roof lines or parapet heights. Note: Height shall be calculated from the proposed finished grade to top of roof membrane.
- Architectural accents such as cornices, trim around windows, grooves in walls, and accent bands can be used to create visual variation along building facades.

4.2 MATERIALS, COLORS AND TEXTURES

Building materials, colors and textures should be used to add visual interest to buildings while blending with the natural character of the Plan Area.

Building materials and color applications include the following:

- Exterior building materials should include one or more of the following: smooth concrete, textured concrete, masonry block with textured or sandblasted finishes, glass and curtainwall glazing systems, natural and/or manufactured stone, or limited metal panel systems.
- Primary exterior building colors are encouraged to be light and warm tones. Darker and more intense colors should be utilized for accents and to accentuate entrances.
- Materials changes should occur at intersecting planes, preferably at the corners of wall plane changes or where architectural elements intersect. Material changes can also occur elsewhere within wall planes.
- Materials or color applications should terminate at a logical point in relation to architectural features or massing.
- Multiple buildings in a development should have complementary materials and color palettes.
- Should creating defensible space per section 3.6.5 of this Specific Plan prove challenging to achieve, then structures must be constructed using fire-resistant materials.

4.3 Functional Elements

Security fencing of 8-feet in height or higher may be installed at the perimeter of the property line of each development project.

Where incorporated in landscape design, walls and fences should be designed to complement building materials and colors where feasible.

Guard stations are permitted at the entrances to private drives.

4.4 Buffering and Screening

Rooftop, ground equipment, and truck docks shall be screened from the view of adjacent residential districts. Screening materials shall be consistent with building facades and may include fencing landscaping.

4.5 Landscape Design

Landscaping is a required component of each development project. Landscape design is intended to enhance site development and cultivate a vibrant and inviting environment that includes green spaces for passive use. Specifically, landscape design should:

- Be used to soften the appearance of buildings and provide a buffer with open areas and the roadway.
- Blend with the natural environment.
- Include planting selection that follow City requirements and consist of predominantly drought-tolerant plants (reference City of Pittsburg Master Plant List).
- Be integrated into storm water management including any required onsite detention.
- Include ground cover that is designed to have 100 percent coverage within one year.

The landscape concept design for Phase I is shown in Figure 4 to provide further guidance on the landscape design for all phases of the Plan Area.

FIGURE 4: PHASE I LANDSCAPE CONCEPT DESIGN

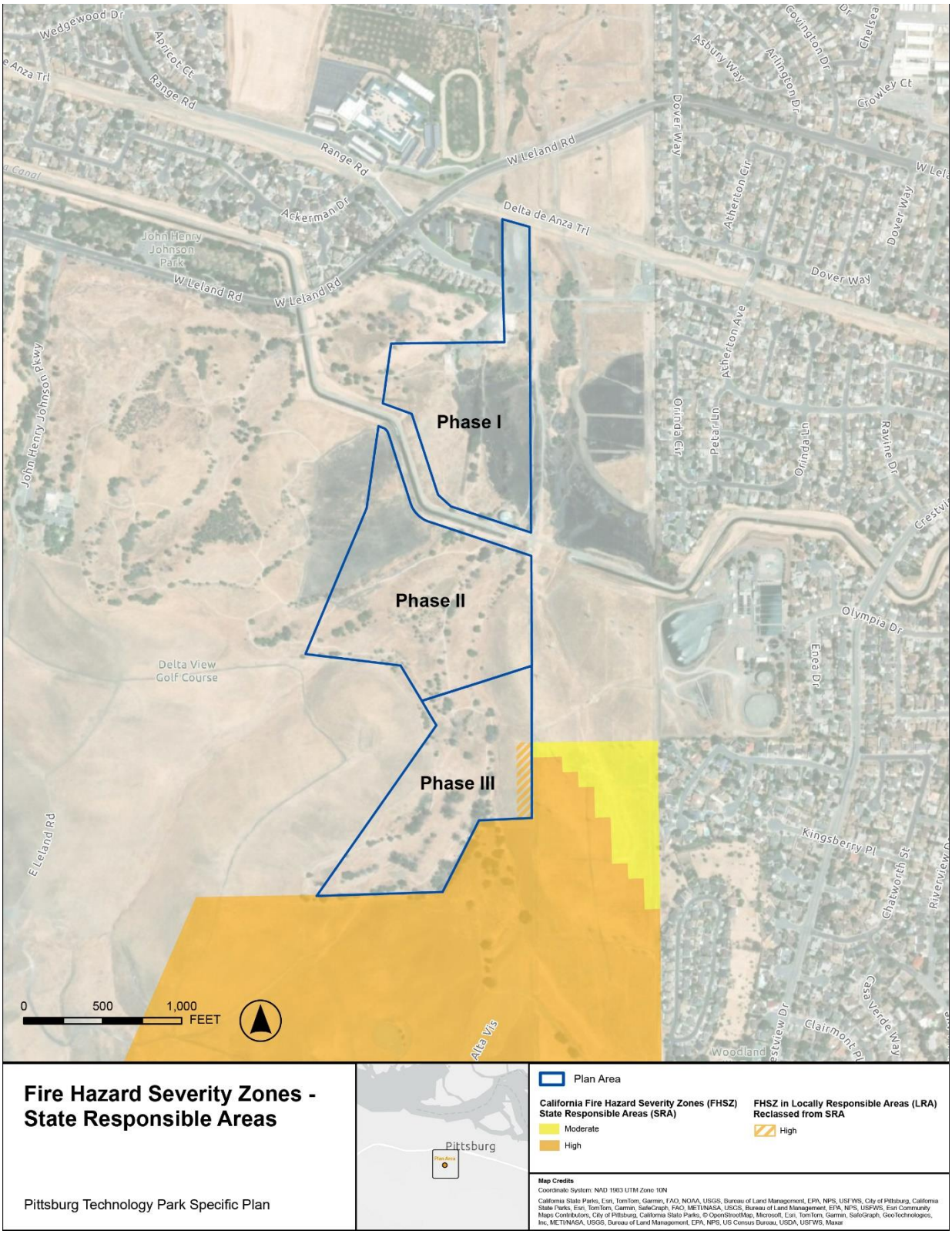
4.6 Fire Prevention

Fire prevention is a key element of the landscape design and the continued maintenance of the Plan Area. Future development and its landscaping shall be designed, installed, and maintained in accordance with Chapter 15.20 of Pittsburg Municipal Code (PMC), an amended version of the 2022 California Fire Code (CFC).

Phase I of the Plan Area lies within a wildland urban interface (WUI) zone. This is the zone of transition between unoccupied land and human development. Furthermore, the southern and eastern corner of Phase III is within a Local Responsibility Area (LRA) and is classified as a High Fire Hazard Severity Zone (FHSZ), see Figure 4. Additional measures including maintaining defensible space zones, landscaping using native, fire-resistant plants and fire-resistant materials, abating weeds, and, where feasible, harden structures and infrastructure against fires, are required for these areas and are specified in the CFC. Should the designated defensible space distances prove challenging to achieve, then structures within this zone must be constructed using fire-resistant materials and practices to mitigate potential fire risks.

Future development may be mandated to incorporate additional fire safety measures, such as fire-resistant roof construction, secure attachments, and other precautions, as part of the project's review by the Contra Costa County Fire Protection District during future discretionary development applications and Building Permit review processes to ensure adherence to these code provisions.

FIGURE 5: FIRE HAZARD SEVERITY ZONE



4.7 SIGNS

Signage in the Plan Area shall be subject to Sign Regulations in PMC Title 19. The purpose of PMC Title 19 is to provide standards to promote and protect life, health, property and the public welfare by controlling the design, colors, quality of materials, construction, size, location, placement and maintenance of signs and sign structures.

4.8 LIGHTING

Lighting in the Plan Area shall be designed to minimize impacts resulting from new sources of light and glare. The following lighting guidelines shall be incorporated in future development projects in the Plan Area:

- **Maintain Dark Sky:** Using fixtures that comply with dark sky principles and minimizing light pollution by preserving natural night sky will help maintain dark sky conditions. Best practices that help in maintaining dark sky and reducing glare include but is not limited to usage of:
    - Lower lumen output luminaires and lower illuminance;
    - Luminaires that spread luminance or brightness over an appropriate area;
    - Luminaires with less optical punch and less sharp cutoff in candlepower and
    - Luminaires delivering warmer color light (usually lower than 4000K, and often below 3000K CCT) (US Department of Energy 2013).
- **Downward directed/shielded lighting:** All lighting used in the Plan Area is required to be directed and/or shielded to prevent the light from adversely affecting adjacent properties, and no structures or features that create adverse glare effects are permitted.
- **Maximum luminaire height**: The maximum permitted height of luminaires shall not exceed a height of 14 feet when there is no cutoff involved. If a ninety degree or greater cutoff is enacted, the maximum height shall not exceed that of 24 feet. Anything less than ninety degrees of cutoff, the maximum height of luminaire shall be 30 feet.
- **Nighttime lighting**: All parking facilities developed shall be provided with nighttime security lighting and designed to confine emitted light to the parking areas per PMC 18.78.050(F).
- **Incorporating Motion Sensors and Emergency Lighting**: Incorporation of motion sensors or smart lighting in rest areas or areas that have more infrequent usage to optimize energy efficiency. Inclusion of emergency lighting at key points such as areas with potential hazards.

CHAPTER 5: NATURAL AND BIOLOGICAL RESOURCES

5.1 OVERVIEW

The Plan Area is approximately 76.38 acres, including areas formerly developed as the Delta View Golf Club, as well as undeveloped grassland hill slopes to the south and southeast. The Plan Area is located along the southern edge of the City of Pittsburg, California. The Plan Area consists of rolling hills along the lower slopes of the eastern Los Medanos Hills, overlooking the City of Pittsburg. Elevations within the Plan Area range from approximately 68 feet to 290 feet above sea level, trending upward in elevation from the northeast to the southwest.

The Plan Area is dominated by silt and clay soils that support annual grassland in undeveloped areas, though extensive areas have been partially leveled and native soils have been replaced by soils suited for golf course landscaping. The fine-textured soils within natural and excavated concave areas support seasonal wetlands. Natural swales and stream courses also run along the east edge of the Plan Area south of the canal, and two artificial ponds have been developed. Some of these ponds were developed entirely within uplands, while others are impoundments of natural drainages. The remnant intact drainages that flow through the Plan Area support a few riparian tree species, but these are widely scattered and include many non-native trees, and do not form contiguous riparian habitat.

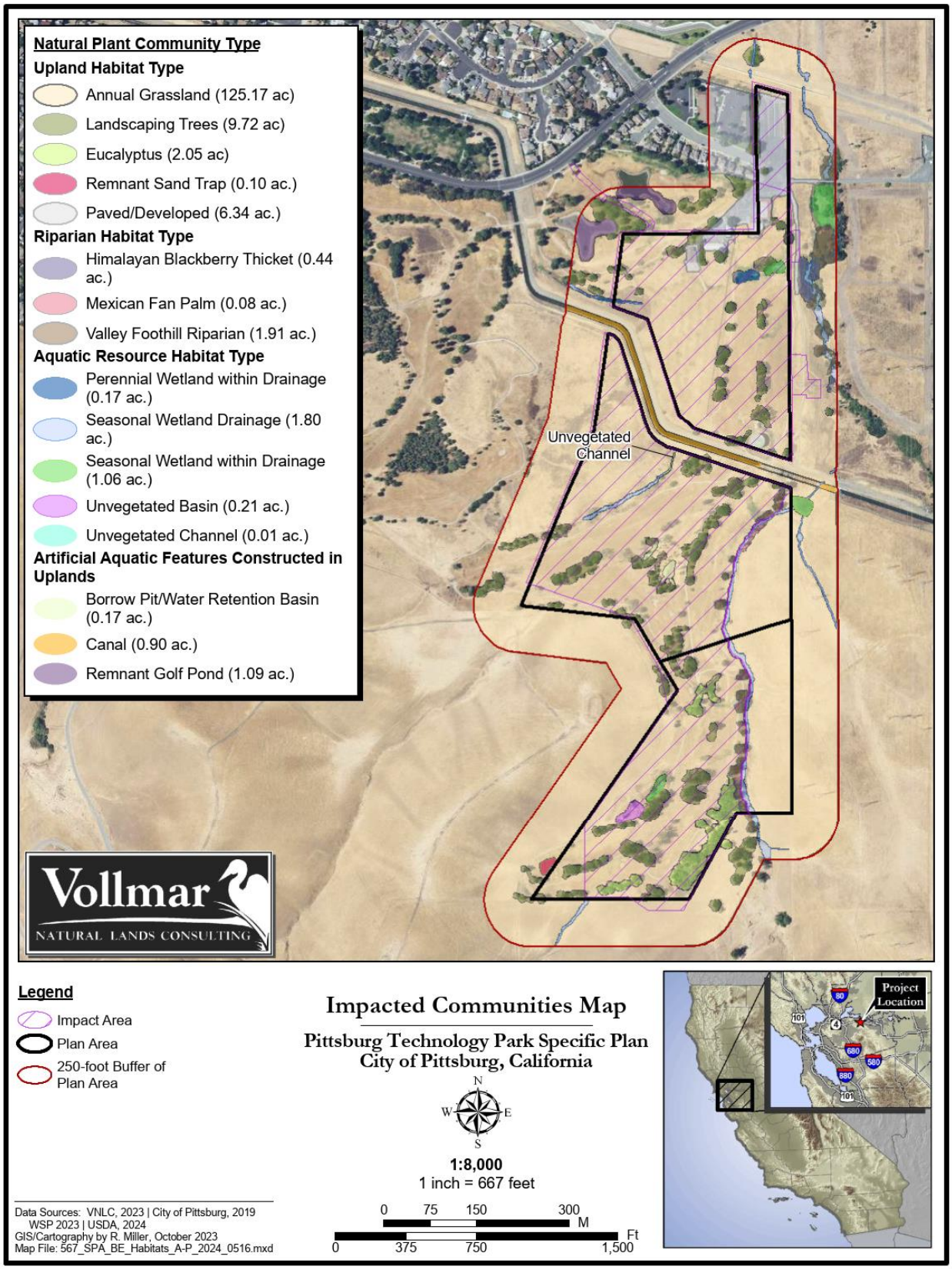
The Specific Plan's EIR describes the regulatory framework and mitigation measures in place regarding environmental protection. Ensuring the natural and biological resources in the Plan Area are adequately protected will help the City in their efforts to reach the goals laid out in the Sustainability Plan.

5.2 HABITAT CONSERVATION PLAN

The Plan Area is subject to the East Contra Costa County Habitat Conservation Plan & Natural Community Conservation Plan (HCP/NCCP) and its associated Regional General Permit (RGP). The Plan Area contains a limited amount of sensitive biological resources, including potentially jurisdictional Waters of the U.S./Waters of the State of California, and potential habitat for Endangered Species Act (ESA) and California Endangered Species Act (CESA) listed species (Refer to Figure 6: Habitat Map). Typically, these resources can require extended permitting and mitigation processes.

In the case of the Plan Area, however, a streamlined Army Corps of Engineers (ACOE) permitting, and mitigation process is available through the HCP/NCCP. The HCP allows for relatively rapid and streamlined biological resource permitting, making the site well-suited to redevelopment. They also allow for mitigation to be provided by simply paying pre-determined mitigation and development fees, rather than the difficulty of establishing a mitigation site for the project.

FIGURE 6: IMPACTED VEGETATIVE COMMUNITIES MAP



CHAPTER 6: CIRCULATION AND MOBILITY

6.1 OVERVIEW

This chapter describes the circulation plan and mobility standards and amenities for multiple modes of transportation, pedestrian circulation, parking standards, truck access, and emergency access requirements.

6.2 SITE DESIGN

The Plan Area is delineated into two portions: the north and the south, bisected by the Contra Costa Canal. The north portion of the site, containing Phase I, includes a data center and corresponding substation. The south portion of the site, containing Phases II and III, will be available for land uses as identified under Section 3.3 Permitted Uses. Conceptual building envelopes for permitted uses are shown on Figure 3: Site Plan Concept.

6.3 TRANSPORTATION AND CIRCULATION STANDARDS

The circulation plan, as included in Figure 3: Site Plan Concept, provides a roadway network to meet the vehicular and non-vehicular needs of employees and visitors as well as for the transportation of goods to and from the businesses located within the Plan Area.

Internal circulation and access for development projects within the Plan Area will be designed to facilitate efficient access to surrounding streets utilizing shared access points and driveways and separation of automobile and truck circulation. Internal site circulation will also encourage pedestrian circulation through an integrated sidewalk network that will be designed as part of implementing individual parcel and building development.

The roadway system on the Plan Area is meant to support movement of visiting vehicles, pedestrians, and cyclists within the Plan Area.

6.4 TRANSPORTATION IMPACT ANALYSIS

Under the City's Transportation Impact Analysis Guidelines, future development projects in the Plan Area may need to prepare a Transportation Impact Analysis (TIA) as part of the project approval process.

The purpose of the analysis is to assess the potential transportation impacts of proposed development projects, for purposes of both the CEQA and non-CEQA transportation evaluations.

6.5 PARKING STANDARDS

The following regulations establish minimum requirements and design standards for off-street parking of vehicles, trucks, and bicycles. The purpose of these regulations is to provide safe and convenient access, to ensure parking areas are properly designed, and to provide adequate spaces to service the use, reduce traffic congestion, promote business, and enhance public safety.

Parking Minimums

Phase I includes a data center with an adjacent substation and should therefore require minimal parking, as data centers require few on-site staff. There is no required minimum of parking spaces for this use.

Development projects within Phases II & III of the Plan Area are required to provide one off-street parking space per 500 square feet of floor area. Data centers are excluded from this requirement. The Zoning Administrator or their designee may allow a reduction in the minimum number of parking spaces at their discretion.

Parking Design Standards

Refer to PMC section 18.78.050 for parking facility design standards.

Additionally, development projects will be required to comply with the current, at the time of the application, California Building Code for certain design standards and procedures, including accessible parking space requirements and alternative parking programs. Additionally, future development projects will be required to comply with the current, at the time of application, California Green Building Standards Code "CalGreen" Tier 2 standards under the Bay Area Air Quality Management District (BAAQMD) guidelines, and any other applicable State guidelines in effect at the time of application, regarding electric vehicle charging infrastructure.

6.6 Pedestrian Circulation

Pedestrian paths are required from Golf Club Road to the main entrance of at least one building in each development project. Sidewalks are required on the west side of Golf Club Drive to improve safety and the pedestrian experience and provide additional connectivity. Sidewalks shall be a minimum of six-feet wide, constructed of concrete, and installed in conjunction with adjacent roadway improvements.

6.7 Bicycle Parking

Permanent, fixed bicycle racks or lockers shall be provided on-site wherever off-street parking spaces are required for commercial and industrial use classifications pursuant to PMC section 18.78.040, at the ratios indicated in the table below. The bicycle stalls required by this section may be covered by a shelter.

Off-Street Parking Spaces Required	**Number of Stalls for Bicycles Provided in Rack or Locker**
0-4	0
5-10	1
11-20	4
21-50	6
51-100	8
101-200	10
201 or more	1 per 10 required automobile parking spaces

6.8 EMERGENCY ACCESS

Fire protection for the City of Pittsburg is provided by the Contra Costa County Fire Protection District (CCCFPD). Two Emergency Vehicle Access roads (EVA) are shown in Figure 3: Site Plan Concept. The Phase I EVA provides direct access from the proposed building to W Leland Road. The Phase II & III EVA provides additional access from Golf Club Road to W Leland Road.

Fire access within the Plan Area will abide by the CCCFPD's Fire Prevention Standards. The Fire Apparatus Access Road Requirements state the following:

> "Fire apparatus access roadways shall be provided for every facility, building, or portion of a building constructed or moved into or within this jurisdiction. Fire apparatus access shall extend to within 150 feet off all portions of the facility and all portions of the exterior walls of the first story of a building as measured along an approved route around the exterior of the building or facility. All newly proposed buildings, including single-family homes and accessory structures, shall be reviewed for fire apparatus access requirements by the Fire District prior to project approval."

CHAPTER 7: UTILITIES AND INFRASTRUCTURE

7.1 OVERVIEW

This chapter describes the existing utilities and infrastructure and the improvements required to support development projects within the Plan Area.

7.2 WATER SYSTEM

Domestic Water

According to the City of Pittsburg's Water System Master Plan (WSMP), "*the City has two sources of supply: surface water from the Contra Costa Canal and groundwater extracted from two active wells in the central part of the City. Water from both sources is conveyed to the City's water treatment plant where it is first treated, and then conveyed to the distribution system. The City receives water from the Contra Costa Canal in accordance with an agreement with the Contra Costa Water District (CCWD).*" The WSMP shows the site residing in Pressure Zone Section 2 with a high-water level (HWL) of 385'.

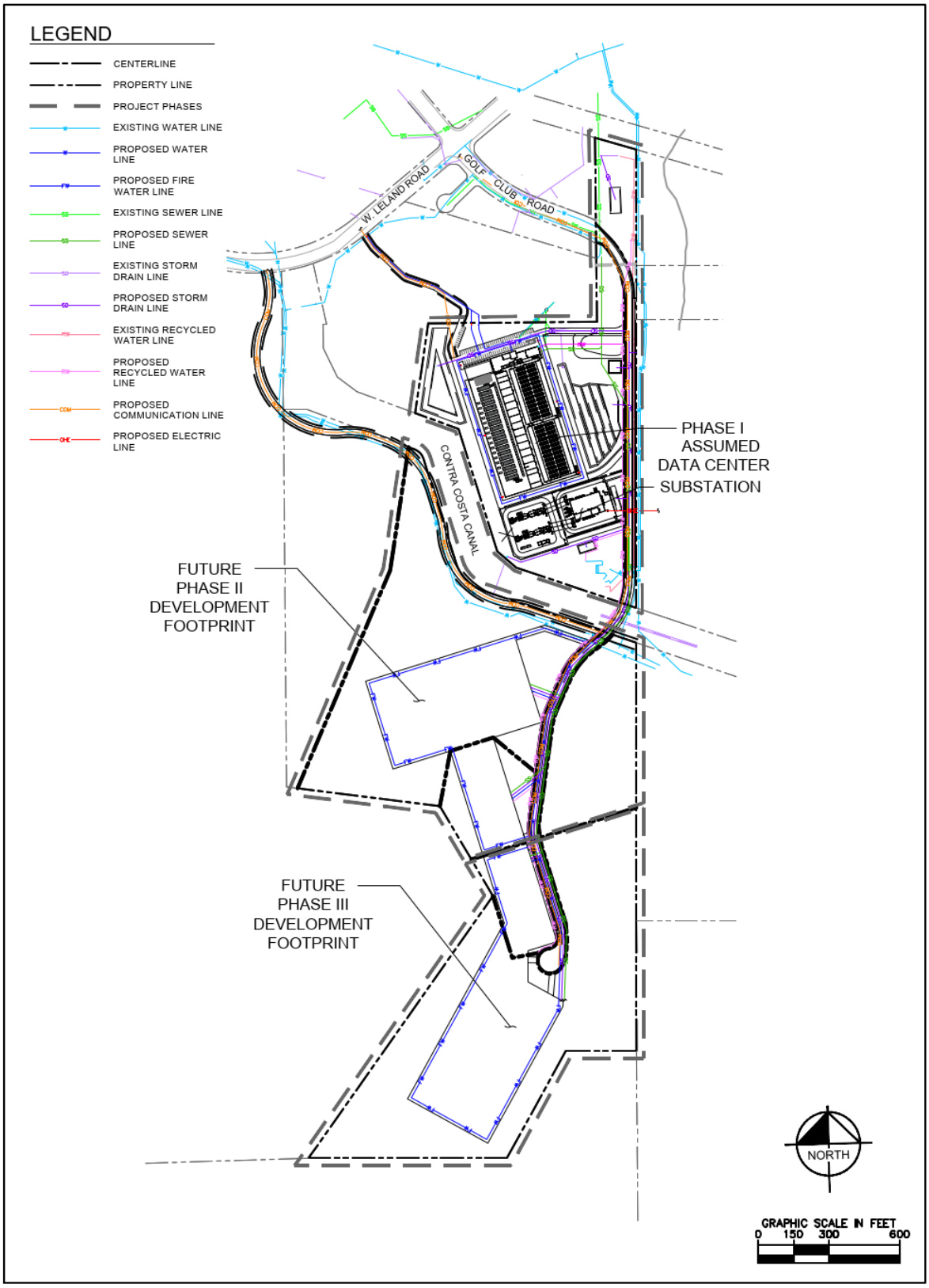
The existing domestic water infrastructure within the Plan Area is as follows:

1. Existing domestic water service remains at the Delta View Golf Course; however, size and connections are unknown.
2. Two domestic water pipes, at 14" and 20", run along the south side of Contra Costa Canal as shown in Figure 7.
3. Two domestic water pipes at 30" and 20", run along the eastern face of the project. At the north end of the site, the 30" line turns west, with the final connection point unknown. The 20" line connects to facilities at West Leland.
4. City water treatment pump stations "PS-2" and "PS-3" exist outside the property limits further southeast off of Contra Costa Canal.
5. Adjacent to the pump stations PS-2 and PS-3 are existing water treatment storage reservoirs "T-1" and "T-2".

The WSMP speaks of future anticipated projects for the City water infrastructure. Within Pressure Zone Section 2, the WSMP shows a proposed transmission main from PS-2 to John Henry Parkway. Within Pressure Zone Section 1, the WSMP shows a potential proposed storage tank "T-19" further along Contra Costa canal with 1.30 MG capacity. A proposed 20" transmission line is proposed for the T-19 storage tank as well.

To bring water to the Plan Area, the utility design includes a proposed public water main along the proposed extension of Golf Club Road along the eastern edge of the Plan Area. Each building will have a domestic water lateral. Based on pressure data provided by the City, static pressure is understood to be between 129 pounds per square inch (PSI) at elevation 110' and 107 PSI at elevation 161'. See Figure 7: Utility Concept Map.

FIGURE 7: UTILITY CONCEPT MAP



Recycled Water

The City supplies its recycled water through the Delta Diablo Sanitation District's Recycled Water Facility. The recycled water is regulated by the State Water Resources Control Board, overseeing production, conveyance, quality control, and proper use of the recycled water. Recycled water lines service the Plan Area. Recycled water use at developments would reduce domestic water demand. Requirements for service will need to be evaluated at the entitlements stage of development projects.

Fire Flow

Static pressures are noted in the domestic water system above. Additional fire flow tests and modeling will need to be completed at the entitlement stage of development projects to confirm improvements necessary to meet development needs.

Subsequent projects within the Plan Area would be required to complete infrastructure studies for all new domestic and recycled water and wastewater lines. Furthermore, all subsequent projects will be reviewed by the City for adequate flows and pressure. Site-specific analyses would confirm the adequacy of water and wastewater system infrastructure, pressure, and flows.

7.3 Sewer System

No major sewage line services the Plan Area outside of the existing sewer lines servicing the abandoned Delta View Golf Course. The existing sewer system connects to the City of Pittsburg public 8" PVC sewer main running along Golf Club Road. Development projects will require sewer main extension (potentially public or private) and service laterals to each proposed building, as shown in Figure 5: Utility Concept Map.

7.4 Storm Drain System/WQ Basins

The Hydrology Map (Figure 8) shows the existing hydrology of the Plan Area. The Plan Area contains stormwater infrastructure as it pertains to the Delta View Golf Course. It is likely that this infrastructure ties into the public storm water infrastructure along Golf Course Road. City records have not indicated stormwater infrastructure for the Plan Area within Phases II and III. Studies indicate the likely presence of a catch basin and storm drainpipe under the canal, transporting water to property north of the canal, where it continues and discharges to the property/utility right-of-way.

Increase in impervious area from development projects and increase in runoff shall be mitigated with onsite detention to avoid downstream impact.

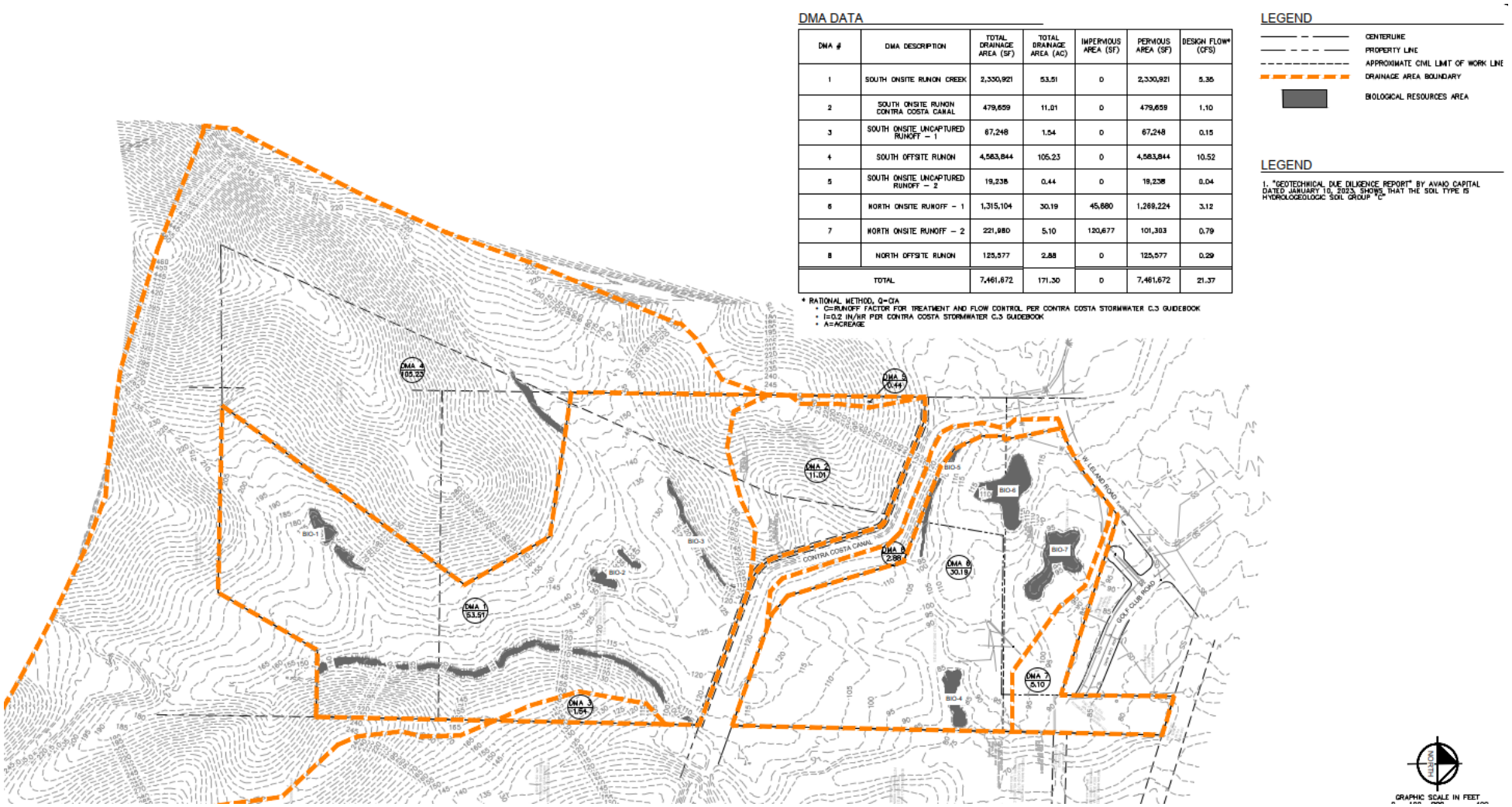
Future development projects are subject to the San Francisco Bay Regional Water Quality Control Board's (RWQCB) Municipal Regional Stormwater NPDES Permit (MRP). Particularly, future development projects must comply with the following NPDES Permit provisions:

- Provision C.3 – New Development and Redevelopment. Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff.

- Provision C.12 – PCB Controls: Provision C.12 of the MRP requires the co-permittee agencies to implement a control program for polychlorinated biphenyls (PCBs) that reduces PCB loads by a specified amount during the term of the permit, thereby making substantial progress toward achieving the urban runoff PCBs wasteload allocation in the Basin Plan by March 2030.

Figure 8: Hydrology Map below shows the existing hydrology of the Plan Area. Increase in impervious area from development projects and increase in runoff shall be mitigated with onsite detention to avoid downstream impact.

FIGURE 8: HYDROLOGY MAP



7.5 Electrical System

There are existing transmission lines adjacent to the eastern perimeter of the Plan Area. Phase I includes future development of a data center and corresponding PG&E and/or PPC substation. Development projects will require the addition of electric infrastructure to be installed within the right-of-way with service lines connecting to the proposed buildings of the development.

As part of the design review process, future development projects shall be required to implement the following design concepts and best management practices to the extent feasible:

- Incorporate energy-efficient features through design concepts, including but not limited to, techniques for heating and cooling, building siting orientation, street and lot layout, landscape placement, and protection of solar access.
- Incorporate construction standards that promote energy conservation, including but not limited to, window placement, building eaves, and roof overhangs.
- Incorporate enhanced energy conservation measures and other methods of reducing energy usage and greenhouse gas emissions.
- Large energy consuming development projects would be required to develop and implement an energy conservation plan to meet the operation's full power demand. The energy conservation plan would be required to also include a monitoring program to ensure compliance with and effectiveness of that plan.

7.6 Natural Gas System

There is no existing gas infrastructure in the Plan Area, and no future development projects will be allowed the addition of natural gas infrastructure.

7.7 Telecommunications System

There is no existing telecommunications infrastructure in the Plan Area. Development projects will require the addition of telecommunications infrastructure.

CHAPTER 8: IMPLEMENTATION

8.1 IMPLEMENTATION

The purpose of this chapter is to provide an outline of the steps necessary to implement the Pittsburg Technology Park Specific Plan and applicable conditions, mitigation measures and regulations in coordination with the City of Pittsburg and other governing public agencies.

The Zoning Administrator shall be responsible for administering the provisions of the Specific Plan and shall have authority to review and approve development projects that have been determined to be consistent with the objectives and provisions of the Specific Plan.

8.2 CONFORMITY DETERMINATIONS AND DEVELOPMENT APPLICATION

Applicant must submit a development application to the Planning Department for review and conformity with the standards and design review guidelines as outlined in Chapter 3. The Zoning Administrator shall review the package and provide a determination for consistency with this Specific Plan. Pursuant to PMC section 18.18.050, the decision of the Zoning Administrator can be appealed to the Planning Commission.

The following project types are not required to submit a development application but are still subject to PMC Title 15: Buildings and Construction:

(1) New development that is less than 10,000 square feet total and consistent with permitted uses
(2) Routine maintenance, minor repair work, and replacement of existing structures

The required information that must be included in the development application, pursuant to PMC section 18.36.210 includes:

(1) Site plan showing:

a) General location of property;
b) Property boundaries;
c) Existing topography and proposed grading (for property no less than 10 acres, a contour interval no greater than five feet and a horizontal map scale of one-inch equals 50 feet or larger shall be used; for property larger than 10 acres, a contour interval no greater than 10 feet and a horizontal map scale of one-inch equals 100 feet or larger shall be used);
d) All existing and proposed structures, the height of each structure and number of dwelling units in each structure;
e) All existing and proposed signs;
f) Location and approximate height of all adjacent structures on abutting sites;
g) Location, dimensions, and quantity of existing and proposed off-street parking, with a statement indicating whether it conforms to applicable regulations;
h) Existing and proposed vehicular and pedestrian ways, and trails, with grades, widths, and types of improvements;
i) Proposed vehicular access between site and public street;
j) Locations, names, and widths of abutting streets;

k) Existing and proposed utilities;
l) Existing and proposed recreational facilities;
m) Existing and proposed storm drainage facilities;
n) Location of existing trees on the site;
o) Locations and heights of existing and proposed retaining walls;
p) Locations and dimensions of trash disposal areas;
q) Roof overhangs;
r) Distances between buildings and from building walls to property lines;
s) Proposed street names;
t) Handicap facilities;

(2) Architectural drawings showing:

a) Floor plans at one-eighth inch or one-quarter inch equals one foot zero inches;
b) Four elevations (or more if necessary) to include all sides of development at no less than one-eighth inch equals one foot zero inches;

(3) Landscaping plan, including plant names and sizes, and an irrigation plan;

(4) A recent photograph of the site itself and of adjacent properties showing the current condition of the properties;

(5) Color and texture chips of actual samples of materials;

(6) Additional information which may be requested by the planning commission including but not limited to the following:

a) Recent photographs of sight line profiles in sufficiently large scale, taken from commonly used vantage points in the city (shopping centers, road intersections, scenic lookouts, etc.) with the outline of the proposed structure in proper scale and perspective superimposed on it;
b) Architectural drawings showing the locations, size, color, shape and type of illumination of each proposed sign;

(7) Other information as determined by the city planner.

The Zoning Administrator shall consider the development application for approval and integrate it with the land use approval process, detailed below. If the Zoning Administrator can make the following findings, they shall approve the development application and the Design Review Permit administratively:

(a) The project complies with all applicable development standards identified in this Specific Plan, the *2040 General Plan*, and PMC.

(b) There is supporting infrastructure, existing or available, consistent with the intensity of development, to accommodate the proposed development.

(c) The proposed uses are in compliance with the Specific Plan, the *2040 General Plan* and PMC.

The Zoning Administrator, or the Planning Commission in the case of an appeal, shall make written findings for its decision.

8.3 Revisions to Approved Permits

Any subsequent changes to approved permits that would modify approved development permits, shall be submitted to the Zoning Administrator as specified in Section 7.2. The Zoning Administrator shall determine whether the proposed modification to a previously approved permit is in conformance with the Specific Plan. If the Zoning Administrator determines that the proposed modification to the approved permit conforms with the Specific Plan, then the Zoning Administrator shall issue a Minor Revision to the previously approved permit without notification and without the need for a public hearing or the need to complete further review under CEQA.

8.4 Minor Modifications to the Specific Plan

Minor modifications to the Specific Plan shall not require a Specific Plan Amendment and shall be subject to a "substantial conformance" determination, an administrative mechanism by which minor modifications to the Specific Plan that do not result in significant impacts and are consistent with the intent of the Specific Plan shall be permitted without a formal Plan amendment process. The Zoning Administrator shall make determinations of substantial conformance ministerially without the need for a public hearing.

Minor modifications that satisfy the substantial conformance determination's requirements may result from a final development project design and engineering that cause adjustments in roadway alignments, locations of utilities or other infrastructure, development of innovative project design, distribution of permitted uses within the Specific Plan, application of design guidelines, or other similar modifications deemed to be minor and which implement the provisions of the Plan. Minor modifications or technical adjustments may include, but are not limited to:

(1) Modifications necessary to comply with final conditions of approval or mitigation measures.
(2) Addition of information to the Specific Plan for purposes of clarification that does not change the intent of any standard, regulation, or design guideline under the Specific Plan, as well as correction of any clerical or grammatical errors.
(3) Adjustments to the alignment, location and sizing of utilities or a change in utility and/or public service provider may be approved so long as the adjustments or changes are found to be in compliance with applicable plans and regulations of the agency responsible for such utilities and facilities.
(4) Changes in roadway alignment, width, or improvements through the final engineering/improvement plan process so long as compliance with minimum rights-of-way standards outlined in the Specific Plan is maintained.
(5) An adjustment of any land use district acreage of up to ten percent (10%) of the designated acreage.
(6) Minor adjustment up to ten percent (10%) of any quantitative standard such as heights or setbacks that are defined in Chapter 3 of this Specific Plan.

(7) Minor changes to the architectural design guidelines, which are intended to be conceptual in nature and flexible in implementation.
(8) Relocation of office space to other areas of the same building.
(9) Modification of any design element that improves circulation, reduces grading, improves drainage, and/or reduces operations and maintenance costs.
(10) Modification of the location of auto driveways, including adding additional auto driveways.

The minor modifications listed above are not intended to be comprehensive. Any modification that is deemed by the Zoning Administrator to be in substantial conformance with the purpose and intent of the Specific Plan shall be permitted.

The application for and documentation of substantial conformance shall include text and/or maps that describe the nature of the proposed modifications to the Specific Plan. Applications for modifications and their documentation shall undergo any necessary technical review by the Zoning Administrator necessary to determine if updated conditions of project approval are necessary.

8.5 Determinations of Similar Use

When a property owner or applicant proposes or contemplates a use within the Plan Area not expressly authorized as a permitted use under Chapter 3, Section 3.3, *Permitted Uses*, he/she may request a determination of similar use in accordance with the procedures set out in this section.

A request for determination of similar use shall be in writing and shall include the following:

(1) Name of requesting entity;
(2) Description of the proposed or contemplated use;
(3) Explanation of why the property owner/applicant believes the proposed or contemplated use is consistent with the intent of the Specific Plan and the operational characteristics and potential impacts of the allowable uses listed in Section 3.3, Permitted Uses.

Where a request for determination of similar use is submitted, the Zoning Administrator shall ministerially make the determination of similar use. In making this determination, the Zoning Administrator shall first make all of the following findings:

(1) The characteristics of, and activities associated with, the use are similar in nature to those of one or more of the uses listed in Section 3.3, and will not involve a greater level of activity, population density, intensity, traffic generation, parking, dust, odor, noise, emissions, or similar impacts than the uses listed as permitted in Section 3.3; and
(2) The use will meet the purpose/intent of the Specific Plan.

The determination of similar use by the Zoning Administrator shall be subject to appeal to the Planning Commission as follows:

(1) The requesting entity for the determination may appeal the decision of the Zoning Administrator on the request for determination of similar use by filing a written notice of appeal with the Zoning Administrator within ten days of their written determination.

(2) The Planning Commission may affirm or modify the determination of similar use by the Zoning Administrator.

When the Zoning Administrator determines that an unlisted land use is similar to a listed use in Section 3.3, the unlisted use will be treated in the same manner as the listed use in determining where the use is allowed, and what other standards and requirements of the Specific Plan apply.

8.6 Amendments to the Specific Plan

Specific Plan amendments are governed by California Government Code Section 65450 et seq. Applications shall state the reasons for the proposed amendment.

An amendment to the Specific Plan is required in the event of any of the following:

(1) Changes to the overall Specific Plan boundaries, including an expansion of the Specific Plan Area.
(2) A change in any other provision, purpose, or standard of the Specific Plan that would significantly alter the basic intent, spirit, identity, objective of the Specific Plan.
(3) An increase in maximum building square footage.
(4) An increase in the overall development intensity thresholds within the Specific Plan.

8.7 CEQA Findings and Subsequent Review

All subsequent developments consistent with the Specific Plan shall not require additional environmental review, as established under CEQA Guidelines Sections 15168 and 15183 - except as might be necessary to examine whether there are project-specific significant effects, which are peculiar to the project or its site.

Furthermore, pursuant to Section 15162, when an EIR has been certified, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence that there have been substantial changes in the project; potentially new significant effects not previously disclosed, or new information, including changes in the setting or new mitigation not previously contemplated.

The City shall conduct an analysis under Section 15162 for all subsequent development applications within the Specific Plan area prior to requiring subsequent CEQA analysis.

8.8 Performance Standards and Mitigation

CEQA requires the adoption of mitigation measures to reduce the severity and magnitude of significant environmental impacts associated with project implementation. The Program Environmental Impact Report (PEIR) for the proposed Pittsburg Technology Park Specific Plan includes mitigation measures to reduce the potential environmental effects of implementation of the Specific Plan. Below is a summary of the mitigation measures identified in the PEIR, which are incorporated by reference into the Specific Plan as performance standards in this section. The Mitigation, Monitoring and Reporting Program (MMRP), adopted in conjunction with the PEIR, should be referenced for complete mitigation measures, timing, and triggers for compliance. Additional mitigation measures may be applicable to the Phase I, through

project-specific environmental review conducted for the data center by the California Energy Commission (CEC).

AIR QUALITY

- **Subsequent Construction Air Quality Analysis.** Prior to approval of subsequent development applications by the Zoning Administrator, applicants shall provide a project-level construction air quality analysis per BAAQMD guidance to determine the significance of air quality impacts.
- **Use of Tier 4 Engines.** Prior to issuance of a grading permit, applicants shall ensure that all offroad heavy-duty diesel-powered equipment larger than 100 horsepower meets USEPA emissions standards for Tier 4 engines or equivalent.
- **Enhanced BMPs for Fugitive Dust.** To minimize emissions of fugitive dust, applicants of future development projects shall be required to implement the enhanced best management practices.

If a future development application includes a land use type that would generate diesel truck trips during project operation (such as logistics and warehousing), beyond what was estimated in the PEIR analysis, the following conditional mitigation measures may be required.

- **Subsequent Operational Air Quality Analysis.** Prior to approval by the zoning administrator, a project-level air quality analysis shall be performed in conformance with the 2040 General Plan Actions 2-A-4(b) and (c). The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts.
- **Health Risk Assessment.** Prior to approval by the Zoning Administrator, a health risk assessment shall be performed in conformance with *2040 General Plan* Action 2-A-4.c.

BIOLOGICAL RESOURCES

- **Project Coverage under ECC HCP/NCCP**. Each applicant will be required to obtain coverage for the project under the East Contra Costa HCP/NCCP. All applicable fees shall be paid, and/or an "in-lieu-of-fee" agreement fully executed, prior to the issuance of a grading permit for the project.
- **Worker Awareness Training for Biological Resources.** Each applicant will be required to provide Worker Environmental Awareness training to all construction personnel.
- **Adherence to ECC HCP/NCCP Requirements.** Each applicant shall ensure that the project adheres to all applicable East Contra Costa HCP/NCCP requirements. Including the following:
    - Preconstruction surveys shall be conducted for the following species:
        - Golden Eagle
        - Burrowing Owl
        - Swainson's Hawk
        - San Joaquin kit fox

      If preconstruction surveys determine that any of the above species is present, the biologist may recommend construction monitoring. If so, the project applicant shall include submittal of a Construction Monitoring Plan (CMP) to the East Contra Costa HCP for approval.

- A delineation of jurisdictional wetlands and other waters shall be conducted on the project site per HCP Sections 6.2.1 and 6.3.1.

- **Rare Plant Survey & Protection**. An updated protocol-level rare plant survey shall be conducted by a qualified biologist/botanist prior to construction. If any species covered by the East Contra Costa HCP/NCCP is found to be present, the project applicant shall notify the East Contra Costa County Habitat to salvage the occurrence(s) in accordance with HCP/NCCP Conservation Measure 3.10.

  If any special-status plant not covered by the East Contra Costa HCP/NCCP is found to be present, the occurrence(s) shall be avoided and protected in place to the extent feasible. If the occurrence(s) cannot be entirely avoided, then a Plant Salvage and Mitigation Plan shall be prepared and implemented.

- **Special-Status Bumble Bee Surveys & Protection.** No more than one year prior to the initiation of vegetation removal and grading in the project area, a qualified biologist shall conduct surveys for Crotch bumble bee, obscure bumble bee, and American bumble bee.

- **Monarch Butterfly Protection.** No more than two days prior to initiation of vegetation trimming or removal for construction, a qualified biologist shall survey all areas of potentially suitable habitat for monarch butterfly larval host plants.

- **Western Pond Turtle Protection.** Prior to the start of construction activities, a qualified biologist shall conduct a pedestrian preconstruction survey of the study area and adjacent suitable habitat for western pond turtle.
- **Nesting Bird Protection (General).** If project-related disturbance commences and time during the nesting/breeding season of native bird species, a preconstruction survey shall be conducted by a qualified biologist within two weeks prior to initiation of work.

- **Nesting Bird Protection (Bald Eagle).** Two weeks prior to the initiation of work at the site, a qualified biologist shall conduct a preconstruction survey for nesting Bald Eagles.

- **Special-Status Bat Survey & Protection.** Prior to the initiation of any activity that could disturb roosting bats, a qualified biologist shall conduct a habitat evaluation for special-status bats, focusing on the needs of pallid bat, western red bat, and hoary bat. Furthermore, before any activities with the potential to disturb roosting bats begin, the approved biologist(s) shall conduct focused surveys for roost occupancy.

- **San Joaquin Pocket Mouse Protection.** Vegetation removal, clearing/grubbing, and grading activities shall be conducted in a uniform direction to allow mobile animals such as San Joaquin pocket mouse the ability to escape the disturbance area into adjacent undisturbed habitat.

- **American Badger Survey & Protection.** Four weeks prior to the state of construction activities, a qualified biologist shall conduct a preconstruction survey for American badger den sites.

CULTURAL RESOURCES

- **Contractor Awareness Training.** Prior to construction, all workers shall receive cultural resource awareness training regarding sensitive cultural resources and tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating state laws and regulations.
- **Archaeological Monitoring.** All ground-disturbing activities associated with the Project within 200 feet of the unnamed creek shall be monitored by a qualified professional archaeologist.
- **Unanticipated Discoveries.** If subsurface deposits believed to be cultural or human in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist shall be retained to evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgment.

GEOLOGY AND SOILS

- **Paleontological Resources Mitigation and Monitoring Plan.** At the time of application for site-specific development, a qualified Paleontologist shall develop a Paleontological Resources Mitigation and Monitoring Plan that outlines preconstruction coordination, monitoring procedures, and emergency discovery procedures.
- **Worker's Environmental Awareness Training.** Prior to the start of construction, a qualified paleontological monitor shall provide all construction personnel an environmental awareness training.
- **Paleontological Monitoring.** Prior to construction, the Project Paleontologist shall review excavation plans to determine where paleontologically sensitive areas will be disturbed by Project-related earth movement. Earthmoving construction activities will be monitored by a qualified paleontological monitor in those areas and/or where disturbance will take place to previously undisturbed sediment.

NOISE

- **Construction Mitigation Plan.** If at the time of development review, an applicant cannot provide evidence of project level conformance with Table 3-1, the applicant shall submit a detailed construction mitigation plan accompanied by a construction noise analysis that incorporates specific mitigation techniques for site-specific noise reduction and attenuation.
- **Operational Noise Mitigation Plan.** If at the time of development review, an applicant cannot provide evidence of project level conformance with Table 3.10-8, the applicant shall submit a detailed operational mitigation plan accompanied by an operational noise analysis that incorporates specific mitigation techniques for site-specific noise reduction and attenuation.
- **Subsequent Noise Analysis.** If future development anticipates greater use of truck trips beyond what was analyzed in the Pittsburg Technology Park Specific Plan Programmatic Environmental Impact Report (PEIR) (15 trips per day), then the applicant shall prepare a subsequent noise analysis to provide evidence that they conform to the noise level thresholds identified in Table 3.10-8. If the applicant cannot demonstrate conformance with Table 3.10-8, then the applicant

shall submit a detailed operational mitigation plan accompanied by an operational noise analysis that incorporates specific mitigation techniques for site-specific noise reduction and attenuation.

TRANSPORTATION

- **Transportation Demand Management Plan(s)**. Travel Demand Management Plan(s) shall be prepared and implemented for future phases of proposed Specific Plan implementation. The TDM Plan shall comply with the City's TIA Guidelines in effect at the time of application and identify trip reduction strategies as well as mechanisms for funding and overseeing the delivery of trip reduction programs and strategies.
- **Perform Transportation Impact Analysis.** As future specific land-uses are proposed for development within the Plan Area, a transportation impact analysis shall be performed in accordance with the City of Pittsburg's Traffic Impact Analysis Guidelines.
- **Local and Regional Traffic Impact Fees.** As future specific land-uses are developed on the site, appropriate local and regional traffic impact fees shall be calculated and paid in accordance with the anticipated level of traffic generation.

WILDFIRE

- **Post-Fire Slope Instability Review.** Prior to approval of building permit, the applicant shall demonstrate that debris flow potential has been studied for post-fire conditions. Alternatives for mitigating potential debris flow impacts shall be considered and refined as each phase of future development is designed.

CHAPTER 9: ADMINISTRATION

9.1 OVERVIEW

California Government Code (Title 7, Division 1, Chapter 3, Article 8, Sections 65450 et seq.) grants authority to cities to utilize Specific Plans for purposes of implementing the goals and policies of the City's General Plan.

The provisions, guidelines, and regulations contained within this Specific Plan provide the standards for land uses and development within the Pittsburg Technology Park Specific Plan. The Specific Plan supersedes the development standards and regulations of the PMC unless stated otherwise in this document. Whenever the provisions and development standards of the Specific Plan conflict with those of the PMC, the Specific Plan shall take precedence. Where the Specific Plan is silent, the PMC shall apply.

9.2 RESPONSIBILITY

The City (party responsible) shall be responsible for administering the Pittsburg Technology Park Specific Plan in accordance with the provisions of this Specific Plan document, all governing and applicable state and federal laws, the City of Pittsburg's *2040 General Plan*, and PMC.

The City (party responsible) shall enforce the provisions of the Specific Plan in the same manner that it enforces the provisions of the *2040 General Plan* and PMC. Whenever in this Specific Plan any act is prohibited or is made or declared to be unlawful, or the doing of any acts required, or the failure to do any act is determined to be unlawful, the City of Pittsburg retains its authority under the PMC to enforce such violation or offense.

9.3 SEVERABILITY

If any section, subsection sentence, clause, or phrase of this Specific Plan or its application to any person or circumstance is held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent, and shall not affect the validity of the remaining provisions of this Specific Plan or applications thereof, which can be implemented without the invalid provision or application.

9.4 INTERPRETATION

If an issue, condition, or situation occurs that is not sufficiently covered or provided for in this Specific Plan, those that are applicable for the most similar issue, condition, or situation shall be used. Unless otherwise provided, any ambiguity concerning the content or application of the Specific Plan shall be resolved by the Director of Community and Economic Development in a manner consistent with the goals, policies, objectives, and intent established in the Specific Plan.

9.5 ADOPTION

The Pittsburg Technology Park Specific Plan has been prepared, submitted, and approved in a manner consistent with California Government Code Section 65451(a). The Specific Plan shall be adopted by

ordinance and shall serve as the primary planning document for development within the Plan Area. The approved Specific Plan Area boundaries will be designated on the City's Zoning Map. The land use and development standards identified in this Specific Plan supersede all zoning regulations to the extent that they would be in conflict with the sections of this Specific Plan.

Notwithstanding the interpretive rules set forth above, any use authorized by this Specific Plan shall be deemed to be conforming to other land use regulations of the PMC existing at the time of the adoption of this Specific Plan or as the same may be amended from time-to-time and shall not otherwise require any additional discretionary land use approvals beyond the requirements of this Specific Plan.

APPENDIX A: PITTSBURG 2040 GENERAL PLAN CONSISTENCY

California Government Code (Title 7, Division 1, Section 3, Article 8, Section 65440- 65457) permits the adoption and administration of Specific Plans as an implementation tool for elements contained within a jurisdiction's local General Plan. Approval of the Pittsburg Technology Park Specific Plan is based on the finding that the regulations, guidelines, and programs contained within this Specific Plan are consistent with the 2040 General Plan.

The Pittsburg Technology Park Specific Plan is consistent with the following applicable goals and policies of the *2040 General Plan*.

LAND USE ELEMENT

Goal 2-1: Promote optimal, orderly, well-planned, and diverse land uses, including a compact urban form within the City's projected municipal boundary that provides a mix and distribution of uses to meet Pittsburg's needs, including mixed-use development, infill development, and reuse and revitalization of underutilized and brownfield sites.

Policies

2-P-1.2: Promote land use compatibility through development standards, use restrictions, environmental review, and design considerations.

> *The proposed Specific Plan is consistent with the land use designation identified by the 2040 General Plan. The proposed Specific Plan proposes land use, development standards, environmental review, and design considerations that would implement the General Plan and promote compatible land use.*

2-P-1.5: Discourage development at urban densities or intensities in areas on the periphery of the City boundary.

> *The proposed Specific Plan is consistent with the 2040 General Plan Employment Center Industrial land use. The proposed project would place these uses on an under-utilized site within close proximity to housing, infrastructure and transit.*

Goal 2-4: Promote business development in a range of sectors that contribute to the local and regional economy, provide high-wage and skilled jobs for Pittsburg residents.

Policies

2-P-4.1: Identify and allocate adequate lands in strategic locations throughout Pittsburg to accommodate and encourage employment growth, focusing on sectors that provide high-paid and high-quality jobs and continue to promote business development sites through Think Pittsburg and other local programs.

> *The Plan Area is identified in the 2040 General Plan as a strategic site for economic development within the West Leland Subarea to encourage employment growth in the area.*

2-P-4.2: Encourage the development and intensification of employment centers, including high quality, professional office campuses, business parks, and industrial parks, along with innovation districts, related mixed-use development and open spaces. The centers shall be located in areas fully served by public facilities and services, located along major arterials with easy freeway access and with access from public transit, and accessible to bicyclists and pedestrians.

Development under the proposed Specific Plan would generate economic employment in various industries, specifically in emerging sectors including technology and innovation. The Plan Area is currently served by utilities and would require extensions of the existing public water main line along the extension of Golf Club Road. The Plan Area is served by regional access from State Route 4 and local access from West Leland Road and Golf Club Road. Transit services are provided in the vicinity of the Plan Area, including bus and fixed rail transit. Bicycle and pedestrian facilities in the vicinity of the Plan Area include Class II bicycle facilities, sidewalks, crosswalks, pedestrian signals, and multi-use trails.

2-P-4.3: Promote large-scale office/business development, and reserve sites for Business Commercial uses in designated locations accessible from regional transportation systems.

The proposed Specific Plan would guide economic generating uses to support business development in the Plan Area consistent with the 2040 General Plan ECI designation. The ECI permitted uses include offices and could be proposed as a future development project. The Plan Area is accessible by the regional transportation system. The Pittsburg-Bay Point BART Transfer Substation is the closest rail station to the Plan Area approximately 1.3 miles away. Bus Routes 388 and 390 operate along West Leland Road.

2-P-4.5: Support office, business, and industrial land uses that will improve the City's employment base through high-quality, well-paid jobs that attract the technology, energy, and industrial sectors desired by the community.

Allowed uses within the proposed Specific Plan would generate employment in emerging sectors, including technology, energy, and industrial sectors, which would generate economic opportunity within the city.

2-P-4.6: Encourage the development of "clean" industries, such as research and development, technology and specialized manufacturing, and similar uses that limit environmental impacts and health risks commonly associated with industrial uses.

Allowed uses within the proposed Specific Plan include research and development, technology and innovation including data centers, energy, focusing on clean-tech uses.

2-P-4.7: Encourage employee-intensive uses such as medical and professional offices, light industry, research, and skill training.

Allowed uses within the proposed Specific Plan include research and development, technology and innovation including data centers, energy, focusing on clean-tech uses.

2-P-4.10: Ensure that employment-generating development, such as industrial, warehouse, distribution, logistics, and fulfillment projects, does not result in adverse impacts (including health risks and nuisances), particularly to residential uses and other sensitive receptors, including impacts related to the location and scale of buildings, lighting, noise, smell, and other environmental and environmental justice considerations. When development is incompatible, require adequate buffers and/or architectural consideration to protect residential areas, developed or undeveloped, from intrusion of nonresidential activities that may degrade the quality of life in such residential areas.

Goal 3 of the proposed Specific Plan aims to incorporate development into the existing landscape while minimizing impacts to the environment and sensitive receptors. The Proposed project would employ buffers between the Plan Area and residential districts. For more information on how future development would ensure no adverse impacts to the environment or communities, please refer to Section 3.1, Aesthetics and Visual Resources, *3.2*, Air Quality, *and 3.10*, Noise.

GROWTH MANAGEMENT ELEMENT

Policies

3-P-1.2: Manage the City's growth to balance development of housing options and job opportunities, protection of open space and habit areas, construction of transportation improvements, and preservation of high quality high-quality public facilities.

The proposed Specific Plan is consistent with the 2040 General Plan land use patterns, as it would provide job opportunities proximal to housing while preserving hillside open space, sensitive habitats, such as drainages (outside of building envelopes), and necessary transportation infrastructure to support the proposed project.

3-P-1.3: Provide a range of development intensities, with the highest intensities in Downtown and in areas proximate to transit and services, and lower intensities in hillside and at the City's southern edge, with an emphasis on land use patterns that make efficient use of the local and regional transportation systems and consider conservation of natural resources.

The proposed Specific Plan would support land use patterns by providing job opportunities close to housing while at the same time preserving hillside open space, sensitive habitats, such as drainages (outside of building envelopes). Future development within the Plan Area would support transportation infrastructure and maintain connectivity from the Plan Area to the City and regional circulation systems.

URBAN DESIGN ELEMENT

Policies

4-P-1.2: Encourage and support high-quality design that evokes Pittsburg's history and unique character through ensuring standards and guidelines for residential, commercial, industrial, mixed use, civic, and other uses incorporate features and materials design that reinforces Pittsburg's community character.

> *Future development would be required to adhere to design standards identified in the proposed Specific Plan, which are intended to ensure buildings would blend with the character of the existing environment. See Section 3.1,* Aesthetics and Visual Resources*, of the Pittsburg Technology Park Specific Plan Programmatic Environmental Impact Report (PEIR) for more detail.*

4-P-1.4: Seek methods to improve the visual character and design of Pittsburg, including establishing design standards for gateways, key corridors, residential uses, and non-residential uses, promoting high-quality redevelopment and reuse projects, and addressing features that may adversely affect views of gateways, ridgelines, open space, and other identified visual resources.

> *Future development would be required to adhere to design standards in the proposed Specific Plan, which are intended to ensure buildings would blend with the character of the Plan Area. Landscaping throughout the Plan Area would soften the appearance of buildings and blend with the natural environment. Landscape design would be used as buffering between open areas and roadways. See Section 3.1,* Aesthetics and Visual Resources*, of this PEIR for more detail.*

4-P-2.10: Use revegetation as an erosion control measure to maintain the natural character of a hillside; utilize hydro-seed, silt traps, and other engineering solutions where erosion potential exists during development.

> *Landscaping would be used as storm water management best practices to reduce stormwater related erosion. Landscape design standards also require ground cover to reach 100 percent within one year. See Section 3.8,* Hydrology and Water Quality*, for more detail.*

ECONOMIC DEVELOPMENT ELEMENT

Goal 6-1: Ensure that the City's General Plan sustains and promotes a vibrant, fiscally sustainable economy that fosters strong economic growth, a stable revenue base, availability of local goods and services to meet the City's, high quality employment opportunities, and quality of life for all residents.

Policies

6-P-1.2: Pursue strategies that support the attraction and retention of diverse industries, a diverse workforce, and a diversity of municipal revenue sources.

> *The proposed Specific Plan would generate a diverse workforce in emerging sectors, including technology, energy, and industrial sectors, within the city.*

6-P-1.3: Achieve and maintain a balance of land uses within the City that assures residential development is complemented by expanded local employment opportunities, retail and commercial services, and recreation and entertainment venues; and that the City-wide mix of land uses provides a balanced variety of housing and business types and balances uses that produce revenues and those that require public expenditures.

The proposed Specific Plan would guide development for an employment center on a vacant portion of the former municipal Delta View Golf Course. Development of the Plan Area would allow for the City to achieve and maintain a greater balance of land uses within the City.

6-P-1.4: Ensure that the City's revenue and fiscal base is not overly dependent on any one type of land use, development, or revenue source.

Development of the Plan Area would create a new source of revenue within the City, which would further diversify the City's revenue sources.

Goal 6-2: Facilitate attraction, retention, and expansion of businesses that meet the City's economic development objectives and maintain a desirable climate for conducting business in and with the City.

Policies

6-P-2.1: Promote attraction and retention of businesses that provide a diversified economic industry base with a broad range of job types and skills that insulate the local economy from possible economic downturns.

Development of the Plan Area would generate a diverse workforce in emerging sectors, including technology, energy, and industrial sectors, within the City.

6-P-2.9: Encourage new development in areas where growth and investment have the potential to catalyze revitalization of existing uses.

Allowed uses within the proposed Specific Plan would facilitate economic development and employment in an area that is surrounded by supportive uses including residential and community commercial. The proposed Specific Plan would re-purpose and revitalize the former golf course, which has been closed for over six years.

6-P-2.11: Provide appropriate incentives for infill and redevelopment projects that have the potential to revitalize existing neighborhoods or commercial areas.

The proposed Specific Plan would redevelop the former municipal Delta View Golf Course, which is currently closed and vacant, providing increased opportunity to revitalize the surrounding area.

6-P-2.14: Encourage new businesses and project development under the Employment Center Industrial land use classification.

The proposed Specific Plan would permit land uses under the Employment Center Industrial land use classification, generating new business opportunities and future development.

Goal 6-3: Promote Pittsburg as a forward-thinking community that is innovative and adaptive to changing economic forces.

Policies

6-P-3.4: Attract and retain a variety of economic sectors that capitalize on Pittsburg's competitive advantages and strengths, in order to promote a diversity of businesses, significant sales tax generation, and provide residents with skilled, high-paying employment opportunities.

Development of the Plan Area would generate a diverse workforce in emerging sectors, including technology, energy, and industrial sectors, within the City.

Goal 6-4: Encourage a broad range of employment opportunities and expand educational and training opportunities to support residents finding high-quality, well-paid employment within the community.

Policies

6-P-4.1: Increase job opportunities available in Pittsburg, so that residents may choose to work locally instead of commuting.

The proposed Specific Plan would provide new job opportunities in emerging sectors close to housing.

6-P-4.2: Attract and retain a broad base of businesses and industries to provide a variety of skilled jobs allowing career growth potential, while focusing on high-wage and/or high-sales tax producers.

Development of the Plan Area would generate a diverse workforce in emerging sectors, including technology, energy, and industrial sectors, within the City.

CIRCULATION & TRANSPORTATION ELEMENT

Policies

7-P-1.1: Ensure that the City's circulation network is a well-connected system of streets, roads, highways, sidewalks, trails, and paths that effectively and safely accommodate all users in a manner that considers the context of surrounding land uses, the needs of all roadway users, and is maintained and improved over time to support buildout of the General Plan.

*The proposed Specific Plan would provide connections from the Plan Area to the City's existing circulation network via Golf Club Drive. Future development would be required to pay Transportation Impact Mitigation Fees (TIMF) to pay its fair share for a well-connected system, per **mitigation measure (MM) 3.13-3**.*

7-P-1.5: Implement and continue to increase efforts to reduce regional vehicle miles traveled (VMT) by supporting land use patterns and site designs that promote active modes of transportation, and public transit.

*The proposed Specific Plan includes standards that encourage pedestrian circulation through an integrated sidewalk network with access points at Golf Club Road. Future development would adhere to CalGreen code which includes standards for bike and pedestrian facilities. Furthermore, **MM 3.13-1** would require future development to create and implement a TDM Plan to encourage a reduction in regional VMT.*

7-P-1.6: Design streets to operate with vehicle speeds that are safer for all users, especially pedestrians and bicyclists, while providing adequate access for emergency vehicles. Speed reductions strategies should include reduced lane widths and application of traffic calming measures on local and collector streets and especially near parks, schools, trails, and in the Downtown core.

The proposed Specific Plan would extend Golf Club Road, which is intended to provide private access to the Plan Area. Additionally, three emergency vehicle access roadways would provide access to the Plan Area. These roadways are private and only used when necessary, by emergency responders. Therefore, constructing these roadways to City standards to include traffic calming and speed-reduction features would not be required.

7-P-1.7: Strive to maintain delay-based level of service (LOS) D for motor vehicle traffic as the minimum acceptable service standard for all signalized and stop-controlled intersections at all times (including during peak periods) unless maintenance of LOS D would, in the City's judgement, be infeasible and/or conflict with the achievement if other City goals identified in this General Plan. Congestion in excess of LOS D may be acceptable in these cases, provided that provisions are made to improve traffic flow and/or promote multimodal or non-vehicular transportation as part of a development project or City-initiated project. In the designated Downtown core, as defined by the City's General Plan and illustrated by the City's Subdivision map, LOS E would be considered as an acceptable service standard to account for the more urban, pedestrian-oriented character of the area.

*Future development would be required to perform a Traffic Impact Analysis in accordance with the City's Traffic Impact Analysis Guidelines. Any violations of the guidance shall result in improvement measures developed to eliminate those violations, per **MM 3.13-2**.*

7-P-1.9: Implement transportation improvements to maintain and enhance roadway operations and safety while striving to improve accessibility and comfort for all users.

*As previously described, future development accommodated by the proposed Specific Plan would be required to pay all applicable TIMFs to support future transportation improvements within the City, per **MM 3.13-3**.*

Goal 7-2: Coordinate with regional transportation agencies and developers to promote connectivity, manage commuter traffic, and promote the use of alternatives to single-occupant vehicle trips.

Policies

7-P-2.2: Encourage employers to provide programs for carpooling/transit/biking/walking subsidies, bicycle facilities, alternative work schedules, ridesharing, telecommuting, working at home, employee education, and preferential parking for carpools/vanpools.

*Future Travel Demand Management (TDM) Plans shall be prepared and implemented for future development, per **MM 3.13-1**. TDM plans shall comply with the City's TIA Guidelines in effect at the time of application and identify trip reduction strategies and the mechanisms for funding and monitoring of such programs and strategies. These strategies may include but are not limited to car-sharing programs and alternate work schedules.*

7-P-2.4: Ensure that safe and continuous routes for pedestrians and bicyclists are provided within new development projects and on any roadways that are impacted as a result of new development.

The proposed Specific Plan would extend Golf Club Road, which is intended to provide private access to the Plan Area. Therefore, constructing these roadways to City standards to include safe and continuous routes for pedestrians and bicyclists would not be required.

Goal 7-3: Proactively support and encourage travel by non-automobile modes by maintaining and expanding safe and efficient pedestrian, bicycle and transit networks.

Policies

7-P-3.3: Require that all new roadways and developments accommodate bicyclists and pedestrians.

*The proposed Specific Plan includes pedestrian paths from Golf Club Road that extend to the Plan Area. The proposed Specific Plan includes standards for fixed bike facilities, and future TDM Plans would provide necessary bicyclist and pedestrian facilities necessary for trip reduction strategies, per **MM 3.13-1**.*

7-P-3.4: Ensure continued compliance with Title 24 of the California Building Code, requiring the removal of all barriers to disabled persons on City streets, and compliance with the Americans with Disabilities Act (ADA) to allow mobility-impaired users such as the disabled and elderly to safely and effectively use the City's circulation network.

All future development accommodated by the proposed Specific Plan would be required to comply with the current California Building Code.

7-P-3.5: Encourage secure bicycle facilities and other alternative transportation facilities to be provided as part of new developments, especially future employment sites, public facilities, and multi-family residential complexes.

Future development accommodated by the proposed Specific Plan would be required to comply with the current California Building Code at the time of application, including the "CalGreen" code

*for electric vehicle parking standards. In addition, bike facilities would be required and determined based on a ratio to the number of parking required. Furthermore, per **MM 3.13-1**, TDM Plans shall identify additional details on bicycle facility improvements for each subsequent phase of development.*

7-P-4.2: Use the adopted regional and local Transportation Impact Mitigation Fee (TIMF) ordinances to ensure that all new developments pay a fair share of the cost of transportation improvements or require mitigation for development proposals that are not part of the TIMF program, which contribute more than one percent of the volume to an existing roadway or intersections.

*Future development would be required to pay TIMFs to contribute to the necessary capital for improvement projects for a well-connected system, per **MM 3.13-3**.*

COMMUNITY HEALTH & ENVIRONMENTAL JUSTICE ELEMENT

Policies

8-P-1.4: Consider the effects of planning decisions on the overall health and well-being of the community and its residents and specifically upon disadvantaged communities and vulnerable populations, such as areas with concentrated populations of seniors, persons with a disability, and low income residents.

*Future development within the Plan Area would be required to adhere to best management practices established by the Bay Area Air Quality Management District (BAAQMD) to reduce pollution exposure to sensitive receptors. Furthermore, air quality **MM 3.2-1** through **3.2-3** would be implemented as applicable, to ensure air quality thresholds are not exceeded. Development projects accommodated by the proposed Specific Plan shall not be approved until it can be demonstrated that the proposed project would not result in an exceedance of the thresholds as advised by the Office of Environmental Health Hazard Assessment and Bay Area Air Quality Management District for public health risks at nearby sensitive receptors. Additionally, future development accommodated by the proposed Specific Plan would be required to reduce noise levels to acceptable thresholds during construction and operations. If noise levels are anticipated to be above acceptable thresholds, **MM 3.10-1** through **3.10-3** would be implemented. See Sections 3.2, Air Quality and 3.10, Noise, of the PEIR for more detail.*

8-P-1.6: Consider the effects on sensitive populations when siting industrial and other intensive uses, designating Citywide truck routes, and considering uses and projects that may have adverse impacts on disadvantaged and vulnerable communities.

*Development accommodated by the proposed Specific Plan would incorporate best management practices that would consider certain tools, methods, and approaches in reducing pollution, particularly diesel particulate matter, on disadvantaged and vulnerable communities. Air quality **MM 3.2-1** through **3.2-3** would be implemented as applicable to ensure air quality thresholds are not exceeded. Similarly, noise **MM 3.10-1** through **3.10-3** would be implemented as applicable to ensure noise thresholds are not exceeded. Refer to Sections 3.2,* Air Quality *and 3.10,* Noise*, of the PEIR for more detail.*

8-P-1.12: Identify and assess disproportionate impacts of environmental pollution and work to remedy these impacts.

*Future development accommodated by the proposed Specific Plan would be required to conduct a project-level air quality analysis to determine potential construction air quality impacts. Identification of mitigation measures necessary to reduce any significant impacts shall be developed in coordination with the BAAQMD (**MM 3.2-1**). See Section 3.2, Air Quality, of the PEIR for more detail.*

*Similarly, future development accommodated by the proposed Specific Plan would be required to reduce noise levels to acceptable thresholds. If noise levels are anticipated to be above acceptable thresholds, **MM 3.10-1** through **3.10-3** would be implemented. Refer to Section 3.10, Noise, of the PEIR for further discussion.*

8-P-2.2: Require future planning decisions, development, and infrastructure and public projects to consider the effects on the overall health and well-being of the community and its residents, with specific consideration provided to ensure disadvantaged communities have equitable access to services and amenities and to reduce exposure to hazardous materials, industrial activity, vehicle exhaust, other sources of pollution, and excessive noise on residents, with an emphasis on reducing exposure of any disadvantaged communities to such exposure.

*Subsequent development within the Plan Area would be required to incorporate best management practices that would minimize pollution exposure, particularly diesel particulate matter, on nearby sensitive receptors (see **MM 3.2-1** through **3.2-3**). Furthermore, if future development cannot adhere to the applicable noise level thresholds, a construction and/or operation noise mitigation plan shall be submitted prior to development (see **MM 3.10-1** through **3.10-3**). Refer to Sections 3.2, Air Quality and 3.10, Noise, of the PEIR for more detail.*

RECREATION & YOUTH ELEMENT

Policies

9-P-1.5: Maintain park and recreation facility standards for new development to serve both residents and employees, attainable through, in order of priority: 1) provision of fully developed parks, 2) dedication of parkland, or 3) payment of in-lieu fees dedicated to the provision of new park sites or enhancing existing facilities.

Future development accommodated by the proposed Specific Plan would be required to pay development impact fees that would contribute to the maintenance of park and recreation facilities throughout the City. Refer to Section 3.12, Public Services and Recreation*, of the PEIR for more detail.*

9-P-2.2: Development projects adjacent to open space, shoreline, hillside, and other recreational areas shall provide public connections and linkages.

Development within the Plan Area would not preclude future connections by the City or other agencies to adjacent open space or recreational areas, including the potential future bikeway along the Contra Costa Canal, as identified in the 2040 General Plan.

10-P-1.7: Provide, and encourage access to, public and private open space within urbanized parts of Pittsburg, in order to provide for the recreational and public health needs of residents and provide visual contrast with the built environment.

See response to Policy 9-P-2.2 above.

10-P-1.8: Require development projects to maximize the potential for open space, visual experiences, and passive and active recreation.

As described above, development in the Plan Area would not preclude future connections by the City or other agencies to development of the future Contra Costa Canal bikeway connection, as described in the 2040 General Plan. Future development of this bikeway could maximize the potential for open space and active recreation by linking the Plan Area to adjacent recreational facilities such as the John Henry Park and Stoneman Trail. Additionally, proposed Specific Plan guidelines incorporate landscape materials for visual interest and blending the natural and built environment within the Plan Area.

RESOURCE CONSERVATION & OPEN SPACE

Policies

10-P-1.8: Require development projects to maximize the potential for open space, visual experiences, and passive and active recreation.

Future development would be required to adhere to urban design and resource conservation & open space policies that encourages the preservation of ridgeline views, as described further in Section 3.1, Aesthetics and Visual Resources*, of the PEIR.*

10-P-2.5: Conserve natural terrain, native vegetation, and sensitive habitats and recognize the role of native vegetation, natural terrain and green infrastructure in natural resource and watershed management.

Siting of future development would be encouraged to be placed in areas that are feasible for ground stability and erosion control. Hillside placement would be avoided, and the natural terrain would be preserved. Additionally, landscape design standards in the proposed Specific Plan would ensure a blend of the natural environment by utilizing native vegetation as landscape materials. Furthermore, native vegetation would serve as stormwater best management practices, contributing to the reduction in stormwater pollution on watersheds.

10-P-2.8: Require new development projects and expansion of existing uses to conserve sensitive habitat, including special status species.

*Future development projects would be required to adhere to the East Contra Costa HCP/NCCP requirements. This includes preconstruction surveys for Golden Eagle, Burrowing Owl, Swainson's Hawk, and San Joaquin kit fox, per **MM 3.3-3**. Additionally, future development would be required to conduct preconstruction surveys by a qualified entomologist for several special-status species including candidate bumble bee, monarch butterfly, western pond turtle, candidate nesting birds, bald eagle, candidate bats, San Joaquin pocket mouse, and American badger, per **MM 3.3-5** through **3.3-12**, respectively.*

10-P-2.11: Encourage the preservation of wildlife corridors to ensure the integrity of habitat linkages.

*It is anticipated for future development within the Plan Area to keep the eastern portion of the Contra Costa Canal crossing intact, which would allow continued wildlife connectivity. Furthermore, it is anticipated that the extension of Golf Club Road would be constructed to avoid the stream that runs along the eastern edge of the Plan Area. Avoiding impacts to the stream would allow for continued use by wildlife species. Additionally, the PG&E transmission line corridor would continue to provide a wildlife connectivity corridor. To further ensure future development would not have a significant impact to wildlife connectivity, **MM 3.3-1** through **3.3-3** would be required.*

10-P-2.14: Collaborate with developers to maintain, and where feasible establish enhancements to creeks, marshes, wetlands, and riparian corridors in the design of new development.

The proposed Specific Plan establishes envelopes for future development, which preserve stream corridors and riparian habitat within the Plan Area.

10-P-2.15: Protect and restore threatened natural resources, such as wildlife, estuaries, tidal zones, marine life, wetlands, and waterfowl habitat.

As described in response to Policy 10-P-2.8 above, future development would protect and restore biological resources by complying with the East Contra Costa HCP/NCCP requirements. Refer to Section 3.4, Biological Resources, of the PEIR for more detail.

10-P-2.16: Limit dredging and filling of wetlands and marshlands, particularly adjacent to Browns Islands Preserve.

Future development would be encouraged to preserve existing wetlands in the Plan Area as described in response to Policy 10-P-2.14 above. Any dredging or filling of wetlands required by development would be required to adhere to the East Contra Costa HCP/NCCP requirements details in Section 3.4, Biological Resources*, of the PEIR for more detail.*

10-P-2.18: Recognize that climate change impacts may influence future guidance, and best available data, and continue to ensure that up-to-date information is consulted when reviewing projects for potential impacts to biological resources, including the Bay, Delta, and sensitive habitats.

During the development review process, applicants would be required to provide supportive documents for project approval that indicate biological conformance, such as proof of East Contra Costa HCP/NCCP fee payment and copies of regulatory resource agency permits.

10-P-3.1: Require development to use best management practices (BMPs) to minimize the runoff and erosion caused by earth movement.

As described in Section 3.8, Hydrology and Water Quality*, of the PEIR, future development project applicants must develop and implement a Storm Water Pollution Prevention Plan (SWPPP) that includes BMPs to minimize runoff and erosion.*

10-P-3.2: Encourage preservation of natural creeks and riparian habitat as best as possible.

See response to Policy 10-P-2.14 above.

10-P-4.4: Address soil and groundwater pollution during development, redevelopment, and reuse projects.

As discussed in Section 3.8 of the PEIR, impacts to groundwater recharge and stormwater drainage would be evaluated at the project-level in association with subsequent development projects. As future development and infrastructure projects are considered, each project will be evaluated for conformance with the General Plan, PMC, and other applicable regulations.

10-P-4.5: Reduce sedimentation and erosion of waterways by minimizing site disturbance and vegetation removal.

As described in Section 3.8, Hydrology and Water Quality*, of the PEIR, future development project applicants must develop and implement a Storm Water Pollution Prevention Plan (SWPPP) that includes BMPs to minimize sedimentation and erosion of waterways.*

10-P-4.8: Protect water quality by reducing non-point sources of pollution and the dumping of debris in and near creeks, storm drains, and Contra Costa Canal. All drainage from new development should either be directed to an appropriate storm drain system that avoids CCWD facilities and Contra Costa Canal right-of-way, or obtain an encroachment permit from CCWD consistent with Action 10-A-2.h.

As future development and infrastructure projects are considered, each project will be evaluated for conformance with the General Plan, PMC, and other applicable regulations. Implementation of BMPs identified in the approved SWPPP will further protect water quality.

10-P-5.5: Require new development to avoid obstructing views of, and to minimize impacts to, significant visual resources through the following: creative site planning; integration of natural features into the project; appropriate scale, materials, and design to complement the surrounding natural landscape;

clustering of development to preserve open space vistas and natural features; minimal disturbance of topography; and creation of contiguous open space networks.

New development would be required to adhere to the 2040 General Plan policy that supports high quality design to protect visual resources and proposed Specific Plan design guidelines regarding building form, materials, landscaping, and screening. Refer to Section 3.1, Aesthetics and Visual Resources*, of the PEIR for more detail.*

10-P-5.6: Ensure that the visibility of new development from natural features and open space areas is minimized to preserve the landforms and ridgelines that provide a natural backdrop to the open space systems.

Future development would be required to adhere to urban design and resource conservation & open space policies that encourages the preservation of ridgeline views, as described further in Section 3.1, Aesthetics and Visual Resources*, of the PEIR.*

10-P-6.1: Support the principles of reducing air pollutants and greenhouse gas emissions through comprehensive and sustainable land use, transportation, and energy planning and addressing opportunities to decrease emissions associated with local government operations.

Future development is consistent with the City's Sustainability Plan, as described in Section 3.2, and 3.6 of the PEIR. In addition, TDM Plans would be required for future development, as described further in Section 3.13, Transportation and Circulation*, of the PEIR.*

10-P-6.2: Ensure that new development is consistent with the energy objectives and targets identified by the City's Sustainability Plan.

Future development would adhere to the objectives and targets identified by the City's Sustainability Plan, as described in 3.6, Greenhouse Gas Emissions and Energy*, of the PEIR.*

10-P-6.4: Encourage and support infill, mixed use, and higher density development, where appropriate, in order to reduce GHG emissions associated with vehicle travel.

The proposed Specific Plan proposes employment generating uses on an infill site in close proximity to housing and transit.

10-P-6.6: Reduce the generation of TACs such as ozone, carbon monoxide, lead, and particulate matter to work toward improving air quality and meeting all Federal and State ambient air quality standards.

Subsequent development in the Plan Area would be required to adhere to 2040 General Plan policies that limit or avoid the exposure of toxic contaminants, odors, and dust on receptors, with guidance from the Bay Area Air Quality Management District. These policies are further described in Section 3.2, Air Quality*, of the PEIR.*

10-P-6.7: Reduce the potential for human discomfort or illness due to local concentrations of toxic contaminants, odors, and dust.

> *Subsequent development in the Plan Area would be required to adhere to 2040 General Plan policies that limit or avoid the exposure of toxic contaminants, odors, and dust on receptors, with guidance from the Bay Area Air Quality Management District. These policies are further described in Section 3.2,* Air Quality*, of the PEIR.*

10-P-6.9: Coordinate and review at the time of submittal of land use planning applications and development project BMPs and standards to prevent odors and odor complaints

> *Future development would adhere to all applicable standards for project approval, as directed by the City as further described in Section 3.2,* Air Quality*, of the PEIR.*

10-P-6.10: Require and condition all new public and privately constructed buildings to exceed, where feasible, and comply with construction and design standards that promote energy conservation, including the most current "green" development standards in the California Green Building Standards Code.

> *Future development accommodated by the proposed Specific Plan would be required to comply with the current California Building Code at the time of application, including the "CalGreen" code for electric energy conservation, as further described in Section 3.6,* Greenhouse Gases, Climate Change and Energy*, of the PEIR.*

10-P-6.11: Require expanded innovative and green building best practices, where feasible, including, but not limited to, LEED certification for all new development and retrofitting existing uses, and encourage public and private projects to exceed the most current "green" development standards in the California Green Building Standards Code.

> *Future development accommodated by the proposed Specific Plan would be required to comply with the current California Building Code at the time of application, including the "CalGreen" code for electric energy conservation, as further described in Section 3.6,* Greenhouse Gases, Climate Change and Energy*, of the PEIR.*

10-P-6.12: Require and condition construction and operation of new development to be managed to minimize fugitive dust and air pollutant emissions.

> *Future development would adhere to any air quality standards, including minimizing fugitive dust and air pollutant emissions standards during construction and operation, as further described in Section 3.2,* Air Quality*, of the PEIR.*

10-P-6.13: Implement development standards, mitigation measures, and best practices that require energy conservation and the reduction in greenhouse gases, including:

- Require new development to incorporate energy-efficient features through passive design concepts (e.g., techniques for heating and cooling, building siting orientation, street and lot layout, landscape placement, and protection of solar access);

- Require construction standards which promote energy conservation including window placement, building eaves, and roof overhangs;
- Require all projects to meet or, when feasible, exceed the most current "green" development standards in the California Green Building Standards Code;
- Require projects to implement applicable Sustainability Plan strategies and actions;
- Encourage projects to incorporate enhanced energy conservation measures, electric-only appliances, and other methods of reducing energy usage and greenhouse gas emissions; and
- Require large energy users to implement an energy conservation plan, which may include solar or other non-fossil fuel sources to meet the operation's full power demand and 100% fleet electrification, as part of the project review and approval process, and develop a program to monitor compliance with and effectiveness of that plan.

Future development accommodated by the proposed Specific Plan would be required to comply with the current California Building Code at the time of application, including the "CalGreen" code for electric energy conservation, along with other energy conservation measures, as further described in Section 3.6, Greenhouse Gases Emissions and Energy*, of the PEIR.*

SAFETY ELEMENT

Policies

11-P-2.1: Consider climate change impacts and adaptive responses in long-term planning and current development decisions consistent with the policies and programs of the City's Sustainability Plan and Local Hazard Mitigation Plan.

Future development would be required to comply with the City's current Sustainability Plan and Local Hazard Mitigation Plan. More detail on compliance with these plans can be found in Section 3.6, Greenhouse Gas Emissions and Energy*, and 3.7,* Hazards and Hazardous Materials*, of the PEIR.*

11-P-3.4: Ensure that development projects mitigate impacts to the City's storm drainage capacity from storm water runoff occurring from the property. Project applicants shall demonstrate that projects implement Best Management Practices (BMPs) and Low Impact Development measures (LID) to treat stormwater before discharge from the site project and that project implementation would not result in increases in the peak flow runoff to adjacent lands or drainage facilities that would exceed the design capacity of the drainage facility or result in an increased potential for off-site flooding.

Future development within the Plan Area would be required to comply with City grading, erosion, and sediment control standards to reduce and treat stormwater runoff to adjacent lands or drainage facilities. Refer to Section 3.8, Hydrology and Water Quality*, of the PEIR for more detail.*

11-P-3.7: Ensure that new developments comply with all applicable requirements of Municipal Code Chapter 15.80 - Floodplain Management, the California Building Code as adopted by the City, and the latest promulgated FEMA standards for development in the flood hazard areas.

Future development within the Plan Area would be required to comply with all applicable PMC.

11-P-4.7: Ensure that Bay Area Air Quality Management District requirements are implemented in construction projects to reduce soil and particulate matter transport.

Future development within the Plan Area would be required to adhere to best management practices established by the Bay Area Air Quality Management District. See Section 3.2, Air Quality*, of the PEIR for more detail.*

COMMUNITY FACILITIES ELEMENT

Policies

12-P-2.1: Continue water district and user conservation efforts to help reduce demand in light of drought patterns, groundwater management, raw water availability, and the potential for unforeseen shortfalls.

The use of recycled water for future development would be encouraged and considered at the project-level. Furthermore, the proposed Specific Plan outlines guidelines for using drought-tolerant plants.

12-P-2.2: Continue water conservation efforts from industrial facilities, including continued enforcement of the City's water-efficient landscape standards and participation in a wastewater reclamation efforts.

See response to Policy 12-P-2.1 above.

12-P-3.4: Maintain environmentally appropriate wastewater management practices.

Wastewater treatment and conveyance facilities would be evaluated at the project-level in association with subsequent development projects. Future development projects would be subject to compliance review with building code standards of the PMC and other applicable regulations that pertain to wastewater utilities and building standards for plumbing design.

12-P-4.3: Reduce municipal waste generation by increasing recycling, on-site composting, and mulching, where feasible, at municipal facilities, as well as using resource efficient landscaping techniques in new or renovated medians and parks.

Future development projects would be required to comply with Assembly Bill 341, which requires businesses to arrange for recycling services, in order to reuse, recycle, compost or otherwise divert solid waste from disposal. For more detail, refer to Section 3.14, Utilities and Services Systems*, of the PEIR. Furthermore, the proposed Specific Plan includes guidelines for efficient, drought-tolerant landscaping to be incorporated throughout the Plan Area.*

12-P-6.3: Require development in areas of high fire hazard to be designed and constructed to minimize potential losses and maximize the ability of fire personnel to suppress fire incidents.

Future development would be required to adhere to PMC and proposed Specific Plan guidelines related to fire management. These requirements include ensuring adequate defensible space, brush management, landscape design standards, heat island reduction, and overall energy reduction methods to reduce fire risk. See Section 3.15, Wildfires*, of the PEIR for more detail.*

12-P-6.4: Require existing and new development in or adjacent to high and very high fire hazard severity zones, wildland urban interface zones, and State Responsibility Areas to maintain defensible space zones, landscape using native, fire-resistant plants and fire-resistant materials, abate weeds, and, where feasible, harden structures and infrastructure against fires.

See response to Policy 12-P-6.3 above.

12-P-7.4: Reduce the risk of localized and downstream flooding and runoff through the use best management practices to minimize runoff from the site to the storm drainage system, including:

- High infiltration measures, including the maximization of permeable landscape,
- Using permeable surfaces for parking lots, sidewalks, and bike paths,
- Where feasible, using roof runoff as irrigation.

Landscape design standards included in the proposed Specific Plan include buffering the Plan Area from open areas the roadway using landscaping.

NOISE ELEMENT

Policies

13-P-1.2: Require development projects, including new uses, to meet the noise standards.

Future development within the Plan Area would be required to adhere to performance standards (described in Section 3.10, Noise*, of the PEIR) which would bring noise to acceptable noise levels. During development review, applicants would be required to provide evidence that the proposed project can meet standards, and any exceedance would require site-specific construction and operational mitigation plans, per **MM 3.10-1** and **MM 3.10-2**.*

13-P-1.5: Continue efforts to incorporate noise considerations into land use planning decisions, including measures to control noise at the source through site design, building design, landscaping, hours of operation, and other techniques, for new development deemed to be noise generators, and guide the location and design of transportation facilities to minimize the effects of noise on adjacent land uses.

Subsequent development accommodated by the proposed Specific Plan would be required to adhere to performance standards for operational generated noise. If during development review, it is determined that a project would exceed performance standards (described in Section 3.10, Noise*, of the PEIR), a site-specific operational mitigation plan would be required, **MM 3.10-2**. The plan would incorporate noise control techniques to the site-design such as proper site layout that would distance noise generating uses away from sensitive receptors as feasible.*

13-P-1.7: Limit generation of loud noises on construction sites adjacent to existing development to normal business hours between 8:00 AM and 5:00 PM.

Any subsequent development accommodated by the proposed Specific Plan would adhere to PMC, which limits construction noise of 65 dBA to daytime hours only. Furthermore, it is not anticipated that proposed project implementation would require nighttime construction activity.

13-P-1.8: Reduce the impact of truck traffic noise on residential areas by limiting such traffic to appropriate truck routes. Consider methods to restrict truck travel times in sensitive areas.

West Leland Road is a designated Route of Regional Significance and a City designated truck route. Other designated truck routes in the Plan Area proximity include Railroad Avenue and Bailey Road. Truck traffic would primarily use designated truck routes. In addition, as described in Section 3.10, Noise*, of the PEIR, traffic modeling predicts noise impacts along West Leland Road would not increase by 5 dBA.*

13-P-1.12: Require development projects to reduce adverse construction vibration impacts to sensitive receptors, as feasible, when vibration-related construction activities are to occur within 100 feet from existing sensitive receptors. Measures to reduce noise and vibration effect may include, but are not limited to:

- Phase demolition, earth-moving and ground-impacting operations so as not to occur in the same time period.
- The pre-existing condition of all buildings within a 100-foot radius will be recorded in order to evaluate damage from construction activities. Fixtures and finishes within a 100-foot radius of construction activities susceptible to damage will be documented (photographically and in writing) prior to construction. All damage will be repaired back to its pre-existing condition.
- Substituting vibration-generating equipment with equipment or procedures that would generate lower levels of vibration. For instance, in comparison to impact piles, drilled piles or the use of a sonic or vibratory pile driver are preferred alternatives where geological conditions would permit their use.
- Other specific measures as they are deemed appropriate by the implementing agency to maintain consistency with adopted policies and regulations regarding vibration.

Subsequent development within the Plan Area would be required to adhere to performance standards (described in Section 3.10, Noise*, of the PEIR) which would bring construction related noise impacts to acceptable standards, per* ***MM 3.10-1****. During the time of application, applicants must show adherence to performance standards, which include significant source of vibration (impact pile driving, etc.) in relation to acceptable levels. Considering the closest noise-sensitive receptor is 800 feet away, a pile driver would not be a significant source of vibration even at 500 feet away, per Caltrans' vibration thresholds.*

APPENDIX B: LANDSCAPE PLAN (PHASE I ONLY)

ONSITE CONCEPT PLANT SCHEDULE

SHADE TREES (24" BOX MINIMUM) — 133
SELECT PRELIMINARY PLANTS MAY INCLUDE (SUBJECT TO CHANGE):
ACER RUBRUM / RED MAPLE
CEDRUS DEODARA / DEODAR CEDAR
FRAXINUS VELUTINA / VELVET ASH
PISTACIA CHINENSIS / CHINESE PISTACHE
QUERCUS AGRIFOLIA / COAST LIVE OAK
QUERCUS ILEX / HOLLY OAK

ACCENT TREES (24" BOX MINIMUM) — 31
SELECT PRELIMINARY PLANTS MAY INCLUDE (SUBJECT TO CHANGE):
ARBUTUS X 'MARINA' / MARINA STRAWBERRY TREE
CERCIS OCCIDENTALIS / WESTERN REDBUD
GINKGO BILOBA / MAIDENHAIR TREE

SHRUBS AND GROUNDCOVER — 88,851 SF
SELECT PRELIMINARY PLANTS MAY INCLUDE (SUBJECT TO CHANGE):
ARCTOSTAPHYLOS MANZANITA / COMMON MANZANITA
BACCHARIS PILULARIS / COYOTE BRUSH
CALLISTEMON VIMINALIS 'LITTLE JOHN' / LITTLE JOHN WEEPING BOTTLEBRUSH
FRANGULA CALIFORNICA / CALIFORNIA COFFEEBERRY
LOROPETALUM CHINENSE / CHINESE FRINGE FLOWER
MYOPORUM PARVIFOLIUM / TRAILING MYOPORUM
OLEA EUROPAEA 'MONTRA' / LITTLE OLLIE® OLIVE
RHAPHIOLEPIS INDICA / INDIAN HAWTHORN
SAMBUCUS CANADENSIS / AMERICAN ELDERBERRY

ACCENT PLANTINGS — 21,988 SF
SELECT PRELIMINARY PLANTS MAY INCLUDE (SUBJECT TO CHANGE):
DIETES BICOLOR / FORTNIGHT LILY
DIETES IRIDIOIDES / FORTNIGHT LILY
LANTANA MONTEVIDENSIS / PURPLE TRAILING LANTANA
ROSA CALIFORNICA / CALIFORNIA WILD ROSE
ROSMARINUS OFFICINALIS / ROSEMARY

SCREENING — 14,922 SF
SELECT PRELIMINARY PLANTS MAY INCLUDE (SUBJECT TO CHANGE):
CEANOTHUS THYRSIFLORUS / BLUEBLOSSOM
HETEROMELES ARBUTIFOLIA / TOYON
PITTOSPORUM TOBIRA / JAPANESE PITTOSPORUM
RHUS INTEGRIFOLIA / LEMONADE BERRY

STORMWATER TREATMENT BASIN SEED MIX — 115,548 SF
SELECT PLANTS MAY INCLUDE (SUBJECT TO CHANGE):
ACHILLEA MILLEFOLIUM / COMMON YARROW
CAREX BARBARAE / SANTA BARBARA SEDGE
CAREX DIVULSA / EUROPEAN GREY SEDGE
CYPERUS ERAGROSTIS / TALL UMBRELLA SEDGE
ELYMUS GLAUCUS / BLUE WILDRYE
ELYMUS TRITICOIDES / CREEPING WILD RYE
ESCHSCHOLZIA CALIFORNICA / CALIFORNIA POPPY
FESTUCA MICROSTACHYS / SMALL FESCUE
FESTUCA RUBRA / RED FESCUE
HORDEUM BRACHYANTHERUM / MEADOW BARLEY
JUNCUS PATENS / CALIFORNIA GRAY RUSH
LEYMUS CONDENSATUS / GIANT WILD RYE
STIPA PULCHRA / PURPLE NEEDLE GRASS

EROSION CONTROL SEED MIX — 206,182 SF
SELECT PRELIMINARY PLANTS MAY INCLUDE (SUBJECT TO CHANGE):
BROMUS CARINATUS / CALIFORNIA BROME
ELYMUS ARENARIUS 'GLAUCUS' / BLUE LYME GRASS
FESTUCA IDAHOENSIS / IDAHO FESCUE
HORDEUM BRACHYANTHERUM CALIFORNICUM / CALIFORNIA MEADOW BARLEY
LUPINUS BICOLOR / MINIATURE LUPINE
POA SECUNDA / BLUEGRASS
PRUNELLA VULGARIS / SELF-HEAL
SISYRINCHIUM BELLUM / BLUE-EYED GRASS

TURF — 5,794 SF
DELTA BLUEGRASS
90/10 TALL FESCUE MIX

HIGH SECURITY FENCE
AMERISTAR - MONTAGE II
CLASSIC STYLE
8' TALL

OFFSITE CONCEPT PLANT SCHEDULE

SHADE TREES (24" BOX MINIMUM) — 54
SELECT PRELIMINARY PLANTS MAY INCLUDE (SUBJECT TO CHANGE):
ACER RUBRUM / RED MAPLE
CEDRUS DEODARA / DEODAR CEDAR
FRAXINUS VELUTINA / VELVET ASH
PISTACIA CHINENSIS / CHINESE PISTACHE
QUERCUS AGRIFOLIA / COAST LIVE OAK
QUERCUS ILEX / HOLLY OAK

ACCENT TREES (24" BOX MINIMUM) — 14
SELECT PRELIMINARY PLANTS MAY INCLUDE (SUBJECT TO CHANGE):
ARBUTUS X 'MARINA' / MARINA STRAWBERRY TREE
CERCIS OCCIDENTALIS / WESTERN REDBUD
GINKGO BILOBA / MAIDENHAIR TREE

GENERAL LANDSCAPE NOTES

1. THE WORK SHALL BE DONE IN ACCORDANCE WITH THE PLANS AND THE MOST CURRENT EDITION OF THE APPLICABLE CITY AND/OR REGIONAL STANDARDS. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN COPIES OF THESE STANDARDS, SPECIFICATIONS AND DRAWINGS, AS WELL AS ALL OTHER STANDARDS AND SPECIFICATIONS WHICH MAY BE NECESSARY TO COMPLETE AND ACCURATELY INTERPRET THESE PLANS.

2. ALL QUANTITIES LISTED IN THE LANDSCAPE SCHEDULE ARE FOR THE CONVENIENCE OF THE CONTRACTOR. IN THE CASE OF ANY DISCREPANCIES, PLANS SHALL OVERRIDE THE LANDSCAPE AND BID SCHEDULE QUANTITIES. CONTRACTOR SHALL VERIFY QUANTITIES SHOWN ON THE PLANS AND BASE THEIR BID ACCORDINGLY.

3. RESPONSIBILITY FOR ESTABLISHING SUBGRADES IS NOT INCLUDED IN THIS WORK. INSPECT SUBGRADES PRIOR TO COMMENCING WORK TO CONFIRM SUBGRADE DEPTHS AND GRADES. ADVISE LANDSCAPE ARCHITECT OF DISCREPANCIES WITH DRAWINGS OR SPECIFICATIONS. ALL PLANTING AREAS SHALL BE LEFT FREE OF CONSTRUCTION DEBRIS AND/OR TOXIC MATERIAL AND GRADED TO A LEVEL TO PERMIT LANDSCAPE CONSTRUCTION. TRENCHES OR OTHER FILLED EXCAVATIONS SHALL BE COMPACTED PRIOR TO LANDSCAPE INSTALLATION.

4. SITE GRADING NECESSITATED BY THE WORK AS IT PROGRESSES AND NOT SPECIFICALLY CALLED OUT ON THE PLANS WILL BE CONSIDERED INCIDENTAL WORK.

5. ALL LANDSCAPE AREAS SHALL BE UNIFORMLY GRADED SO THAT FINISHED SURFACES CONFORM TO THE TYPICAL SECTIONS AND PROPOSED GRADES SHOWN. FINISHED SURFACES SHALL BE REASONABLY SMOOTH, COMPACTED, AND FREE FROM IRREGULAR SURFACE DRAINAGE. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ESTABLISHING THE FINISH GRADE AND SHALL BEAR FINAL RESPONSIBILITY FOR PROPER SURFACE DRAINAGE OF PLANTED AREAS.

6. AFTER ROUGH GRADING HAS OCCURRED, CONTRACTOR SHALL OBTAIN AN AGRONOMIC SOILS REPORT AND SUBMIT TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO AMENDMENTS AND/OR PLANTING. CONTRACTOR SHALL APPLY RECOMMENDATIONS UNLESS OTHERWISE NOTED BY LANDSCAPE ARCHITECT.

7. BACKFILL MIX SHALL BE PLACED IN 6" LIFTS AND TAMPED INTO PLACE AROUND THE PLANT. NO TRANSPLANTING SHALL BE DONE WHEN SOIL IS EXCESSIVELY WET. DO NOT COUNTERSINK AROUND CACTI OR SUCCULENTS. PROVIDE POSITIVE DRAINAGE AWAY FROM PLANT.

8. ALL TREES SHALL BE PLANTED A MINIMUM OF 5 FEET, ALL SHRUBS AND ACCENTS A MINIMUM OF 24", AND ALL GROUNDCOVERS 18" FROM EDGE OF CURBS, WALKS, WALLS, PADS, ETC., UNLESS DIRECTED OTHERWISE BY THE LANDSCAPE ARCHITECT.

9. EXCAVATE PITS, AS SHOWN ON DRAWINGS AND DETAILS. LOOSEN HARD SUBSOIL IN BOTTOM OF PIT. TEST DRAINAGE OF TREE, SHRUB AND PLANT PITS BY FILLING WITH WATER TWICE IN SUCCESSION. THE RETENTION OF WATER IN PLANTING PITS FOR MORE THAN TWENTY-FOUR (24) HOURS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER'S REPRESENTATIVE. SUBMIT IN WRITING A PROPOSAL FOR THE CORRECTION TO THE OWNER'S REPRESENTATIVE FOR APPROVAL BEFORE PROCEEDING WITH WORK.

10. IF ROCK, UNDERGROUND CONSTRUCTION, ADVERSE DRAINAGE CONDITIONS, OR OTHER OBSTRUCTIONS ARE ENCOUNTERED IN EXCAVATION FOR PLANTING OF ANY PLANT MATERIAL, NOTIFY THE OWNER'S REPRESENTATIVE. NEW LOCATIONS MAY BE SELECTED BY THE OWNER'S REPRESENTATIVE, OR INSTRUCTIONS MAY BE ISSUED TO DIRECT REMOVAL OF OBSTRUCTION. PROCEED WITH WORK ONLY AFTER APPROVAL OF THE OWNER'S REPRESENTATIVE.

11. DO NOT MAKE SUBSTITUTIONS. IF SPECIFIED LANDSCAPE MATERIAL IS NOT OBTAINABLE, SUBMIT PROOF OF NON-AVAILABILITY FROM AT LEAST FIVE SOURCES TO THE OWNER'S REPRESENTATIVE, TOGETHER WITH PROPOSAL FOR USE OF EQUIVALENT MATERIAL FOR FINAL APPROVAL.

12. ALL PLANT MATERIAL AND SPECIFICATIONS TO CONFORM TO THE AMERICAN STANDARD FOR NURSERY STOCK STANDARDS UNLESS OTHERWISE NOTED.

13. LAY OUT INDIVIDUAL TREE AND PLANT LOCATIONS AND AREAS FOR MULTIPLE PLANTINGS, STAKE LOCATIONS AND OUTLINE AREAS AND SECURE THE OWNER'S REPRESENTATIVE'S ACCEPTANCE BEFORE START OF PLANTING WORK. MAKE MINOR ADJUSTMENTS AS DIRECTED.

14. ALL SHRUBS SHALL HAVE A FULL HEAD THAT COVERS THE CAN DIAMETER (CAN FULL) AND A MINIMUM OF THREE STEMS/BRANCHES.

15. FINISH GRADE FOR PLANTED AREAS SHALL BE 1" BELOW ALL CURBS, WALKS AND PAVING WITH SMOOTH EVEN LINES AT EDGES OF STRUCTURES.
16. FINISH LANDSCAPE GRADES SHALL SLOPE AT A 2% GRADE AWAY FROM CURBS, WALKS, AND WALLS.

17. ALL LANDSCAPE AREAS SHALL RECEIVE A 3" DEPTH OF MULCH, UNLESS OTHERWISE NOTED ON THESE PLANS. TREES TO HAVE A 6' DIAMETER RING AROUND TRUNK FREE OF MULCH. MULCH SHALL EXTEND UNDER ALL SHRUBS AND PLANTS. APPLY PRE-EMERGENT HERBICIDE PRIOR TO AND AFTER MULCH INSTALLATION.

18. PROVIDE SAMPLES OF PROPOSED MULCH SHOWING COLOR, GRADATION SIZE RANGE AND TEXTURE INCLUDING PROPOSED SOURCE. PROVIDE 1/2 CUBIC FOOT SAMPLE OF EACH.

19. NO JOB WILL BE CONSIDERED COMPLETE UNTIL ALL CURBS, PAVEMENT AND SIDEWALKS HAVE BEEN SWEPT CLEAN OF ALL DIRT AND DEBRIS ACCORDING TO PLANS.

20. IT IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ANY PERMITS REQUIRED. (SEE THE CITY GENERAL CONDITIONS)

21. ALL CONSTRUCTION ROADS AND COMPACTED AREAS DEVELOPED THROUGH CONSTRUCTION THAT ARE WITHIN THE LANDSCAPE AREAS SHALL BE SCARIFIED AND LOOSENED TO A DEPTH OF 12" PRIOR TO LANDSCAPE AND IRRIGATION WORK BEGINNING.

22. PLANTINGS WITHIN THE SIGHT VISIBILITY TRIANGLE LINE SHALL BE MAINTAINED SO THAT NO LIMBS HANG LOWER THAN SEVEN (7) FEET AND SHRUBS OR OTHER PLANTS PLANTED WITHIN THE SIGHT VISIBILITY TRIANGLE LINE SHALL BE NO TALLER THAN TWO (2) FEET AT FULL GROWTH.

LANDSCAPE ARCHITECT NOTES

1. THE TERM “LANDSCAPE ARCHITECT” USED HEREIN SHALL MEAN THE LANDSCAPE ARCHITECT WHO HAS SIGNED AND SEALED THESE PLANS AND IS IN RESPONSIBLE CHARGE OF THE LANDSCAPE ARCHITECTURE DESIGN. THE TERM “CONTRACTOR” USED HEREIN SHALL MEAN ANY GENERAL CONTRACTOR OR SUBCONTRACTOR USING THESE PLANS. ANY AGENCY SIGNATURE OR APPROVAL ON THESE PLANS DOES NOT CONSTITUTE APPROVAL OF ANY OF THESE NOTES.

2. THE LANDSCAPE ARCHITECT WILL NOT PROVIDE, OBSERVE, COMMENT ON NOR ENFORCE ANY SAFETY MEASURES OR REGULATIONS. THE CONTRACTOR SHALL DESIGN, CONSTRUCT, AND MAINTAIN ALL SAFETY MEASURES AND SHALL BE SOLELY RESPONSIBLE FOR SAME AND COMPLYING WITH ALL LOCAL, STATE AND FEDERAL SAFETY AND HEALTH STANDARDS, LAWS, AND REGULATIONS. THE CONTRACTOR AGREES THAT SHE/HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOBSITE CONDITIONS AND SAFETY OF ALL PERSONS AND PROPERTY DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.

3. THE LANDSCAPE ARCHITECT SHALL HAVE NO RESPONSIBILITY FOR ANY OF THE CONTRACTOR'S MEANS AND METHODS OF CONSTRUCTION, TECHNIQUES, EQUIPMENT CHOICE AND USAGE, SEQUENCE, SCHEDULE, SAFETY PROGRAMS, OR SAFETY PRACTICES, NOR SHALL THE LANDSCAPE ARCHITECT HAVE ANY AUTHORITY OR RESPONSIBILITY TO STOP OR DIRECT THE WORK OF ANY CONTRACTOR.

4. THE CONTRACTOR SHALL DEFEND, INDEMNIFY, AND HOLD THE LANDSCAPE ARCHITECT AND OWNER, THEIR AGENTS AND EMPLOYEES, HARMLESS FROM ANY AND ALL CLAIMS, DEMANDS, JUDGMENTS, LOSS, DAMAGES, COSTS, EXPENSES, FEES OR LIABILITY WHATSOEVER, REAL OR ALLEGED, IN CONNECTION WITH, IN WHOLE OR IN PART, DIRECTLY OR INDIRECTLY, THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE LANDSCAPE ARCHITECT.

5. IF THERE ARE ANY QUESTIONS REGARDING THESE PLANS, THE CONTRACTOR SHALL REQUEST IN WRITING FROM THE LANDSCAPE ARCHITECT AND THE OWNER, AN INTERPRETATION BEFORE DOING ANY RELATED OR IMPACTED WORK.

6. THE CONTRACTOR SHALL TAKE THE NECESSARY STEPS TO PROTECT THE PROPERTY FROM ANY EROSION AND SILTATION THAT RESULT FROM CONTRACTOR OPERATIONS BY APPROPRIATE MEANS UNTIL SUCH TIME THAT THE PROJECT IS COMPLETED AND ACCEPTED FOR MAINTENANCE BY WHOMEVER IS TO BE ULTIMATELY RESPONSIBLE FOR MAINTENANCE.

7. THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES PRIOR TO STARTING WORK NEAR THEIR FACILITIES AND SHALL COORDINATE WORK WITH UTILITY COMPANY REPRESENTATIVES.

8. THE EXISTENCE AND LOCATION OF UNDERGROUND UTILITIES OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED FROM A SEARCH OF READILY AVAILABLE RECORDS. NO REPRESENTATION IS MADE AS TO THE ACCURACY OR COMPLETENESS OF SAID UTILITY INFORMATION. THE CONTRACTOR IS REQUIRED TO TAKE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN HEREON AND ANY OTHERS NOT OF RECORD OR NOT SHOWN ON THESE PLANS. ALL DAMAGES THERETO CAUSED BY THE CONTRACTOR SHALL BE REPAIRED TO THE APPROPRIATE SPECIFICATIONS AND STANDARDS AT THE SOLE EXPENSE OF THE CONTRACTOR.

9. THE LOCATION, ELEVATIONS, SIZE, TYPE AND CONDITION OF EXISTING IMPROVEMENTS ADJACENT TO THE PROPOSED WORK INDICATED ON THESE PLANS SHALL BE CONFIRMED BY THE CONTRACTOR BY FIELD MEASUREMENTS AND OBSERVATIONS PRIOR TO CONSTRUCTION OF NEW WORK. THE CONTRACTOR WILL IMMEDIATELY INFORM THE LANDSCAPE ARCHITECT IN WRITING IF ANY DISCREPANCIES OR CONFLICTING INFORMATION IS FOUND.

10. THE CONTRACTOR SHALL MAKE EXPLORATORY EXCAVATIONS AND LOCATE EXISTING UNDERGROUND FACILITIES AS NEEDED, SUFFICIENTLY AHEAD OF CONSTRUCTION TO PERMIT REVISIONS TO PLANS IF REVISIONS ARE NECESSARY DUE TO THE ACTUAL LOCATION, SIZE, TYPE, OR CONDITION OF EXISTING FACILITIES DIFFERING FROM WHAT IS SHOWN ON THESE PLANS.

11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF ANY DAMAGE TO THE EXISTING IMPROVEMENTS AND REPLACEMENT TO THE SATISFACTION OF THE OWNER.

12. SHOULD CONFLICTING INFORMATION BE FOUND ON THE PLANS THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING IMMEDIATELY BEFORE PROCEEDING WITH THE WORK IN QUESTION.

13. ANYTHING MENTIONED IN THE SPECIFICATIONS, IF ANY, AND NOT SHOWN ON THE DRAWINGS, OR SHOWN ON THE DRAWINGS AND NOT MENTIONED IN THE SPECIFICATIONS, SHALL BE OF LIKE EFFECT AS IF SHOWN OR MENTIONED IN BOTH.

PRELIMINARY STATE OF CALIFORNIA ESTIMATED WATER USE

TOTAL WATER USE IS CALCULATED BY SUMMING THE AMOUNT OF WATER ESTIMATED FOR EACH HYDROZONE. WATER USE FOR EACH HYDROZONE IS ESTIMATED WITH THE FOLLOWING FORMULA:

ESTIMATED TOTAL WATER USE (ETWU) = GAL / YEAR PER HYDROZONE

ET ADJUSTMENT FACTOR (ETAF) =
0.55 ETAF FOR RESIDENTIAL LANDSCAPE
0.45 ETAF FOR NON-RESIDENTIAL LANDSCAPE
0.8 ETAF FOR EXISTING NON-REHABILITATED LANDSCAPE
SPECIAL LANDSCAPE SHALL NOT EXCEED 1.0 ETAF

PLANT FACTOR (PF) = WATER USE CLASSIFICATION OF LANDSCAPE SPECIES

HYDROZONE AREA (HA) = (SF OF LANDSCAPE) OR (32 SF / TREE)

CONVERSION FACTOR (CONVERTS ACRE-INCHES PER ACRE PER YEAR TO GALLONS PER SQUARE FOOT PER YEAR = 0.62

IRRIGATION EFFICIENCY (IE) = 0.75 (OVERHEAD SPRAY) 0.81 (DRIP)

SPECIAL LANDSCAPE AREA (SLA) = SF OF EDIBLE PLANTS, RECREATIONAL AREAS, AREAS IRRIGATED WITH RECYCLED WATER, OR WATER FEATURS USING RECYCLED WATER

EVAPOTRANSPIRATION RATE (ETo) = QUANTITY OF WATER EVAPORATED FROM ADJ. SOIL AND TRANSPIRED BY PLANTS OVER A SPECIFIED TIME

ETWU = [(ETo) * (PF) * (HA) * (0.62)] / (IE)

MAWA = (ETo) * (0.62) [ETAF) * (SUM OF SLA & HA)] + [(1-ETAF) * (SLA)]

HYDROZONE "A" (LOW WATER USE - DRIPLINE) STANDARD LANDSCAPE (ON-SITE)

ETO	PF	HA	CONVERSION FACTOR	IE	SLA	ETWU (GAL/YEAR)
45.30	0.30	152,512	0.62	0.81	-	1,586,463.72

HYDROZONE "B" (LOW WATER USE - ROTATORS) EROSION CONTROL SEED MIX (ON-SITE)

ETO	PF	HA	CONVERSION FACTOR	IE	SLA	ETWU (GAL/YEAR)
45.30	0.30	206,431	0.62	0.75	-	2,319,128.43

HYDROZONE "C" (LOW WATER USE - ROTATORS) STORMWATER TREATMENT SEED MIX (ON-SITE)

ETO	PF	HA	CONVERSION FACTOR	IE	SLA	ETWU (GAL/YEAR)
45.30	0.30	115,548	0.62	0.75	-	1,298,112.45

HYDROZONE "D" (MODERATE WATER USE - BUBBLERS) TREES (ON-SITE)

ETO	PF	HA	CONVERSION FACTOR	IE	SLA	ETWU (GAL/YEAR)
45.30	0.40	7,168	0.62	0.81	-	99,417.51

HYDROZONE "E" (HIGH WATER USE - ROTORS) TURF (ON-SITE)

ETO	PF	HA	CONVERSION FACTOR	IE	SLA	ETWU (GAL/YEAR)
45.30	0.60		0.62	0.75	6,318	141,957.88
ESTIMATED TOTAL WATER USE (GAL/YEAR)						**5,303,122.10**

MAXIMUM APPLIED WATER ALLOWANCE (MAWA)

ETO	SUM OF HA	CONVERSION FACTOR	ETAF	SUM OF SLA	MAWA(GAL/YEAR)
45.30	481,659.00	0.62	0.45	6,318.00	6,264,990.95
MAXIMUM APPLIED WATER ALLOWANCE (GAL/YEAR)					**6,264,990.95**
MAXIMUM APPLIED WATER ALLOWANCE PERCENT OF ESTIMATED TOTAL WATER USE					**84.65%**

APPENDIX C: MITIGATION MONITORING AND REPORTING PROGRAM

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a "mitigated negative declaration" or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Pittsburg Technology Park Specific Plan (proposed Specific Plan, or proposed project). The intent of the MMRP is to ensure implementation of the mitigation measures identified within the Final Program Environmental Impact Report (PEIR) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the PEIR for the Pittsburg Technology Park Specific Plan prepared by the City of Pittsburg. This MMRP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the EIR that was prepared for the proposed project.

The PEIR presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments

The intent of the MMRP is to ensure the implementation of adopted mitigation measures by applicants during the design, permitting and construction phases of future development within the Plan Area. The MMRP provides for design measures that will be implemented during final engineering and confirmed during plan check for each phase of development within the Plan Aera. The MMRP also will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Pittsburg. The table attached to this report identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The City will be responsible for monitoring compliance.

During construction of future development within the Plan Area, the City will assign an inspector(s) who will be responsible for field monitoring of mitigation measure compliance. The inspector(s) will report to the City Planning Department and will be thoroughly familiar with permit conditions and the MMRP.

MITIGATION MONITORING AND REPORTING PROGRAM

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

Mitigation Monitoring and Reporting Program - Pittsburg Technology Park Specific Plan

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
SECTION 3.2, AIR QUALITY					
3.2-2	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard	**MM 3.2-1** Prior to approval of subsequent development applications by the Zoning Administrator, applicants shall provide a project-level construction air quality analysis to determine the significance of air quality impacts. Specific construction activities shall be compared to BAAQMD screening criteria to determine if a more detailed emissions analysis is required to determine significance. If a quantitative analysis of emissions during project construction is required, the estimated emissions shall be compared to BAAQMD significance thresholds. Mitigation measures necessary to reduce any significant impacts shall be developed in coordination with the BAAQMD and shall include BAAQMD's basic best management practices for construction-related fugitive dust emissions as follows: • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt trackout onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is 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 possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.	City of Pittsburg Community Development Department	Prior to approval of subsequent development applications	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		• All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph. • All trucks and equipment, including their tires, shall be washed off prior to leaving the site. • Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel. • Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.			
		MM 3.2-2 Prior to issuance of a grading permit, the project applicant shall show on the grading plans via notation that the contractor shall ensure that all offroad heavy-duty diesel-powered equipment larger than 100 horsepower (e.g., rubber tired dozers, excavators, graders, scrapers, pavers, paving equipment, and cranes) to be used for each phase of construction of the project (i.e., owned, leased, and subcontractor vehicles) shall meet USEPA emissions standards for Tier 4 engines or equivalent. The grading plans shall be submitted for review and approval by the City Engineer.	City Engineer	Prior to issuance of a grading permit	
		MM 3.2-3 To minimize emissions of fugitive dust, future development shall be required to implement the following enhanced best management practices, which shall be notated on grading plans prior to approval:	City of Pittsburg Community Development Department	Prior to approval of subsequent development applications	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		1. Limit the simultaneous occurrence of excavation, grading, and ground-disturbing construction activities. 2. Install wind breaks (e.g., trees, fences) on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity. 3. Plant vegetative ground cover (e.g., fast-germinating native grass seed) in disturbed areas as soon as possible and watered appropriately until vegetation is established. 4. Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent. 5. Minimize the amount of excavated material or waste materials stored at the site. 6. Hydroseed or apply non-toxic soil stabilizers to construction areas, including previously graded areas, that are inactive for at least 10 calendar days. Due to the potential for full project buildout to include land use types that generate diesel truck trips beyond what was estimated in the CalEEMod modeling analysis, the following conditional mitigation measure may be required.			
		MM 3.2-4 If a future development application includes a land use type that would generate diesel truck trips during project operation (such as logistics and warehousing), then prior to approval by the zoning administrator, a project-level air quality analysis shall be performed in conformance with General Plan Actions 2-A-4.b. and c. The analysis shall include, but not be limited to, quantification of operational criteria air pollutant emissions, a determination of operational air quality impacts, and identification of mitigation measures necessary to reduce any significant impacts.	City of Pittsburg Community Development Department	Prior to approval of subsequent development applications	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
3.2-3	Expose sensitive receptors to substantial pollutant concentrations	**MM 3.2-5** If a future development application includes a land use type that would generate diesel truck trips during project operation (such as logistics and warehousing), then prior to approval by the Zoning Administrator, then a Health Risk Assessment (HRA) shall be performed in conformance with 2040 General Plan Action 2-A-4.c . The analysis shall evaluate potential impacts from directly emitted TAC and PM2.5, as specified in Chapter 5 of BAAQMD's 2022 CEQA Guidelines. The guidelines recommend a tiered approach where at each successive step, the project's impacts (i.e., annual PM2.5 concentrations, cancer risks, and hazards), and the combined cumulative impacts from surrounding sources and the project, are compared to the appropriate thresholds of significance. Projects shall not be approved until it can be demonstrated that the project would not result in exceedance of the established thresholds of significance for public health risks at nearby sensitive receptors.	City of Pittsburg Community Development Department	Prior to approval of subsequent development applications	
3.3 BIOLOGICAL RESOURCES					
3.3-1	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service	**MM 3.3-1** Each applicant will be required to obtain coverage for the project under the East Contra Costa HCP/NCCP. This shall include submittal of all required application materials per HCP/NCCP Section 6.2.1 and payment of a Development Fee and applicable fees for wetland impacts and/or stream corridor encroachments consistent with current HCP/NCCP requirements. Alternatively, the applicant may, in accordance with the terms of PMC Section 15.108, offer to dedicate land in lieu of some or all of the HCP/NCCP Development Fee. All applicable fees shall be paid, and/or an "in-lieu-of-fee" agreement fully executed, prior to the issuance of a grading permit for the project. If a grading permit is not required, fee payment and/or an "in-lieu-of-fee" agreement shall be fully executed prior to issuance of the project's building permit. Proof of applicable fees and/or "in-lieu-of-fee" agreement shall be provided to the City of Pittsburg Community Development	City of Pittsburg Community Development Department East Contra Costa County Habitat Conservancy	Prior to issuance of a grading permit	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		Director as a condition of approval for future projects under the Specific Plan.			

		MM 3.3-2 Each applicant will be required to provide Worker Environmental Awareness training to all construction personnel. The WEAP shall include the following information.
		• The sensitive habitats on the study area.
		• Special-status species known or potentially present on the site, including their:
		  ○ Listing status and causes of decline,
		  ○ Habitat preferences, and
		  ○ Distinguishing physical characteristics.
		• The measures (AMMs and East Contra Costa HCP/NCCP measures) required to protect sensitive habitats and special-status species, including next steps and notifications in the event of a special-status species sighting.
		The WEAP shall include a hard copy handout that summarizes information presented in the training and includes photographs of habitat resources and species to facilitate identification in the field by construction personnel.
		Each applicant shall ensure that all construction personnel undergo WEAP training before they begin work. Training shall be delivered by a qualified biologist approved by the City of Pittsburg Community Development Director and shall be provided bilingually in English and Spanish if appropriate.
			City of Pittsburg Community Development Department	Prior to issuance of a grading permit	

		MM 3.3-3 Each applicant shall ensure that the project adheres to all applicable East Contra Costa HCP/NCCP requirements. **<u>Pre-Construction Surveys</u>**	City of Pittsburg Community Development Department	Prior to issuance of a grading permit	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		Planning surveys per HCP/NCCP Section 6.3.1 were completed in 2018 – 2023. Based on the outcomes of the planning surveys, preconstruction surveys by USFWS- and CDFW-approved biologists shall be conducted for the following species per HCP/NCCP Sections 6.3.2: • Golden Eagle • Burrowing Owl • Swainson's Hawk • San Joaquin kit fox If preconstruction surveys determine that any of the above species is present on the site (or, for the bird species, within a distance where they could be disturbed by construction activity), the biologist may recommend construction monitoring; if so, then each applicant shall ensure that monitoring is conducted per HCP/NCCP Section 6.3.3. This will include submittal of a Construction Monitoring Plan (CMP) to the East Contra Costa County Habitat Conservancy for approval; the CMP must be submitted and approved prior to issuance of the grading permit (or, if no grading permit is required, the building permit) for the proposed project. Based on results of the planning surveys, which indicate that no suitable habitat is available on the study area, preconstruction surveys and construction monitoring are not required for the following species: • Covered shrimp species • Giant garter snake • Townsend's big-eared bat **Jurisdiction Delineations** A delineation of jurisdictional wetlands and other waters shall be conducted on the project site per HCP Sections 6.2.1 and 6.3.1.	East Contra Costa County Habitat Conservancy		

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		Each applicant shall also comply with all applicable provisions of East Contra Costa HCP/NCCP Section 6.4, Specific Conditions on Covered Activities, as follows: • **Section 6.4.1: Landscape-Level Measures** o Conservation Measure 1.10 – Maintain Hydrologic Conditions and Minimize Erosion o Conservation Measure 1.11 – Avoid Direct Impacts on Extremely Rare Plants, Fully Protected Wildlife Species [and] Covered Migratory Birds o Conservation Measure 1.7 – Establish Stream Setbacks o Conservation Measure 1.14 – Design Requirements for Covered Roads outside the UDA • **Section 6.4.2: Natural Community–Level Measures** o Conservation Measure 2.12 – Wetland, Pond, and Stream Avoidance and Minimization • **Section 6.4.3: Species-Level Measures for the following species** o California tiger salamander o Burrowing Owl o Golden Eagle o Swainson's Hawk o San Joaquin kit fox o California Red-legged Frog			
		MM 3.3-4 Rare Plant Survey & Protection	City of Pittsburg Community Development	If project construction begins in 2025 or later;	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		MM 3.3-4a If project construction begins in 2025 or later, an updated protocol-level rare plant survey shall be conducted by a qualified biologist/botanist who is familiar with the rare plants of the project region and has been approved by the City of Pittsburg Community Development Director. Surveys shall be conducted prior to construction, with enough lead time to allow for the follow-up actions described below, if they are warranted. Surveys shall be conducted during the peak blooming periods of the target species and shall cover all potentially suitable habitats within the study area and surrounding 250-foot-wide buffer. Target species and blooming periods are listed in the table below; the table is highlighted to group species with similar blooming periods. If no special-status plants are documented within the area to be disturbed for project construction (including staging and access), no further action is required. **MM 3.3-4b**. If special-status plants covered by the East Contra Costa HCP/NCCP, or plants designated as "no take" by the East Contra Costa HCP/NCCP, are present on the site, the relevant survey report(s) shall be submitted to the East Contra Costa Habitat Conservancy per HCP/NCCP Section 6.3.1. If any of the following species covered by the East Contra Costa HCP/NCCP is found to be present, each applicant shall promptly notify the East Contra Costa County Habitat Conservancy of the species' presence and the planned construction schedule, to enable the East Contra Costa County Habitat Conservancy to salvage the occurrence(s) in accordance with HCP/NCCP Conservation Measure 3.10 (Plant Salvage when Impacts Are Unavoidable). Each applicant shall confirm with the East Contra Costa County Habitat Conservancy that the take limits established by the HCP/NCCP for the species in question have not been breached: • Big tarplant • Mount Diablo fairy lantern • Diablo helianthella	CDFW East Contra Costa County Habitat Conservancy	Prior to construction	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		• Showy golden madia • Adobe navarretia Under no circumstance shall any of the following HCP/NCCP "no-take" plants be harmed: • Large-flowered fiddleneck • Alkali milkvetch • Mt. Diablo buckwheat • Diamond-petaled poppy • Contra Costa goldfields • Caper-fruited tropidocarpum Due to their extreme rarity, none of these species are expected to be present within the Plan Area, but if any of them are found, each applicant shall notify the East Contra Costa County Habitat Conservancy immediately and shall work with the Conservancy to determine and execute the appropriate course of action. **MM 3.3-4c** If any special-status plant not covered by the East Contra Costa HCP/NCCP is found to be present, the occurrence(s) shall be avoided and protected in place to the extent feasible. If the occurrence(s) cannot be entirely avoided, then a Plant Salvage and Mitigation Plan shall be prepared and implemented. The Plan shall be prepared by a qualified biologist/botanist who is familiar with the rare plants of the project region and has experience conducting rare plant salvage operations. Plant salvage techniques shall be consistent with those outlined in HCP/NCCP Conservation Measure 3.10. The plan shall, at a minimum, include the following. • Quantity and species of plants to be planted or transplanted • Location of the mitigation/transplant site(s)			

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		• Salvage methods, such as relocation/transplantation, seed collection, etc., including storage locations and methods to preserve the plants • Procedures for propagating collected seed, including storage methods • Planting procedures, including the use of soil preparation and irrigation • Schedule and action plan to maintain and monitor the mitigation/transplant site for a minimum 3-year period • Interim and final success criteria and corrective action thresholds (e.g., growth, plant cover, survivorship) • Potential corrective actions/contingency measures in the event interim success criteria are not being met (e.g.., weed removal, supplemental irrigation, supplemental plantings, etc.). • Reporting requirements and procedures, including the contents of annual progress reports, report submittals, review/approval responsibilities, etc. Each applicant shall be responsible for ensuring that the Plant Salvage and Mitigation Plan is implemented. The Plan shall be implemented under the oversight of the biologist/botanist who prepared it or another individual with equivalent qualifications. The biologist shall be approved by the City of Pittsburg Community Development Director.			
		MM 3.3-5 No more than one year prior to the initiation of vegetation removal and grading in the project area, each applicant shall retain an appropriately qualified biologist (see next	City of Pittsburg Community Development	No more than one year prior to the initiation of	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		paragraph) who has been approved by the City of Pittsburg Community Development Director to conduct surveys for Crotch bumble bee, obscure bumble bee, and American bumble bee. Biologist qualifications for bumble bee surveys will conform to current CDFW guidance prevailing at the time surveys are performed. Surveys shall be performed by a qualified entomologist familiar with the species' behavior. If surveys are performed prior to CESA (and if applicable, ESA) listing for any species, they shall comprise the following activities, consistent with CDFW's Survey Considerations for CESA Candidate Bumble Bee Species. In the event any bumble bee species is listed at the time of survey, surveys will instead adhere to the protocol(s) adopted by the listing agency/agencies (CDFW and/or USFWS). • Surveys shall be conducted during each species' peak worker activity period. Surveys shall cover all areas of onsite habitat determined by the biologist to be suitable for any of the three target bumble bee species, based on habitat mapping conducted for the project to date. A minimum of three to four surveys shall be conducted, spaced two weeks apart; the total number, timing, and duration of surveys performed shall depend on the biologist's judgment, in consideration of weather, site conditions, and protocol requirements. Surveys shall be designed to identify all foraging bumble bee species; a single survey may be used to detect all species with peak activity periods including the survey date. • If Crotch bumble bee, obscure bumble bee, or American bumble bee is observed onsite during the surveys, an additional survey or surveys shall be conducted to determine whether a nest or colony is present, unless the biologist is satisfied that the initial survey(s) were sufficient to rule out the presence of nests/colonies. • If a nest or colony is present onsite, the biologist shall establish an appropriate avoidance buffer determined	CDFW USFWS	vegetation removal and grading	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		in consideration of site conditions, the species involved, and the construction activities planned prior to the close of the nesting season. No entry into the buffer shall be permitted. The buffer shall be delineated in the field using orange construction fencing or another appropriate medium, under the biologist's oversight, and shall remain in place until the end of the nesting species' gyne flying season, or until the qualified biologist determines that the nest has been abandoned. • If no nest/colony is present onsite, no further action will be taken. However, all workers shall be required to avoid injury and mortality to bumble bees they may encounter; this requirement shall be discussed during the WEAP training and shall be reiterated to all workers if special-status bumble bees are confirmed onsite. • To support improved understanding and conservation of all three bumble bee species, survey results, including negative findings, shall be submitted to CDFW prior to implementing project-related ground-disturbing activities. At a minimum, the survey report shall include the following information. 1. A description and map of the survey area, focusing on areas that could provide suitable habitat for Crotch bumble bee, obscure bumble bee, or American bumble bee 2. Field survey conditions, including name(s) of qualified entomologist(s) and brief qualifications; date(s) and time(s) of survey; survey duration; general weather conditions; survey goals; and species searched 3. Map(s) showing the location of nests/colonies, if any A description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions where each nest/colony is			

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		found, including native plant composition (e.g., density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species) 5. The measures that will be implemented to avoid adverse effects on the bumble bee species present 6. An assessment of potential project effects on special-status bumble bees during project construction and project operation/maintenance, with avoidance and minimization measures in place.			
		MM 3.3-6 The following measures will be required to protect monarch butterflies prior to ESA (and, if applicable, CESA) listing. In the event monarch butterfly is ESA- and/or CESA-listed at the time of project construction, monarch butterfly protection requirements will instead adhere to the protocol(s) adopted by the listing agency/agencies (CDFW and/or USFWS). • No more than two days prior to the initiation of vegetation trimming or removal for construction, each applicant shall ensure that a qualified biologist approved by the City of Pittsburg Community Development Director surveys all areas of potentially suitable habitat for monarch butterfly larval host plants. • If host plants are found, the biologist shall survey all host plants for monarch eggs, larvae, and pupae. If no eggs, larvae, or pupae are found, plants may be removed within two days. If eggs, larvae, or pupae are present, host plants shall be protected in place until the biologist has determined that no more eggs, larvae, or pupae are present.	City of Pittsburg Community Development CDFW USFWS	Prior to construction	
		MM 3.3-7 The following measures will be required to protect western pond turtles prior to ESA (and, if applicable, CESA) listing. In the event western pond turtle is ESA- and/or CESA-listed at the time of project construction, western pond turtle protections will	City of Pittsburg Community Development CDFW	Prior to construction	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		instead adhere to the protocol(s) adopted by the listing agency/agencies (CDFW and/or USFWS). • Prior to the start of construction activities, each applicant shall ensure that a qualified biologist approved by the City of Pittsburg Community Development Director conducts a pedestrian preconstruction survey of the study area and adjacent suitable habitat for western pond turtle. • The survey shall be conducted no more than 24 hours prior to start of work and shall include walking the work area limits and interior and investigating all areas that could be used by the species. • If western pond turtle individuals are found, the biologist shall relocate them to suitable habitat outside the disturbance area and far enough away that they would not be expected to return. • If the biologist determines that it is warranted, exclusion measures shall be implemented to prevent individuals returning to the active work site. The same requirements will apply for operations and maintenance activities with the potential to affect western pond turtle habitat.	USFWS		
		MM 3.3-8 If project-related disturbance (e.g., vegetation removal or trimming, clearing/grubbing, grading) commences any time during the nesting/breeding season of native bird species potentially nesting in or near the Plan Area (February 1 – August 31 for most species; January 1 through August 31 for Golden Eagle; March 15 – September 15 for Swainson's Hawk), a preconstruction survey for nesting birds shall be conducted by a qualified biologist approved by the City of Pittsburg Community Development Director, using binoculars. The survey shall take place no more than two weeks prior to the initiation of work.	City of Pittsburg Community Development CDFW East Contra Costa County Habitat Conservancy	During construction if it is during nesting/breeding season of native bird species	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		If active nests are found in areas that could be directly affected or are within 300 feet of disturbance activities and would be subject to prolonged noise, a no-disturbance buffer zone shall be created around active nests for the remainder of the breeding season or until the biologist determines that all young have fledged or that the nest has been abandoned. No entry into the no-activity buffer shall be permitted. The no-activity buffer shall be delineated in the field by or under the supervision of the biologist, using temporary construction fencing or another suitable low-impact medium. The size of the buffer zone(s) shall be determined by the biologist based on the species involved, the amount of vegetative and other screening between the nest and areas where construction activity shall take place, and, if appropriate, other site-specific factors. The minimum buffer width shall be 50 feet for species other than raptors, and a minimum of 500 feet for raptor species other than Golden Eagle and Swainson's Hawk, and may be enlarged by taking into account factors such as the following: • Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity. • Sensitivity of nesting species and behaviors of the individual nesting birds. If nesting Swainson's Hawk or Golden Eagle are observed, buffers and other avoidance measures shall conform to Species-Level Measures for these species as laid out in East Contra Costa HCP/NCCP Section 6.4.3. or current CDFW requirements, whichever is greater.			
		MM 3.3-9 The following requirements apply to construction and to operations and maintenance that involves disturbance that could affect nesting activity, such as vegetation removal or trimming, clearing/grubbing, and grading. Bald Eagle nests may be built throughout the year. Consequently, each applicant shall retain a qualified biologist approved by the	City of Pittsburg Community Development East Contra Costa County Habitat Conservancy	Prior to initial or subsequent construction activities	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		City of Pittsburg Community Development Director to conduct a preconstruction survey for nesting Bald Eagles prior to the initiation of work at the site (including vegetation removal or trimming, clearing/grubbing, grading, etc.). The survey shall be conducted using binoculars and shall take place no more than two weeks prior to the initiation of work. If an occupied or active nest is present, construction-related activity shall be prohibited within 0.5 mile of the nest unless site-specific conditions or the nature of the construction activity (e.g., dense vegetation, limited noise generation, limited activities) indicate that a smaller buffer could be appropriate or that a larger buffer should be implemented. The biologist shall coordinate with the East Contra Costa County Habitat Conservancy, CDFW, and USFWS to determine the appropriate buffer size. The nest buffer shall be delineated in the field using temporary construction fencing or another suitable low-impact medium. Buffer fencing shall be placed only on the Plan Area; the buffer shall not be put in place on neighboring properties not involved in project construction and staging. Construction shall be monitored by a qualified biologist to ensure that the buffer remains in place and that no construction activities occur within the buffer zone until the biologist has determined that the young have fledged or that the nest has been abandoned.	CDFW USFWS		
		MM 3.3-10 Prior to the initiation of any activity that could disturb roosting bats (including vegetation trimming/removal, surveys involving the use of lasers that produce high-frequency sounds, drilling, or other activity producing high-frequency sounds, a qualified biologist (as stipulated in Section 5 of H.T. Harvey & Associates 2019, and subject to approval by the City of Pittsburg Community Development Director) shall conduct a habitat evaluation for special-status bats, focusing on the needs of pallid bat, western red bat, and hoary bat, the species identified by planning surveys as having potential to be present on the site. For purposes of this AMM, high frequency sound is defined as sound	City of Pittsburg Community Development Department CDFW	Prior to the initiation of any activity that could disturb roosting bats	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		in the 20 kHz – 50 kHz frequency range, based on bat disturbance information in California Department of Transportation (Caltrans) bat mitigation guidelines (ibid). If Caltrans guidance is updated, or if frequency sensitivity information relevant to the bat species with potential to occur becomes available prior to project construction, this definition shall be updated accordingly. Surveys shall include the entirety of the study area plus a 400-foot-wide buffer. If no roosting habitat suitable for these species is present on the study area, no further action is required. If roosting habitat is present, the following additional requirements shall apply. Any potential roost trees/other potential roosting habitat shall also be considered potential bat maternity roosts. • Before any activities with the potential to disturb roosting bats begin, the approved biologist(s) shall conduct focused surveys for roost occupancy. These shall be conducted at least two weeks prior to the start of work and shall include: o Daytime visual surveys for bats and evidence of bat presence such as guano or urine staining o Evening emergence and acoustic surveys If bat presence is confirmed, the species, number of individuals, and roost type (maternity/non-maternity) shall be documented and reported to the CNDDB. Bats shall not be disturbed or relocated during the surveys. • Confirmed non-maternity roosts shall be protected by buffers. Buffers shall be delineated in the field with temporary construction fencing or another suitable measure, installed under biologist oversight. Note that buffer distances vary depending on the species and the type of noise/disturbance involved. (If bat species other than those addressed here are encountered, buffer distances shall be consistent with H.T. Harvey & Associates 2019). The biologist shall coordinate with			

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		construction staff to determine the appropriate buffer width; if there is uncertainty, the more conservative buffer width shall prevail. If a confirmed roost must be removed or trimmed for construction, or if work must occur within the buffers laid out above, work shall be restricted to daylight hours when the CDFW approved biologist has confirmed that it the roost is not occupied and shall be overseen by the biologist to prevent injury or mortality. The biologist shall have authority to divert or stop work in the event of excessive risk to bats. • Confirmed maternity roosts shall be protected by the same buffers identified above. Maternity roosts shall not be removed unless removal cannot be avoided, and in no case shall a confirmed maternity roost be removed during the breeding/non-volant season (April – August). If removal of a maternity roost is necessary, each applicant shall consult with CDFW to determine appropriate compensatory mitigation such as the provision of bat boxes and shall submit a Bat Habitat Mitigation Plan for DFW approval. Consultation and submittal of the Mitigation Plan shall occur prior to the removal, and the removal shall not take place until CDFW has approved the Plan. Each applicant shall then be responsible for implementing CDFW-approved mitigation for removal of bat maternity roost habitat.			
		MM 3.3-11 Vegetation removal, clearing/grubbing, and grading activities shall be conducted in a uniform direction to allow mobile animals such as San Joaquin pocket mouse the ability to escape the disturbance area into adjacent undisturbed habitat. Project construction shall also avoid the creation of fragmented islands of habitat where individuals may become trapped, isolated from resources, and at risk from eventual clearing/grading operations.	City of Pittsburg Community Development Department	During construction	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		MM 3.3-12 Each applicant shall ensure that a qualified biologist approved by the City of Pittsburg Community Development Director conduct a preconstruction survey for American badger den sites. The survey shall be conducted no more than four weeks before the commencement of ground disturbance. If an occupied den is found, and young are not present, then any badgers present shall be removed from the den either by the use of appropriate exclusionary devices or by trapping and relocation. The removal method shall be approved by CDFW prior to implementation; if trapping and relocation are used, it shall be carried out by biologist(s) with all required permits for badger handling. Any trapped badgers shall be relocated to other suitable habitat at least 500 feet outside the study area boundary. Once any badgers are excluded or trapped and relocated, den(s) shall be excavated by hand and backfilled to prevent reoccupation. Exclusion shall continue until the badgers are successfully removed from the site, as determined by the biologist. Badgers shall not be excluded or relocated if it is determined by the biologist that young are or may be present. Any occupied dens shall be protected with a 50-foot-wide no-activity buffer. The buffer shall be delineated in the field by a qualified biologist, using temporary construction fencing or another appropriate low-impact medium, and shall remain in place until the biologist has determined that the young are no longer dependent on their mother and the den site. No entry into the buffer area shall be permitted.	City of Pittsburg Community Development Department	No more than four weeks before commencement of ground disturbance	
3.3-2	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of	Implement **MM 3.3-1** through **MM 3.3-3**, as described above.	See **MM 3.3-1** through **MM 3.3-3**.	See **MM 3.3-1** through **MM 3.3-3**.	

Impact Number	*Impact*	*Mitigation Measure*	*Monitoring Agency*	*Implementation Schedule*	*Sign-off*
	Fish and Wildlife or U.S. Fish and Wildlife Service				
3.3-3	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means	Implement **MM 3.3-1** through **MM 3.3-3**, as described above.	See **MM 3.3-1** through **MM 3.3-3**.	See **MM 3.3-1** through **MM 3.3-3**.	
3.3-4	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites	Implement **MM 3.3-1** through **MM 3.3-3**, as described above.	See **MM 3.3-1** through **MM 3.3-3**.	See **MM 3.3-1** through **MM 3.3-3**.	
3.3-6	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan	Implement **MM 3.3-1** through **MM 3.3-3**, as described above.	See **MM 3.3-1** through **MM 3.3-3**.	See **MM 3.3-1** through **MM 3.3-3**.	
3.4 Cultural and Tribal Resources					
3.4-2	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5	**MM 3.4-1** Prior to construction, all workers regardless of location, shall receive cultural resource awareness training. The training program should be developed by a Qualified Professional Archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards for archaeology and shall include relevant information regarding sensitive cultural resources and tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of	City of Pittsburg Community Development Department	Prior to construction	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		violating state laws and regulations. It should also describe appropriate avoidance and impact minimization measures for cultural resources and tribal cultural resources that may be located within the Plan Area and provide guidance on procedures to follow if any cultural resources or TCRs are encountered.			
		MM 3.4-2 All ground-disturbing activities proposed within the Plan Area shall be monitored by a Qualified Professional Archaeologist who meets or works under the direct supervision of someone who meets the Secretary of the Interior's Professional Qualifications Standards for prehistoric and historic archaeology. All ground-disturbing activities proposed within the Plan Area shall also be monitored by Qualified Native American Monitor. In the event that cultural resources are observed, all work must stop within the immediate vicinity of the find, and the Qualified Professional Archaeologist shall prepare and implement a resource mitigation plan and monitoring program.	City of Pittsburg Community Development Department	During ground-disturbing activities	
		MM 3.4-3 If an inadvertent discovery of tribal cultural resources, archaeological artifacts, other cultural resources, or human remains are discovered during construction within the Plan Area, all work must halt within a 100-foot radius of the discovery. The Qualified Professional Archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications and procedures shall apply: • If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and no agency notifications are required. • If the Qualified Professional Archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, the Qualified	City of Pittsburg Community Development Department	During construction	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		Professional Archaeologist shall immediately evaluate the find pursuant to Public Resources Code Section 21083.2. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for determining California Register of Historical Resources eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work may be warranted, such as data recovery excavation, to mitigate any significant impacts to significant resources. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA or a Historic Property under Section 106; or 2) that the treatment measures have been completed to their satisfaction. Any reports required to document and/or evaluate unanticipated discoveries shall be submitted to the City of Pittsburg for review and approval and submitted to the Northwest Information Center in Sonoma State after completion. Recommendations contained within prepared reports shall be implemented throughout the remainder of ground disturbance activities. • If the find represents a Native American or potentially Native American resource that does not include human remains, then the Qualified Professional Archaeologist shall notify the City of Pittsburg, a Native American Representative from the Wilton Rancheria tribe, and the NAHC shall be contacted to ensure that the Most Likely Descendant (MLD) can assess the find. The City of Pittsburg shall consult with the tribes on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines. If the deposit is eligible, the project shall attempt to feasibly avoid damage to the			

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		deposit (e.g., redesign or capping). If avoidance is not feasible, the archaeologist shall, in consultation with the MLD and City, develop and implement a plan to recover the scientifically consequential data represented by the deposit in a manner respectful of tribal concerns. Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the site either: 1) is not a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to the agencies satisfaction. A report of the finds or any resource evaluation and/or data recovery efforts shall be submitted to City of Pittsburg for review and approval and submitted to the Northwest Information Center in Sonoma State as a condition for access to its archives. • If the find includes human remains, or remains that are potentially human, the Qualified Professional Archaeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The Qualified Professional Archaeologist shall notify the City of Pittsburg Development Services Director, a Native American Representative from the Wilton Rancheria tribe, and the Contra Costa County Coroner (per § 7050.5 of the Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the coroner determines the remains are Native American origin and not the result of a crime scene, the coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) for the Project (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the			

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
		remains. If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinternment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the agencies, through consultation as appropriate, determine that the treatment measures have been completed and are approved by the Development Services Director.			
3.4-3	Lead to the disturbance of any human remains	Implement **MM 3.4-3**, as described above.	See **MM 3.4-3**.	See **MM 3.4-3**.	
3.4-4	Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or a resource determined by the lead agency	Implement **MM 3.4-1** through **3.4-3**, as described above.	See **MM 3.4-1** through **3.4-3.**	See **MM 3.4-1** through **3.4-3.**	
3.5 GEOLOGY AND SOILS					
3.5-6	Directly or indirectly destroy a unique paleontological resource	**MM 3.5-1** At the time of application for site specific development within the Plan Area, the Applicant shall retain a Project Paleontologist to develop a Paleontological Resources Mitigation	City of Pittsburg Community Development	Prior to issuance of a grading permit	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
	or site or unique geologic feature	and Monitoring Plan. The Plan shall outline preconstruction coordination, monitoring procedures, emergency discovery procedures, sampling and data recovery, museum storage coordination with an accredited institution or facility for any specimen and data recovered, and final reporting.	Department		
		MM 3.5-2 Prior to the start of construction, the Project Paleontologist or a qualified paleontological monitor shall provide all construction personnel involved with earthmoving activities an environmental awareness training that will provide information on the possibility of encountering fossils during construction, how to identify fossils, and the protocols to follow in the case of any fossil discoveries including proper notification procedures.	City of Pittsburg Community Development Department	Prior to construction	
		MM 3.5-3 Prior to construction, the Project Paleontologist shall review excavation plans to determine where paleontologically sensitive stratigraphic units will be disturbed by Project-related earth movement. Earthmoving construction activities will be monitored by a qualified paleontological monitor in those areas and/or where disturbance will take place to previously undisturbed sediment. Monitoring will not take place in areas where the ground has been previously disturbed, in areas underlain by artificial fill, or in areas where exposed sediment will be buried but not disturbed. Monitoring procedures will include measures to suspend monitoring should construction activities be restricted to previously disturbed fill and to adjust monitoring protocols based on updated evaluations of sensitivity subsequent to initial excavations.	City of Pittsburg Community Development Department	Prior to construction	
3.10 NOISE					
3.10-1	Generate a substantial temporary or permanent increase in ambient noise levels in excess of local	**MM 3.10-1** If at the time of development review, an Applicant cannot provide evidence of project level conformance with Table 3-1, the Applicant shall submit a detailed construction mitigation plan accompanied by a construction noise analysis that	City Engineer	Prior to approval of subsequent development applications	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
	general plan standards or noise ordinance	incorporates specific mitigation techniques for site-specific noise reduction and attenuation. Examples include limiting hours of construction, locating stationary noise sources (e.g., generators, compressors) away from sensitive receptors, using shrouds or temporary barriers for louder equipment (e.g., pile drivers), and using newer machinery.			
		MM 3.10-2 If at the time of development review, an Applicant cannot provide evidence of project level conformance with Table 3.10-8, the Applicant shall submit a detailed operational mitigation plan accompanied by an operational noise analysis that incorporates specific mitigation techniques for site-specific noise reduction and attenuation. Examples of operational noise mitigation include changes to a site layout to place noise sources further from sensitive receptors, using manufacturer-supplied or third-party noise mitigation (e.g., low-sound fan options, silencers, acoustical louvers), and installing sound barriers.	City Engineer	Prior to approval of subsequent development applications	
		MM 3.10-3 If future development anticipates greater use of truck trips beyond what was analyzed in this PEIR (15 trips per day), then the Applicant shall prepare a subsequent noise analysis to provide evidence that they conform to the noise level thresholds identified in Table 3.10-8. If the Applicant cannot demonstrate conformance with Table 3.10-8, then the Applicant shall submit a detailed operational mitigation plan accompanied by an operational noise analysis that incorporates specific mitigation techniques for site-specific noise reduction and attenuation.	City Engineer	Prior to approval of subsequent development applications	
3.13 TRANSPORTATION AND CIRCULATION					
3.13-1	Specific Plan implementation would result in VMT per employee that is greater	**MM 3.13-1** Travel Demand Management Plan(s) shall be prepared and implemented for future phases of Specific Plan implementation. The TDM Plan comply with the City's TIA Guidelines in effect at the time of application and should identify trip reduction strategies as well as mechanisms for funding and	City Engineer	Prior to approval of subsequent development applications	

IMPACT NUMBER	*IMPACT*	*MITIGATION MEASURE*	*MONITORING AGENCY*	*IMPLEMENTATION SCHEDULE*	*SIGN-OFF*
	than 85 percent of Baseline conditions	overseeing the delivery of trip reduction programs and strategies. Trip reduction strategies applicable to the proposed project may include, but are not limited to, the following: a. Implement Alternative Work Schedules b. Provide New Hire Packets on Transportation Options c. Implement Subsidized or Discounted Transit Program d. Provide Carpooling Programs e. Implement Car-Sharing Program f. Provide a Transit Riders Guide g. Provide an Online TDM Information Center h. Implement Commute Trip Reduction Marketing i. Increase Bicycle and Pedestrian Facilities/Amenities j. Free Trial Rides on Transit Services			
3.13-2	Specific Plan implementation would conflict with a program, plan, policy, or ordinance addressing the circulation system, including transit, bicycle, and pedestrian facilities	**MM 3.13-2** As future specific land-uses are proposed for development on the site, a level of service analysis shall be performed in accordance with the City of Pittsburg's TIA Guidelines in effect at the time of application. If violations of the City's General Plan LOS policies are identified, improvement measures shall be developed and proposed to eliminate those violations.	City Engineer City of Pittsburg Community Development Department	Prior to approval of subsequent development applications	
		MM 3.13-3 As future specific land-uses are developed on the site, appropriate local and regional traffic impact fees shall be calculated and paid in accordance with the anticipated level of traffic generation. The two currently applicable traffic impact fees are the Pittsburg Transportation Impact Mitigation Fee (TIMF) and the Pittsburg Regional Transportation Development Impact Fee (PRTDIM), as described in Chapters 15.90 and 15.103 PMC, respectively.	City Engineer City of Pittsburg Community Development Department	Prior to approval of subsequent development applications	
3.15 WILDFIRES					
3.15-4	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope	**MM 3.15-1** Prior to approval of building permit, the applicant shall demonstrate that debris flow potential has been studied for post-fire conditions. Alternatives for mitigating potential debris flow impacts shall be considered and refined as each phase of future development is designed. Preliminary mitigation measures may include restricting the use of portions of the site until the potential for debris flow is quantified, using best modeling methods. If it is	City Engineer	Prior to approval of building permit	

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	instability, or drainage changes	determined that there is high potential for debris flow impacts, additional infrastructure or interventions may be required, including constructing debris collection basins, routine removal of debris-generating materials, and sizing up stormwater runoff conveyance facilities for bulked debris flows.			