



Comprehensive Advanced Planning Initiative Phase Two

Addendum to the Comprehensive Advanced Planning Initiative Final Environmental Impact Report (SCH #2022020106)

prepared by

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1 Introduction

This document is an Addendum to the *Comprehensive Advanced Planning Initiative* (Final Environmental Impact Report [EIR]) (State Clearinghouse [SCH] #2022020106) (“CAPI EIR”), which was prepared for the Town of Moraga’s Comprehensive Advanced Planning Initiative (CAPI). The CAPI EIR, which is incorporated herein by reference, was certified on January 25, 2023 by the Town of Moraga. On that date, the Town also took actions to adopt certain General Plan amendments, the Moraga 2023-2031 Housing Element and various zoning amendments, referred to herein as “Phase One of the CAPI.”

Phase Two of the Comprehensive Advanced Planning Initiative (hereinafter also referred to as “project” or “proposed project”) would involve actions to further implement Phase One of the CAPI.

Pursuant to Section 15164 of the *CEQA Guidelines*, codified in Sections 15000 *et seq.* of Title 14 of the California Code of Regulations (CCR), a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. Under Section 15162 (a), where an EIR has been certified for a project, no subsequent EIR shall be prepared for the project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that there are substantial changes in the project or circumstances or substantially important new information that will cause the project to have significant new impacts or substantially increase the severity of previously identified significant impacts.

Specifically, the *CEQA Guidelines* state:

- The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred (Section 15164 (a)).
- An addendum need not be circulated for public review but can be included in or attached to the CAPI EIR or adopted negative declaration (Section 15164 (c)).
- The decision-making body shall consider the addendum with the CAPI EIR or adopted negative declaration prior to making a decision on the project (Section 15164 (d)).
- A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency’s findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence (Section 15164 (e))

This addendum has been prepared in accordance with relevant provisions of CEQA (California Public Resources Code Section 21000, *et seq.*) and the *CEQA Guidelines*. It describes Phase Two of the CAPI and compares its impacts to those identified in the CAPI EIR. The analysis demonstrates that the project does not require the preparation of a subsequent EIR.

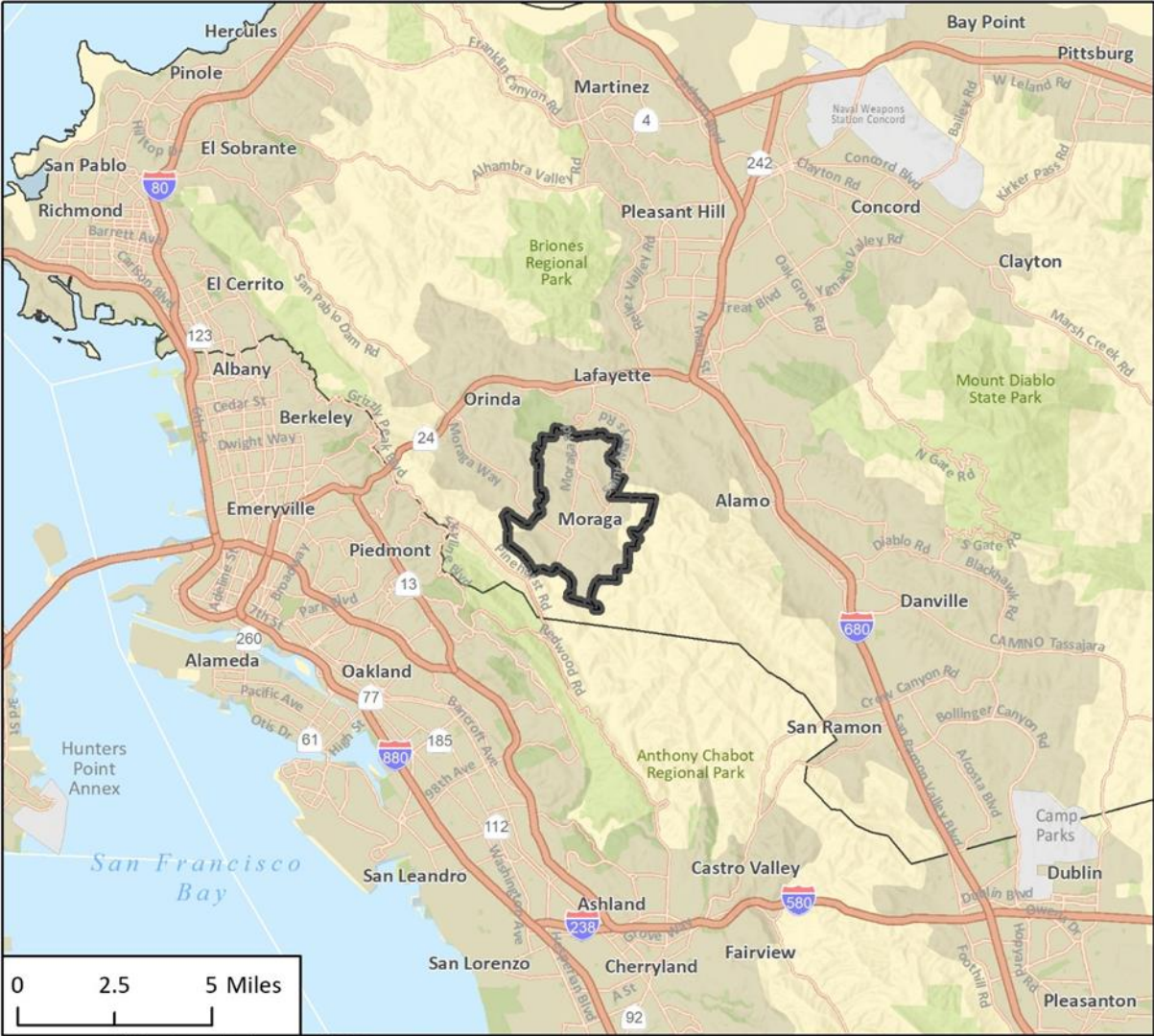
2 Project Location and Existing Conditions

Moraga is located in the greater East Bay region of the San Francisco Bay Area and is in the south-central portion of Contra Costa County (Figure 1). The town is located approximately 15 miles east of San Francisco, 7 miles east of Oakland, and 9 miles east of the San Francisco Bay. Moraga is bordered by unincorporated areas of Contra Costa County to the east and west and by East Bay Municipal Utility District watershed lands to the south.

The closest cities are the City of Orinda to the northwest and City of Lafayette to the north and northeast. Moraga is accessible from State Route (SR) 24 to the north via Moraga Road through the City of Lafayette and from Moraga Way north through the City of Orinda. SR 24 provides access to the Central Bay Area to the west and to Interstate 680 to the east. The town is also served by a surface street system ranging from wide, four-lane streets with medians to narrow, winding two-lane streets in the hills. The predominant street pattern in the town is curvilinear, with local and collector streets feeding into an arterial network. Moraga Road bisects the town. Moraga also has a system of bike lanes, paths and routes throughout the town that connect neighborhoods to schools, parks, and the two commercial areas in the town.

The proposed project applies to all lands within the Moraga Town limits as well as land within the Town's Sphere of Influence (SOI). The SOI is a boundary defining the probable future physical boundaries and service areas of the town. This area was defined as the "Plan Area" in the CAPI EIR. The Town's SOI, and thus Plan Area, extends in a few areas past the current town limits into nearby unincorporated areas in the southern portion of the town. Figure 2 illustrates the Plan Area boundaries, inclusive of the incorporated limits of Moraga and Moraga's SOI as delineated by the Contra Costa Local Agency Formation Commission.

Figure 1 Regional Location



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Fig. 1 Regional

Figure 2 Plan Area



3 Project Description

3.1 Background

Every Town, City, and County in California is required to adopt a general plan for its future growth and development. Jurisdictions must periodically update or amend their plans to ensure that they are relevant, forward-looking, compliant with recent State laws, and consistent with other plans and programs. The last comprehensive update of the Moraga General Plan took place in 1999-2002. The 2002 General Plan has been amended several times, including amendments in 2010 to reference the Moraga Center Specific Plan, in 2015 to adopt the Moraga 2015-2023 Housing Element, and in 2018 to reflect new policies for hillsides and ridgelines.

In 2021, the Town Council authorized a two-phase Comprehensive Advanced Planning Initiative (CAPI). Phase One of the CAPI included the following components:

- Update of the Housing Element to cover the 2023-2031 planning period
- Zoning map and text changes to meet the Town’s Regional Housing Needs Allocation (RHNA) of 1,118 units for 2023-2031
- Amendments to the Circulation and Safety Elements of the General Plan to comply with new legislative requirements.
- Consistency amendments to other elements of the General Plan to accommodate the changes above. This included amendments to the Land Use Map and categories.
- General Plan and zoning amendments for the Bollinger Canyon Study Area.

Collectively, the changes described above constituted a “program” of actions which were evaluated in the CAPI EIR. The Draft EIR was published in October 2022 and the CAPI EIR, including responses to comments on the Draft, was certified by the Town Council on January 25, 2023, concurrently with the adoption of the Housing Element and other General Plan Amendments and zoning changes.

The programs and anticipated outcomes for Phase Two were generally addressed within Phase One and analyzed in the CAPI EIR. Phase Two implements specific components of Phase One that were included in the CAPI EIR project description and analysis.

3.2 Comprehensive Advanced Planning Initiative Phase Two

The proposed project is the “second phase” of the CAPI, as referenced above, which began in July 2023 and would conclude with adoption of the updated General Plan 2040. The proposed project does not involve changes to the Town’s Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential or land uses envisioned and analyzed in Phase One. In addition, the proposed project would not result in increased density or more development than was envisioned in Phase One. Rather, the focus of the proposed project is the adoption of new and updated policies to implement Phase One by promoting economic vitality, making Moraga more sustainable, enhancing multi-modal transportation, and improving community design. Additionally, the proposed updated General Plan uses the year 2040 as a time horizon, makes more extensive use of maps and graphics, and includes several new chapters that were not in the

prior General Plan. These changes were generally anticipated by the CAPI EIR prepared for Phase One as future implementation actions of the original project, but the exact nature of the changes – i.e., precisely how the Phase One program would be implemented – was not known at that time. The proposed revisions to the General Plan are summarized below in Section 3.3, *Summary of Proposed Changes*.

Summary of Proposed Changes

The proposed revisions to the General Plan fall into two categories: *organizational* changes and *content* changes. *Organizational* changes relate to the structure of the General Plan rather than the substance of its policies. These changes were not identified specifically in Phase One, as decisions on General Plan organization had not yet been made. *Content* changes refer to changes made to each element of the General Plan such as the development of new goals and policies. These changes are described in further detail below.

Organizational Changes

The following organizational changes are now proposed as part of the project:

1. The “Values and Guiding Principles” chapter is proposed to be replaced with a “Framework and Guiding Principles” chapter. The proposed Framework section describes Moraga’s history, key trends shaping the Town’s future, and forecasts for 2040. This chapter also includes Guiding Principles. Draft principles were developed collaboratively with the Planning Commission and Town Council in Fall 2023.
2. A “Sustainability and Climate Change” chapter is proposed to be added to the General Plan. The draft chapter provides a framework which summarizes the ways in which Moraga’s new General Plan supports sustainability and responds to global climate change. It references policies that appear later in the document.
3. The land use categories and Land Use Map, which formerly appeared in the Appendix, would now appear in the Land Use Element. No changes to the land use categories, including density and FAR ranges, have been proposed.
4. The “Open Space and Conservation Element” would be split into two separate elements due to the large number of policies on these topics and the expanded focus on climate change.
5. Parks policies, which were formerly in the Community Facilities and Services Element, would be moved to the Open Space Element. The Open Space Element would also include hillside and ridgeline policies, which were formerly in the Community Design Element.
6. The Noise policies would be moved from the Open Space and Conservation Element to the Safety Element. That draft Element is called “Safety and Resilience.”
7. The Growth Management Element would be called “Growth Management and Governance.” Policies on schools and Town operations, formerly in the Community Facilities and Services Element, would be moved into this Element, along with the Growth Management policies required by Contra Costa County Measure J.
8. The Community Facilities and Services Element would be eliminated. As noted above, the parks policies would be moved to the Open Space Element (see #5 above). Policies on schools and town operations would be moved to the Growth Management and Governance Element (see #7 above).

9. The “Action Plan” (Chapter 11 in the 2002 Plan) would be eliminated. Instead of an Action Plan, each of the Plan elements would include an Implementation section identifying implementing programs and key actions to be taken after the General Plan is adopted.
10. The proposed General Plan includes approximately two dozen maps and figures. The prior plan only included the Land Use Map and a map of ridgelines. In general, the figures show existing conditions information (such as the location of parks or the boundaries of watersheds), or already adopted plans (such as the adopted future bicycle routes from the Walk|Bike Plan).
11. Each Element of the Plan would include narrative text to provide context for the policies. The 2002 Plan did not include any narrative text in the elements and only included goals and policies.

Content Changes

The following section describes proposed changes to each element of the General Plan.

GUIDING PRINCIPLES

The 2002 Guiding Principles would be comprehensively updated to reflect current issues and concerns, particularly those related to the local economy, climate change, and resilience to wildfire and other disasters. There are 13 principles included, shown in Table 1 (next page).

LAND USE ELEMENT

The focus of the prior General Plan Land Use Element was maintaining Moraga’s low density residential neighborhoods and open spaces. While this remains a priority in the updated General Plan, these policies would be complemented by new policies supporting growth and development in the two commercial districts. This implements the policy direction evaluated in the CAPI EIR, which changed land use designations in the Rheem Center and Moraga Center to support mixed use and multi-family housing. The height limits and densities evaluated in the CAPI EIR are unchanged. However, height limits would now be shown in a table as a single policy, rather than in multiple policies for each land use.

Policies on development densities in open space (including high-risk open space) would be edited for clarity, but the standards evaluated by the CAPI EIR would be unchanged. No changes to the hillside and ridgeline regulations are proposed. Several policies on slope restrictions and grading would be moved from the Land Use Element to the Open Space and/or Conservation Elements.

New policies would be added on childcare facilities, accessory dwelling units, code enforcement, modernization of commercial uses, higher-density residential uses in commercial areas, conditional use permits, sustainable development, and campus master plans. These policies are consistent with the intent of the Housing Element and the land uses evaluated in the CAPI EIR.

Goal LU-1 would be added, to “Sustain Moraga as a complete community, with high-quality neighborhoods, vibrant commercial centers, excellent parks and public facilities, and scenic open spaces and natural areas.” The policies under this goal are largely carried over from the current Plan, though edited for clarity. Policies on open space formerly under Goal LU-1 would be moved to join the policies on agriculture in a reformulated Goal LU-2, but the policy content would be unchanged.

Table 1 Guiding Principles

1	Retain Moraga’s semi-rural character. Maintain our beautiful natural setting, agricultural heritage, open spaces, low-density neighborhoods, and distinct sense of place. Strategically focus future growth in and around the town’s two commercial centers.
2	Keep Moraga safe. Protect public health and safety through emergency preparedness and education, increased resilience to disasters, mitigation and avoidance of natural and human-created hazards, and adaptation to climate change.
3	Live more sustainably. Conserve natural resources for present and future generations and respect the limits of our natural environment. Encourage land uses, development patterns, construction methods, and technologies that help reduce automobile trips, air pollution, and greenhouse gas emissions.
4	Strive for design excellence and resilience. Ensure that the design and quality of development and infrastructure contribute to a consistent community aesthetic, enhancement of the Town’s scenic corridors, and attractive gathering places.
5	Conserve our open spaces. Protect the hillsides and ridgelines, native habitat, wildlife corridors, significant open space areas, and natural recreation opportunities that make Moraga a wonderful place to live.
6	Celebrate our sense of community. We are a welcoming, inclusive place for all people and a great place to call home.
7	Strive for an efficient transportation system. Facilitate safe travel in and around Moraga and between Moraga and nearby communities. Prioritize the safety and convenience of walking, bicycling, and public transit, especially for short trips between home, school, parks, and local services.
8	Sustain a vibrant, thriving local economy. Reimagine the Town’s commercial centers and workplaces so that they meet the needs of our residents and businesses while reflecting the soul and spirit of our community. Work collaboratively with local businesses to support their success and engagement in community life.
9	Invest and improve in the Town’s infrastructure. This includes green infrastructure such as parks, creeks, and woodlands. Recognize the importance of reliable water, wastewater, drainage, and telecommunication services to community health, safety, and the economy.
10	Diversify our housing stock. Encourage a mix of new housing types so that our children, seniors, college students, and local workforce can continue to call Moraga home. Recognize the potential for new housing and mixed-use development to create balance and bring new life to our commercial centers.
11	Embrace Moraga’s identity as a “college town.” Recognize Saint Mary’s College as an important economic and cultural asset and community partner. Create incentives for the college to provide extended learning for the community, as well as local businesses that serve the college and Moraga residents.
12	Provide high quality, cost-effective community facilities and services, especially recreation opportunities. Work closely with local school districts to support excellence in education and coordinate on issues of mutual concern.
13	Ensure ongoing, meaningful citizen participation in the Town’s decision-making processes. Continue Moraga’s tradition of volunteerism and community spirit, as well as our close working relationships with adjacent jurisdictions and agencies.

COMMUNITY CHARACTER ELEMENT

The hand-drawn sketches in the 2002 Community Design Element would be replaced with photographs, and the element would be refreshed with updated policies that are consistent with the Land Use Element and Housing Element.

Goal CD-8, which addresses hillsides and ridgelines, would be moved to the Open Space Element. Some of the policies under this goal would be moved to Goal 1, as they deal with the same topic. The policies would be edited for clarity but would not substantively change.

Goal CD-2 would be edited to add new policies on public art, wayfinding signage, street trees, and lighting. Goals CD-4 and -5, which address single family housing and multi-family housing respectively,

would be merged into a single goal on neighborhoods. Additional policies would be added to support and promote historic preservation and promote awareness of Moraga's history.

A new goal on sustainable design would be added as follows: "Implement community design principles and practices that reduce greenhouse gas emissions and improve sustainability." Several policies supporting green building, cool roofs, low impact development, drought-tolerant landscaping, and other aspects of sustainable development would be added. These policies are intended to help reduce the environmental impacts of new development, particularly on energy, greenhouse gas emissions, and water quality.

TRANSPORTATION ELEMENT

The objective of the revisions is to achieve a more multi-modal transportation system that allows for safer cycling and walking, better transit, and fewer vehicle miles traveled (VMT). Goals and policies would be restructured and updated to reflect best practices, including a greater focus on non-fossil fuel vehicles and greenhouse gas reduction.

Consistent with Assembly Bill (AB) 1358 (2008), new policies would be added supporting the concept of "Complete Streets"; the bill required complete streets policies in general plans. This includes new policies to address the special transportation needs of persons with disabilities. One of the goals of this Element would be restructured around the Complete Streets concept and would read "Plan and design Moraga's road network in a way that accommodates all modes of travel, provides mobility for all travelers, and enhances Moraga's sense of place."

A new goal would be added on the efficiency of the transportation network, replacing the existing goal on ingress and egress to Moraga. This goal would be "Maintain a safe, efficient road network to accommodate travel to, from, and within Moraga." Existing policies on traffic studies, private streets, narrow streets, impact fees, and street maintenance would be carried forward. Policies would be added on the use of technology in traffic control. The 2002 goal on commercial area traffic would be removed, since many of its policies appear under the new goal.

A new goal would be added on safety, which was ranked the top transportation issue by the community in workshops and surveys. The goal is: "Improve the safety of all modes of travel." Existing policies would be carried forward, and new policies would be added consistent with the previously adopted Moraga Local Roadway Safety Plan.

A new goal would be added regarding parking. That goal is "Provide a sufficient supply of parking to meet the needs of Moraga residents, businesses, and institutions." Existing policies on parking would be moved here, and several new policies would be added. The Town's existing policy of not charging for public parking would be carried forward and new policies would address shared parking and right-sizing of parking standards.

The goal on walking, biking, and transit would be reshaped around the concept of "active transportation." Policies would be updated and carried forward. In the updated General Plan, there would be a greater focus on connectivity in the new policies, and several policies would be added to encourage walking and cycling between neighborhoods and connections to the commercial centers. Additionally, the goal to reduce Vehicle Miles Travelled (VMT) would be carried forward via new policies which encourage the use of zero emission vehicles, locating more dense development in the two commercial shopping areas, and improving electric car charging infrastructure.

ECONOMIC VITALITY ELEMENT

This would be a new element of the General Plan. When the CAPI EIR for Phase One was completed, the precise organization of the updated General Plan as envisioned in Phase One had yet to be determined. After robust community input during Phase One, the Council provided direction to include an Economic Vitality Element early in the process of Phase Two.

The proposed new Element includes the following five goals:

1. Maintain a business-friendly environment that supports investment in Moraga.
2. Attract new businesses that meet the needs of Moraga residents and enhance the town's character.
3. Strengthen Moraga's identity as a college town.
4. Modernize Moraga's two commercial districts so that they become more vibrant town centers and gathering places.
5. Promote Moraga's fiscal stability and capacity to provide essential services and infrastructure.

Policies under each goal provide guidance to staff, elected and appointed officials, the business community and property owners. The policies do not propose physical changes or outcomes that would affect the findings of the CAPI EIR. Rather, they support investment in the two commercial districts, and encourage specific land uses such as a hotel, medical and health care services, flexible workspace, recreation and entertainment activities, and college-oriented businesses. Proposed policies further support creating a "main street" character in each commercial center, with mixed use development and infill on underutilized sites. This is consistent with the policy direction provided in the Land Use and Housing Elements.

OPEN SPACE AND PARKS ELEMENT

The first goal in the existing Open Space and Conservation Element would be reorganized into two goals as follows:

- Maximize the preservation of open space for natural resource protection, climate resilience, recreation, agriculture, and community character. (OSP-1)
- Maintain the scenic natural setting and environmental resources of undeveloped Hillside Areas and Ridgelines. (OSP-2)

The Open Space Element would continue to include specific policy language approved by Moraga voters in 1986 regarding high-risk areas and density transfers. The goal and associated policies on hillsides and ridgelines, which previously appeared in the Community Design Element, would be moved to this Element. Land use policies for non-MOSO Open Space would also appear here, along with policies for grading in MOSO Open Space. The policies would be edited but the intent and substance remain the same.

As previously noted under *Organizational Changes*, the Parks policies (formerly in the Community Facilities and Services) Element now appear in the Open Space Element. A policy to maintain and update the Town's parks master plan would be added. Policies carried over from the previous General Plan support coordination with East Bay Regional Parks District (EBRPD), collection of impact fees, mitigation of development impacts on parks, park maintenance, and accessibility.

Three new goals would be added on trails, park design, and recreation programming as follows:

- Sustain a network of parks that support healthy living environments, create enjoyable outdoor opportunities, and strengthen Moraga’s sense of place. (OSP-3)
- Create a connected trail network that links all parts of Moraga and provides access to regional parks and open space. (OSP-4)
- Provide recreational programs that promote lifelong human development for all community members. (OSP-5)

New policies would be added supporting special events, arts and culture, and trail easements in new development. The proposed General Plan includes a program to update the Park Master Plan. The proposed General Plan maintains the current standard of 3 acres of parkland per 1,000 residents but includes an action to consider increases to the standard during the Park Master Plan Update.

CONSERVATION ELEMENT

The goal on environmental quality would be replaced with a goal focused on protecting and enhancing natural resources and ecosystems. The new goal is: “Protect and enhance Moraga’s natural resources and ecosystems.” Policies on wildlife areas, riparian areas, creeks, native plants, tree preservation, tree-covered areas, quarrying, and areas of natural significance would be carried forward from the 2002 General Plan under this goal, with edits to make them clearer and more objective. These edits do not change the substance of the policies but eliminate ambiguity and subjective language. Policies would be added to expand Moraga’s “urban forest.”

A new goal on solid waste management would be added. That goal is to “Protect and enhance Moraga’s natural resources and ecosystems.” The 2002 General Plan included a single policy on this topic, whereas the proposed General Plan 2040 adds multiple new policies under the goal. These proposed policies support waste reduction, expanded participation in recycling, special waste pick-up, source reduction, construction and demolition debris recycling, and education on waste reduction.

Water quality policies would be updated to reflect Clean Water Program goals and activities, eliminate redundancies, and reference low-impact development and sustainability. Air quality policies would be updated based on best practices, with new policies added to reduce particulate matter, adopt transportation control measures (TCMs), improve indoor air quality, and reduce impacts of wildfire smoke.

Policies on energy efficiency and conservation would be carried forward, and new policies on renewable energy and energy innovation (such as microgrids and battery storage) would be added to be consistent with State goals. New policies also address energy audits and support decarbonization. A new goal on greenhouse gas emission reduction that references the State goal of carbon neutrality by 2045 would be added, along with policies to adopt a climate action plan, incorporate climate as a planning consideration, lead by example, focus on transportation sector reductions, and engage in regional partnerships to reduce emissions. New policies also support green infrastructure, climate change education and awareness, and local food production.

As noted under “Organizational Changes” above, the climate-focused policies in this Element would be summarized in a new Sustainability and Climate Change chapter at the beginning of the General Plan.

SAFETY AND RESILIENCE ELEMENT

The Safety Element was substantially edited as part of Phase One of the Comprehensive Advanced Planning Initiative. At that time, multiple policies on wildfire prevention and emergency preparedness were added.

Additional edits and changes are now proposed. The proposed Safety and Resilience Element would adopt the Local Hazard Mitigation Plan by reference, pursuant to Assembly Bill 2140. The proposed General Plan would add a new goal on hazardous materials, as follows: “Protect Moraga residents from health and safety impacts related to the use, storage, manufacture, and transport of hazardous materials.” This would be accompanied by new policies to ensure the safe transport of hazardous materials, address potential hazards from prior land uses through the development review process, promote the safe handling of hazardous materials, and support expanded public awareness of household hazardous waste.

The Level of Service policy for police response in the 2002 General Plan would be updated to reflect current conditions and practices. A policy on technology and communication capacity would be added. The goal on fire safety and the policies added in January 2023 would be carried forward. A few of the policies would be consolidated or simplified. Other goals in this element relate to seismic/geologic hazards and flooding/erosion which would be carried forward with minor edits.

A new goal on climate resilience would be added to this element as follows: “Prepare for the impacts of climate change on community safety and emergency preparedness needs.” Proposed new policies under this goal address climate-informed decision making, reduction of urban heat island impacts, nature-based resilience, location of critical facilities, resilience of utilities and the communication system, community warning systems, and climate resilience education/outreach.

Noise policies, which previously appeared in the Open Space and Conservation Element, would now appear in the Safety and Resilience Element. The noise goal would be edited, and several new policies added. Policies would continue to identify acoustical study requirements, limits on construction noise, and enforcement of motor vehicle code noise standards.

GROWTH MANAGEMENT AND GOVERNANCE ELEMENT

Under voter-approved Measure J, each of the 19 cities and towns in Contra Costa County is required to include a Growth Management Element (GME) in their general plan. The GME is a pre-requisite for cities and towns to receive their share of the half-cent sales tax collected by the Contra Costa Transportation Authority (CCTA). In 2022, CCTA provided an updated template for communities to comply with the Measure J mandate. Moraga Town Staff met with CCTA in June 2024 to discuss the template, compare it to the existing Moraga GME, and review potential changes. In general, the template calls for a simplified approach, with a focus on transportation rather than other services such as parks, police, fire, and infrastructure.

The Town has prepared draft updates to the GME to reflect CCTA’s template. There were a number of policies in the prior (2002) Moraga GME that are no longer required but still have merit. The Town would retain and edit these policies and rebrand this element as Growth Management and Governance. In addition to the GME policies, policies formerly in the Community Facilities and Services Element would be included here. These policies address town operations, libraries, and schools. The policies do not propose physical changes or new facilities but rather, they are focused on partnerships with other agencies, transparency in town operations, and communication with the public.

4 Decision Not to Prepare Subsequent EIR

As outlined in Section 15164 of the *CEQA Guidelines*, a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in *CEQA Guidelines* Section 15162 calling for preparation of a subsequent EIR have occurred.

The impact analysis that follows demonstrates that the proposed project would *NOT* introduce new, significant environmental impacts beyond those that have already been identified and characterized in the CAPI EIR and that there are no substantial changes in the project or circumstances or substantially important new information that would cause the project to have significant new impacts or substantially increase previously identified significant impacts. None of the conditions described in *CEQA Guidelines* Section 15162 that would call for preparation of a subsequent EIR have occurred or would occur because of the proposed project. Therefore, this addendum is the appropriate level of environmental documentation to provide under CEQA. The Town of Moraga will include this addendum, along with the CAPI EIR, in its consideration of the proposed project.

5 Environmental Impacts of the Proposed Changes to the Original Project

This addendum evaluates the changes proposed under the proposed project compared to Phase One of the CAPI against the *CEQA Guidelines* Section 15162 criteria, to determine whether a subsequent EIR is necessary for the proposed project. The existing environmental conditions on and around the project site are substantially the same under present conditions as those described in the CAPI EIR.

Appendix G of the *CEQA Guidelines* provides a checklist of environmental issues areas suggested for assessment in a CEQA analysis. The CAPI EIR addressed all of these environmental issue areas. The issue areas studied included the following:

- Aesthetics
- Agricultural and Forestry Resources¹
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources¹
- Noise and Vibration¹
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Tribal Cultural Resources
- Utilities
- Wildfire

To provide a thorough and conservative analysis of potential impacts associated with the proposed project, this addendum addresses all 20 environmental issue areas included in Appendix G of the current *CEQA Guidelines*.

Potential environmental impacts of the proposed project are analyzed to determine if they are consistent with the impact analysis provided in the CAPI EIR, and if additional mitigation measures are required to minimize or avoid further potential impacts. Where the following analysis identifies impacts, discussion of previously identified mitigation measures from the CAPI EIR and existing applicable policies and regulations are discussed, as relevant, with respect to mitigating potential impacts from the proposed project.

¹ Agricultural and Forestry Resources, Mineral Resources, and airport-related noise impacts are discussed in Section 4.18, *Effects Found to be Less Than Significant*, of the CAPI EIR.

5.1 Aesthetics

Impacts Identified in the CAPI EIR

The CAPI EIR determined that implementation of Phase One would result in new development that could affect scenic vistas and alter the existing physical character. However, strategic siting of development within developed areas of the town, along with compliance with applicable design guidelines, Municipal Code, and 2002 General Plan policies would ensure that development would not have a substantial adverse effect on scenic vistas.

There are no designated State Scenic Highways in the town, and accordingly development facilitated by Phase One would not damage scenic resources within a State Scenic Highway. The CAPI EIR determined that implementation of Phase One would not substantially degrade the existing visual character or quality of the town and its surroundings, as proposed development or redevelopment would be required to conform with applicable design guidelines, Municipal Code, and 2002 General Plan policies. Additionally, while new development under Phase One would add new sources of light and glare to the town, the low-intensity of development and existing and proposed policies and regulations would minimize impacts to day and nighttime views. Overall, the CAPI EIR concluded that implementation of Phase One would result in less than significant impacts to aesthetics.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates, development standards such as building height, lot coverage or setbacks, development potential or land uses envisioned and analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR as future implementation actions of the original CAPI project. The proposed project would update community design policies, including policies addressing scenic highways and aesthetics, and provide objective language for future design decisions. These changes are consistent with the CAPI, thereby resulting in the same visual impacts from new development as evaluated in the CAPI EIR.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to aesthetics, and no new mitigation measures are necessary.

Conclusion

Impacts would be similar to those identified in the CAPI EIR, and no significant new or substantially increased aesthetics impacts would occur compared to those discussed in the CAPI EIR.

5.2 Air Quality

Impacts Identified in the CAPI EIR

The CAPI EIR determined that implementation of the Housing Element portion of Phase One would not conflict with or obstruct implementation of the applicable air quality plan, the Bay Area Air Quality Management District's (BAAQMD) 2017 Clean Air Plan. However, the Bollinger Canyon Rezone portion of Phase One would result in increased trips, VMT, and associated emissions. The Bollinger

Canyon Rezone densities and associated increases in air quality emissions due to increased VMT are not consistent with the transportation measures in the 2017 Clean Air Plan. While Mitigation Measure TRA-1 would be implemented to reduce VMT, future development could still locate residences within inadequate alternative modes of transportation and away from areas with employment and services. Therefore, the impacts associated with the Bollinger Canyon Rezone were found to be significant and unavoidable.

The CAPI EIR determined that construction of development facilitated by Phase One would result in the temporary generation of air pollutants, which would affect local air quality. However, policies in the Moraga 2002 General Plan incorporate the BAAQMD Basic Construction Measures, which would reduce impacts to less than significant. The CAPI EIR also determined that operation of Phase One would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or State ambient air quality standard because the Housing Element's VMT per resident for the Town of Moraga would decrease from the baseline year to the buildout year. Impacts were found to be less than significant.

The CAPI EIR determined that development facilitated by Phase One would potentially expose sensitive receivers to toxic air contaminants during construction. Phase One would involve implementation of Mitigation Measure AQ-1, which would require development projects facilitated by Phase One to utilize construction equipment emission control measures. Accordingly, construction activities would not expose sensitive receptors to substantial toxic air contaminant concentrations that would potentially exceed BAAQMD's 10 excess cancer cases in a million for cancer risk threshold. Construction-related health impacts would be reduced to a less than significant level with mitigation.

Lastly, the CAPI EIR determined that construction and operation of the development facilitated by Phase One would not result in substantial other emissions, such as odors; impacts would be less than significant.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential or land uses envisioned and analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR as future implementation actions of the original CAPI project. In addition, the proposed project would not result in increased density or more development than was envisioned in Phase One. For this reason, the proposed project would result in the same air quality impacts from new development, including exposure to criteria pollutants, as evaluated in the CAPI EIR. Accordingly, policies and actions that were referenced in the CAPI EIR, as well as mitigation measures AQ-1 and TRA-1, would reduce impacts to the greatest extent possible. In addition, under the proposed project, air quality policies would be updated based on best practices, with new policies added to reduce particulate matter, adopt transportation control measures (TCMs), improve indoor air quality, and reduce impacts of wildfire smoke. The proposed policy changes would further reduce potential impacts of the proposed General Plan. These policies, actions, and mitigation measures would continue to be required with implementation of the proposed project. Future development facilitated by the proposed project would undergo project-specific developmental review, including design review where applicable, and would be subject to adopted development standards.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to air quality, and no new mitigation measures are necessary. Applicable existing regulations and mitigation measures AQ-1 and TRA-1, which were required for the original project, would remain applicable.

Conclusion

Impacts would be similar to those identified in the CAPI EIR, and no significant new or substantially increased impacts to air quality would occur compared to those discussed in the CAPI EIR.

5.3 Biological Resources

Impacts Identified in the CAPI EIR

The CAPI EIR determined that while Phase One may result in direct or indirect impacts to special-status plant species or their associated habitats including impacts to migratory bird nest sites, impacts would be less than significant with implementation of Mitigation Measure BIO-1 through BIO-4. These measures require biological resources screening and assessments of sites, pre-construction surveys, and avoidance of Alameda whipsnake, nesting birds, and roosting bats. The CAPI EIR also found that implementation of Phase One may adversely impact riparian habitat, other sensitive natural communities, or protected wetlands. Implementation of Federal, State, and local regulations and policies would reduce impacts to riparian habitat and wetlands. However, impacts would be reduced to less than significant with implementation of mitigation measures BIO-5 and BIO-6 which require applicable projects to conduct jurisdictional delineation and perform restoration for impacts to waters and wetlands, respectively.

The CAPI EIR determined that implementation of the Housing Element portion of Phase One would avoid impacts to wildlife movement corridors by conserving Open Space in the Town as directed by policies in the General Plan and impacts would be less than significant. However, the Bollinger Canyon Rezone portion of Phase One would result in substantial impacts to wildlife movement through habitat modification during construction or due to density increases the area. Compliance with mitigation measures BIO-7 through BIO-9 would reduce impacts to wildlife movement by requiring development to be designed in a way that maintains connectivity. However, it cannot be guaranteed that movement of terrestrial species will not be impeded at the regional scale due to future development in the Bollinger Canyon Study Area and impacts would remain significant and unavoidable.

Additionally, the CAPI EIR determined that Phase One would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, as the Phase One would require developers to implement measures to protect existing trees and biological resources. The CAPI EIR also concluded that Phase One would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plans.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential or land uses envisioned and analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR as future

implementation actions of the original CAPI project. In addition, the proposed project would not result in increased density or more development, or ground disturbance of a greater extent or in different areas, than was envisioned in Phase One. Accordingly, the proposed project would result in similar impacts to biological resources such as special status species and riparian habitats as Phase One and mitigation measures BIO-1 through BIO-6 would still apply. Additionally, the proposed project would result in similar impacts to wildlife corridors. Compliance with mitigation measures BIO-7 through BIO-9 would reduce impacts to the greatest extent possible. Further, because the proposed project would not modify the buildout estimates, locations, extent or land uses envisioned within Phase One, the proposed project would not conflict with local policies, ordinances, or conservation plans.

Additionally, under the proposed project, Open Space and Conservation goals would be expanded and include more robust policies addressing biological resource protection.

The existing goal on environmental quality would be replaced with the following language: “Protect and enhance Moraga’s natural resources and ecosystems.” Policies on wildlife areas, riparian areas, creeks, native plants, tree preservation, tree-covered areas, quarrying, and areas of natural significance would be carried forward from the 2002 General Plan under this goal, with edits to make them clear and objective. These proposed changes would further reduce potential impacts of the proposed General Plan. In addition, policies and actions that were referenced in the CAPI EIR would reduce impacts to biological resources to the greatest extent possible. These policies and actions would continue to be required with implementation of the proposed project. Future development facilitated by the proposed project would undergo project-specific developmental review, including design review where applicable, and would be subject to adopted development standards.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to biological resources, and no new mitigation measures are necessary. Applicable existing regulations and mitigation measures BIO-1 through BIO-9, which were required for the original project, would remain applicable.

Conclusion

Impacts would be similar to impacts identified in the CAPI EIR for Phase One, and no significant new or substantially increased biological resources impacts would occur compared to those identified for Phase One.

5.4 Cultural Resources

Impacts Identified in the CAPI EIR

The CAPI EIR concluded that implementation of Phase One may result in the alteration or demolition of potential historic or archaeological resources in the Plan Area such as buildings around “Moraga Ranch” along School Street in the Moraga Center area or development on parcels that could contain archaeological resources. Although future development and redevelopment facilitated by Phase One could affect potential historic or archaeological resources, the CAPI EIR states that Implementation Programs CR-A, B, C, and D are intended to supplement the 2002 General Plan’s existing policies and would be included as part of the General Plan Update. Proposed Implementation Program CR-A would require historical and archaeological resources surveys, and proposed Implementation Program CR-B would require mitigation to reduce impacts to historical resources to a less than significant level. Proposed Implementation Program CR-C would require construction monitoring, and proposed

Implementation Program CR-D would suspend earth-disturbing work if cultural resources are identified. Implementation of these Implementation Programs would reduce impacts to less than significant levels.

The CAPI EIR states that human remains, particularly those interred outside of formal cemeteries, could be disturbed during grading and excavation activities of projects facilitated by Phase One. The discovery of human remains is regulated by Public Resources Code Section 5097.98 and California Health and Safety Code Section 7050.5 and 7052. Accordingly, the CAPI EIR concludes that with compliance with these regulations, impacts of Phase One on human remains would be less than significant.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential or land uses, or allow ground disturbance of a greater extent or in different areas than, envisioned and analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR as future implementation actions of the original CAPI project. In addition, the proposed project would not result in increased density or more development than was envisioned in Phase One.

Accordingly, the proposed project would result in similar impacts to cultural resources from new development as evaluated in the CAPI EIR. In addition, the proposed project would not result in increased density or more development, or development of a more intense nature or in different locations, than was envisioned in Phase One. The Implementation Programs referenced in the CAPI EIR are intended to supplement the 2002 General Plan's existing policies and would be included as part of the proposed project. As such, these policies and actions would continue to be required with implementation of the proposed project. Future development facilitated by the proposed project would undergo project-specific developmental review, including design review where applicable, and would be subject to adopted development standards.

Similar to Phase One, human remains could be disturbed during grading and excavation activities of the proposed project. The discovery of human remains is regulated by Public Resources Code Section 5097.98 and California Health and Safety Code Section 7050.5 and 7052. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant (MLD). The MLD must complete the inspection of the site within 48 hours of being granted access and provide recommendations as to the treatment of the remains to the landowner.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to cultural resources, and no new mitigation measures are necessary. Implementation Programs CR-A, B, C, and D, which were required for the original project, would remain applicable.

Conclusion

Impacts would be similar to impacts identified in the CAPI EIR for Phase One, and no significant new or substantially increased cultural resources impacts would occur compared to those identified for Phase One.

5.5 Energy

Impacts Identified in the CAPI EIR

The CAPI EIR determined that development facilitated by Phase One would not result in wasteful, inefficient, or unnecessary consumption of energy during project construction or operation. As discussed within the CAPI EIR, the population growth that would be accommodated by Phase One projections is consistent with the Association of Bay Area Governments (ABAG) Regional Housing Needs Allocation, which informs utility forecasting, and therefore would not represent new energy demands within the region. The CAPI EIR further found that Phase One encourages denser mixed-use development that would result in less energy consumption as compared to existing conditions. Overall, Federal, State, regional, and local regulations, and strategic placement of development facilitated by Phase One would reduce energy impacts. Impacts would be less than significant. The CAPI EIR also determined that Phase One would not conflict with the California Building Code (CBC) Energy Efficiency Standards, State vehicle GHG emissions reductions targets, or other applicable energy conservation regulations, and impacts would be less than significant.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential or land uses envisioned and analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR as future implementation actions of the original CAPI project. In addition, the proposed project would not result in increased density or more development than was envisioned in Phase One. Further, under the proposed project, policies on energy efficiency and conservation would be carried forward, and new policies on renewable energy and energy innovation (such as microgrids and battery storage) would be added to be consistent with State goals. New policies also address energy audits and support decarbonization. Future development facilitated by the proposed project would undergo project-specific developmental review, including design review where applicable, and would be subject to adopted development regulations. Therefore, the proposed project would result in similar impacts to energy as the CAPI EIR.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to energy compared to those identified in the CAPI EIR, and no new mitigation measures are necessary.

Conclusion

Impacts would be similar to impacts identified in the CAPI EIR for Phase One, and no significant new or substantially increased energy impacts would occur compared to those identified for Phase One.

5.6 Geology and Soils

Impacts Identified in the CAPI EIR

The CAPI EIR determined that although Moraga does not overlay a known earthquake fault, the area is within a seismically active region and would be subject to strong ground shaking, liquefaction, and lateral spreading. However, development area would be subject to several existing State and local

regulations that require site-specific geological investigations and design elements to minimize susceptibility to seismic events. Development would be required to comply with Moraga Municipal Code Chapter 15.04 and Chapter 14.04 which identifies that the Town Building Official may require the preparation an engineering geologist's investigation and/or a preliminary soil report based on submittals of plans. Additionally, adherence to permit requirements, Town regulation, and CBC standards would reduce hazards resulting from expansive soils, loss of topsoils, landslides, lateral spreading, subsidence, liquefaction, or collapse. Therefore, the CAPI EIR concludes that implementation of Phase One would not expose people or structures to risk of loss, injury, or death associated with earthquake fault zones, strong seismic ground shaking, liquefaction, or landslides, and impacts would be less than significant.

The CAPI EIR determined that development facilitated by Phase One has the potential to impact paleontological resources. However, Implementation Program PAL-A, which requires a paleontological survey, referenced in the CAPI EIR is intended to supplement the 2002 General Plan's existing policies and would be included as part of the proposed project.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential or location of development or land uses envisioned and analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR as future implementation actions of the original CAPI project. In addition, the proposed project would not result in increased density or more development than was envisioned in Phase One. The 2002 General Plan policies addressing geology and soil-related hazards are carried forward in the updated General Plan 2040 with minimal edits. Accordingly, the proposed project would result in similar impacts to geology and soils as Phase One. The Implementation Program PAL-A, referenced in the CAPI EIR, would be included as part of the proposed project. Further, similar to Phase One, the proposed project would require compliance with the permit requirements, Town regulation, and CBC standards. As such, these policies and actions would continue to be required with implementation of the proposed project. Future development facilitated by the proposed project would undergo project-specific developmental review, including design review where applicable, and would be subject to adopted development standards.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to geology and soils compared with those identified in the CAPI EIR, and no new mitigation measures are necessary.

Conclusion

Impacts would be similar to the CAPI EIR, and no significant new or substantially increased impacts to geology and soils would occur compared to those identified in the CAPI EIR.

5.7 Greenhouse Gas Emissions

Impacts Identified in the CAPI EIR

The CAPI EIR determined that greenhouse gas (GHG) emissions from development facilitated by Phase One would not exceed the BAAQMD interpolated 2031 project-level or plan-level thresholds and

impacts would be less than significant. The CAPI EIR also determined that implementation of the Housing Element portion of Phase One would be consistent with GHG reduction goals contained in the California Air Resources Board (CARB) 2017 Scoping Plan, ABAG's Plan Bay Area 2050, and the Moraga 2002 General Plan. However, development facilitated by the Bollinger Canyon Rezoning would conflict with the transportation policies in State and local plans by locating residents in a high VMT per capita area and far from transit services and alternative modes of transportation. While Mitigation Measure TRA-1 would be implemented to reduce VMT (which would reduce GHG emissions), future development could still result in VMT impacts that exceed thresholds, and therefore result in high GHG emissions from locating residences away from areas with employment, services, or transit. Therefore, the impacts of the Bollinger Canyon rezoning were found to be significant and unavoidable.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential or land uses envisioned and analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR as future implementation actions of the original CAPI project. In addition, the proposed project would not result in increased density or more development than was envisioned in Phase One. Thereby, the proposed project results in the same GHG emissions from new development, as was evaluated in the CAPI EIR. Accordingly, policies and actions that were referenced in the CAPI EIR, as well as Mitigation Measure TRA-1, would reduce impacts to the greatest extent possible. Under the proposed project, a new goal would be added to the General Plan 2040 to include greenhouse gas emission reductions that references the State goal of carbon neutrality by 2045, along with policies to adopt a climate action plan, incorporate climate as a planning consideration, lead by example, focus on transportation sector reductions, and engage in regional partnerships to reduce emissions. These policies, actions, and mitigation measures would continue to be required with implementation of the proposed project. Future development facilitated by the proposed project would undergo project-specific developmental review, including design review where applicable, and would be subject to adopted development standards.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to GHG emissions, and no new mitigation measures are necessary. Applicable existing regulations and Mitigation Measure TRA-1, which were required for the original project, would remain applicable.

Conclusion

Impacts would be similar to impacts identified in the CAPI EIR for Phase One, and no significant new or substantially increased GHG impacts would occur compared to those identified for Phase One.

5.8 Hazards and Hazardous Materials

Impacts Identified in the CAPI EIR

The CAPI EIR determined that implementation of the Housing Element portion of Phase One could involve the use, storage, disposal, or transportation of hazardous materials. Upset or accident conditions in the Plan Area could involve the release of hazardous materials into the environment.

Compliance with existing regulations and Mitigation Measure HAZ-1, which requires a Phase I and II Environmental Site Assessment, would ensure that impacts would be less than significant. The CAPI EIR found that the Bollinger Canyon Rezone could involve the use, storage, disposal, or transportation of hazardous materials but compliance with existing regulations would ensure that impacts would be less than significant.

The CAPI EIR found that development facilitated by Phase One could also release hazardous materials near schools, but adherence to relevant regulations would mitigate impacts to less than significant. The Housing Element portion of Phase One included hazardous material sites identified pursuant to Government Code Section 65962.5, however, adherence to applicable regulations and Mitigation Measure HAZ-1 would reduce potential impacts to less than significant. The CAPI EIR found that the Bollinger Canyon portion of Phase One would not be located on a hazardous materials site and compliance would also minimize impacts from unknown contamination. Impacts would be less than significant.

The CAPI EIR determined that impacts for hazardous materials would be less than significant with implementation of General Plan policies and actions for impacts related to the routine transport, use, or disposal of hazardous materials; the emission of acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school; and development on or near sites listed as hazardous material sites pursuant to Government Code Section 65962.5. The CAPI EIR determined that Phase One did not include land uses, policies, or other components that conflicted with adopted emergency response or evacuation plans. Impacts would be less than significant.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential or land uses envisioned and analyzed in the CAPI EIR, nor would it allow ground disturbance to a greater extent or in additional locations. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR as future implementation actions of the original CAPI project. The proposed project would update the General Plan, thereby resulting in the same hazards and hazardous material impacts from new development as evaluated in the CAPI EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the CAPI EIR.

Development under the proposed project would be required to comply with the same local, State, and Federal regulations identified in the CAPI EIR, Mitigation Measure HAZ-1, as well as the Town's municipal code requirements regarding hazards and hazardous waste including Title 49, Parts 171-180 of the Code of Federal Regulations, and Title 8, Title 22, and Title 26 of the California Code of Regulations, and their enabling legislation set forth in Chapter 6.95 of the California Health and Safety Code. Additionally, Moraga is not within an Airport Land Use Compatibility Plan Zone and adoption of General Plan 2040 would not result in impacts related to airports. Thus, the proposed project would not introduce new impacts or substantially increased impacts related to aviation hazards compared to those identified in the CAPI EIR.

In addition, the proposed project includes an updated Safety and Resilience Element which would adopt the Local Hazard Mitigation Plan by reference, pursuant to Assembly Bill 2140. The proposed General Plan 2040 would add a new goal on hazardous materials and associated new policies to ensure the safe transport of hazardous materials, address potential hazards from prior land uses through the development review process, promote the safe handling of hazardous materials, and support expanded public awareness of household hazardous waste. These proposed changes would

further reduce potential impacts of the proposed General Plan. Future development facilitated by the proposed project would undergo project-specific developmental review, including design review where applicable, and would be subject to adopted development standards.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to hazards and hazardous materials, and no new mitigation measures are necessary. Applicable existing regulations and Mitigation Measure HAZ-1, which was required for the original project, would remain applicable.

Conclusion

Impacts would be similar to the CAPI EIR, and no significant new or substantially increased hazards and hazardous materials impacts would occur compared to those identified in the CAPI EIR.

5.9 Hydrology

Impacts Identified in the CAPI EIR

The CAPI EIR determined that development associated with Phase One would adhere to water quality standards and waste discharge requirements, and that impacts to surface and groundwater quality would be less than significant. Phase One would not substantially interfere with groundwater supplies or sustainable management of local basins. The CAPI EIR found that while there may be changes to drainage patterns and increased runoff, Phase One was not expected to cause significant erosion, flooding, or exceed stormwater system capacities; impacts would be less than significant. Compliance with relevant regulations will also mitigate potential impacts from flooding, particularly post-wildfire.

The CAPI EIR determined that development facilitated by Phase One would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Further, compliance with the basin plan would be a requirement of all development facilitated by Phase One. The CAPI EIR also determined that individual development projects would be required to comply with best management practices in accordance with State and local regulations and permit requirements.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential, allowed location or extent of ground disturbance or development, or land uses envisioned and analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR as future implementation actions of the original CAPI project. In addition, the proposed project would not result in increased density or more development than was envisioned in Phase One. Policies related to water quality and hydrology from the 2002 General Plan are being carried forward to the updated General Plan 2040 and are augmented by new policies to address current stormwater quality requirements.

Accordingly, the proposed project would result in similar impacts to hydrology as Phase One. Similar to Phase One, the proposed project would be subject to the same Federal, State, regional, and municipal code regulations and requirements that would minimize exposure to flood-related hazards and minimize water quality impacts and impacts to wetlands resulting from new development. As a result, the proposed project would not result in new significant impacts to hydrology and water

quality such as violation of water quality standards, decreased groundwater supplies or groundwater recharge, altered drainage patterns resulting in increased flooding, tsunami, or seiche hazard risks, or conflict with a water quality control plan. Future development facilitated by the proposed project would undergo project-specific developmental review, including design review where applicable, and would be subject to adopted development standards

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to hydrology compared with those identified in the CAPI EIR, and no new mitigation measures are necessary.

Conclusion

Impacts would be similar to the CAPI EIR, and no significant new or substantially increased hydrology impacts would occur compared to those identified in the CAPI EIR.

5.10 Land Use and Planning

Impacts Identified in the CAPI EIR

The CAPI EIR determined that Phase One would not physically divide an established community, as Phase One would continue orderly development in the Plan Area and would not physically divide an established community. Impacts would be less than significant. Additionally, the CAPI EIR determined that Phase One would not conflict with applicable land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories. It would not modify the buildout estimates, development standards, development potential or land uses envisioned and analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR prepared for Phase One as future implementation actions of the original CAPI project. The proposed project would update the General Plan consistent with the CAPI, thereby resulting in the same impacts to land use and planning from new development as evaluated in the CAPI EIR. The proposed project implements the policy direction evaluated in the CAPI EIR, which changed land use designations in the Rheem Center and Moraga Center to support mixed use and multi-family housing. Under the proposed project, new policies would be added to address childcare facilities, accessory dwelling units, code enforcement, modernization of commercial uses, higher-density residential uses in commercial areas, conditional use permits, sustainable development, and campus master plans. These policies are consistent with the intent of Phase One and the land uses evaluated in the CAPI EIR. No changes in development standards such as height limits or setbacks are proposed. Existing zoning requirements would ensure that new housing would be compatible with existing neighborhoods.

In summary, the proposed project would not result in changes to land use standards identified in the CAPI EIR. The proposed policy changes would further reduce potential impacts. In addition, the proposed project would not result in increased density or more development than was envisioned in the CAPI EIR. Future development facilitated by the proposed project would undergo project-specific developmental review, including design review where applicable, and would be subject to adopted development standards.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur related to land use and planning compared with those identified in the CAPI EIR, and no new or revised mitigation measures are necessary.

Conclusion

Impacts would be similar to impacts identified in the CAPI EIR for Phase One, and no significant new or substantially increased impacts to land use and planning would occur compared to those identified for Phase One.

5.11 Noise

Impacts Identified in the CAPI EIR

The CAPI EIR determined that construction of individual projects facilitated by the Housing Element portion of Phase One would temporarily increase noise levels, potentially affecting nearby noise-sensitive land uses. Provisions in the Moraga Municipal Code would limit construction noise disturbance to the extent feasible. However, the CAPI EIR determined that construction noise may still exceed noise standards and as such Mitigation Measure NOI-1, which includes construction noise reduction measures as conditions of approval, would be required. However, even with mitigation, impacts to noise levels would be significant and unavoidable. In contrast, the CAPI EIR found that construction of development facilitated by the Bollinger Canyon Rezone portion of Phase One would temporarily increase noise levels but would not affect noise-sensitive land uses. Impacts would be less than significant.

The CAPI EIR stated that development facilitated by the Housing Element portion of Phase One would introduce new operational noise sources, specifically noise associated with traffic. Impacts from stationary operational noise would be less than significant with Implementation Program NOI-A. Additionally, Mitigation Measure TRA-1 would be required to reduce impacts to traffic noise through implementation of VMT reduction measures. Nonetheless, implementation of this mitigation would not guarantee that traffic noise is below the threshold of 3 dBA CNEL increase and impacts would remain significant and unavoidable. The CAPI EIR found that development facilitated by the Bollinger Canyon Rezone portion of Phase One would introduce new operational noise sources, but increased noise levels would be less than significant.

The CAPI EIR determined that development facilitated by the Housing Element portion of Phase One could temporarily generate groundborne vibration during construction, potentially affecting nearby land uses. However, impacts would be less than significant with implementation of Mitigation Measure NOI-2, which requires the development of a vibration control plan for applicable projects. The CAPI EIR found that construction of development facilitated by the Bollinger Canyon Rezone portion of Phase One could temporarily generate groundborne vibration during construction, but vibration would be below distinctly perceptible vibration levels for humans and structures. Impacts would be less than significant.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential or land uses envisioned and analyzed in the CAPI EIR.

The proposed revisions to the General Plan were generally anticipated by the CAPI EIR prepared for Phase One as future implementation actions of the original CAPI project. In addition, the proposed project would not result in increased density or more development than was envisioned in Phase One. Additionally, development under the proposed project would result in construction noise and vibration similar to development under the CAPI EIR.

The CAPI EIR identified a significant impact related to traffic noise, which was mitigated to the greatest extent feasible through Mitigation Measure TRA-1 but remained significant and unavoidable. Since the proposed project contains similar uses that would result in similar vehicle trips as those evaluated within the CAPI EIR, it would not result in new or more severe impacts related to conflicts with applicable noise standards and increases in ambient noise levels and groundborne vibration due to traffic. In addition, the proposed project would also require implementation of Mitigation Measure NOI-2 to reduce vibration impacts to less than significant levels. Policies and actions that were referenced in the CAPI EIR would help reduce impacts to the greatest extent possible. These policies and actions would be required with implementation of the proposed project.

Additionally, noise policies, which previously appeared in the Open Space and Conservation Element, would now appear in the Safety and Resilience Element under the proposed project. Noise policies continue to emphasize acoustical study requirements, limits on construction noise, and enforcement of motor vehicle code noise standards. These changes would further reduce potential impacts of the proposed General Plan.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur related to noise compared with those identified in the CAPI EIR, and no new or revised mitigation measures are necessary. Applicable existing regulations and mitigation measures TRA-1, NOI-1, and NOI-2, which were required for the original project, would remain applicable.

Conclusion

Impacts would be similar to impacts identified in the CAPI EIR for Phase One, and no significant new or substantially increased noise impacts would occur compared to those identified for Phase One.

5.12 Population and Housing

Impacts Identified in the CAPI EIR

The CAPI EIR determined that Phase One would exceed ABAG's Plan Bay Area 2040 population and housing forecasts but would be consistent with the Town's RHNA allocation. ABAG's next Plan Bay Area would incorporate growth projected by the Housing Element and development facilitated by the Bollinger Canyon Rezoning, and therefore, resulting growth would be anticipated and would not result in unplanned population growth. Therefore, Phase One would not induce substantial unplanned population growth, and impacts would be less than significant.

Because the Phase One would allow for an overall increase in housing units as compared to existing conditions, the CAPI EIR determined that development facilitated by the Phase One would be unlikely to result in the displacement of significant numbers of existing residents or housing units. The CAPI EIR concluded that impacts related to displacement of people and housing would be less than significant.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential or land uses envisioned and analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR prepared for Phase One as future implementation actions of the original CAPI project. The proposed project would update the General Plan consistent with the CAPI, thereby resulting in the same impacts to population and housing from new development as evaluated in the CAPI EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the CAPI EIR.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to population and housing, and no new mitigation measures are necessary.

Conclusion

Impacts would be similar to those identified in the CAPI EIR, and no significant new or substantially increased impacts to population and housing would occur compared to those discussed in the CAPI EIR.

5.13 Public Facilities and Recreation

Impacts Identified in the CAPI EIR

The CAPI EIR determined that implementation of Phase One would not result in the need for new or physically altered governmental facilities. The CAPI EIR reports that the Moraga-Orinda Fire District, and Moraga Police Department do not foresee a need for new or expanded facilities to accommodate planned growth within the Plan Area. Existing Town policies and regulations would reduce the number of calls for fire and police protection services by minimizing safety risks. Therefore, Phase One would not require new or physically altered fire or police protection facilities and impacts were determined to be less than significant.

The CAPI EIR determined that development facilitated by Phase One would increase the population in the planning area, which could result in the need for additional and/or expanded school facilities. However, Government Code 65995 (b) would require funding for the provision or expansion of new school facilities to offset impacts from Phase One. Impacts to school facilities were determined to be less than significant.

Development facilitated by Phase One would increase the population in the town, which would increase demand for parks and recreation services. However, the CAPI EIR found that the Town would not exceed its threshold of three acres of parkland per 1,000 residents. Additionally, any future plans to expand public facilities, such as the Moraga Public Library, would be subject to environmental review under CEQA. Given that these facilities are on infill sites, expansion is unlikely to result in significant impacts. Therefore, impacts were determined to be less than significant

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates,

development standards, development potential or land uses envisioned and analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR as future implementation actions of the original CAPI project. The proposed project would update the General Plan consistent with the CAPI, thereby resulting in the same public services impacts from new development as evaluated in the CAPI EIR. As discussed in Section 4.12, *Population and Housing*, the proposed project would not induce a substantial, unplanned increase in population or housing units within the Plan Area. The project's anticipated increase in housing units and population was accounted for in the CAPI EIR for Phase One.

As discussed in the CAPI EIR and summarized above, Phase One would not require new or physically altered governmental facilities or park and recreational facilities. Therefore, the project would not require new or physically altered governmental facilities or park and recreational facilities. Further, under the proposed project, new General Plan policies would be added supporting special events, arts and culture, and trail easements in new development. The proposed project maintains the current standard of three acres of parkland per 1,000 residents but includes an action to consider increases to the standard during a future Park Master Plan Update. These changes would further reduce potential impacts of the proposed General Plan. Future development facilitated by the proposed project would undergo project-specific developmental review, including design review where applicable, and would be subject to adopted development standards.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to public facilities and recreation compared with those identified in the CAPI EIR, and no new mitigation measures are necessary.

Conclusion

Impacts would be similar to the CAPI EIR, and no significant new or substantially increased public facilities and recreation impacts would occur compared to those identified in the CAPI EIR.

5.14 Transportation

Impacts Identified in the CAPI EIR

The CAPI EIR found that Phase One would not conflict with existing programs, plans, or policies related to the circulation system, including transit, roadway, bicycle, and pedestrian facilities, resulting in less than significant impacts. However, Phase One would generate home-based VMT per resident that exceeds 85 percent of the countywide average. Accordingly, Mitigation Measure TRA-1, which includes VMT reduction measures, would be required. However, impacts on VMT were determined to remain significant and unavoidable even with mitigation. On-site circulation, access, and parking designs for Phase One would meet Town and industry standard design guidelines, ensuring less than significant impacts for on-site circulation, access, and parking. Additionally, development facilitated by the Housing Element would be required to provide adequate emergency access and evacuation plans, further mitigating potential issues. Impacts would be less than significant.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential, location or access, or land uses envisioned and

analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR as future implementation actions of the original CAPI project. In addition, the proposed project would not result in increased density or more development than was envisioned in the CAPI EIR. Therefore, the proposed project results in the same transportation impacts from new development, including VMT, as evaluated in the CAPI EIR.

Accordingly, policies and actions that were referenced in the CAPI EIR, as well as Mitigation Measure TRA-1, would reduce impacts to the greatest extent possible. Further, under the proposed project, the General Plan 2040 would include policy revisions which encourage a more multi-modal transportation system that allows for safer cycling and walking, better transit, Vision Zero and fewer VMT. Additionally, the goal to reduce Vehicle Miles Travelled (VMT) would be carried forward via new policies which encourage the use of zero emission vehicles, locating more dense development in the two commercial shopping areas, and improving electric car charging infrastructure. A new goal would be added on the efficiency of the transportation network, replacing the existing goal on ingress and egress to Moraga. The proposed policy changes would further reduce potential impacts of the proposed General Plan. These policies, actions, and mitigation measures would continue to be required with implementation of the proposed project. Future development facilitated by the proposed project would undergo project-specific developmental review, including design review where applicable, and would be subject to adopted development and transportation standards.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to transportation compared with those identified in the CAPI EIR, and no new mitigation measures are necessary.

Conclusion

Impacts would be similar to impacts identified in the CAPI EIR for Phase One, and no significant new or substantially increased transportation impacts would occur compared to those identified for Phase One.

5.15 Tribal Cultural Resources

Impacts Identified in the CAPI EIR

The CAPI EIR determined that there were no previously recorded tribal cultural resources within or adjacent to the Plan Area but acknowledged that there was potential for discovery of tribal cultural resources during future development. As part of preparation of the CAPI EIR, the Town of Moraga sent notification letters to tribes affiliated with the Plan Area pursuant to the provisions of Assembly Bill (AB) 52. The CAPI EIR notes that no tribes submitted a request for consultation. The CAPI EIR states that tribal cultural resources could be encountered during grading and excavation activities for projects facilitated by Phase One; however, Implementation Programs TCR-A and TCR-B would reduce impacts to tribal cultural resources to a less than significant level. Implementation Program TCR-A requires suspension of work around tribal cultural resources, and proposed Implementation Program TCR-B requires preparation of a tribal cultural resource treatment plan in the event an unanticipated archaeological resource is uncovered. Additionally, the CAPI EIR stated that future projects would be required to comply with the provisions of Assembly Bill (AB) 52 and incorporate tribal consultation into the CEQA environmental review process. The CAPI EIR concluded that with existing Implementation Programs and State requirements, the impact of Phase One on tribal cultural resources would be less than significant.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential, areas of ground disturbance or land uses envisioned and analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR as future implementation actions of the original CAPI project. The proposed project would update the General Plan consistent with the CAPI, thereby resulting in the same impacts to tribal cultural resources as evaluated in the CAPI EIR. In addition, the proposed project would not result in increased density or more development than was envisioned in the CAPI EIR. As discussed in the CAPI EIR, no previously unidentified tribal cultural resources within the Plan Area have been identified during consultation, nevertheless, future development facilitated by the proposed project would be required to comply with applicable State regulations including the Town's municipal code, and Implementation Programs TCR-A and TCR-B. Future development facilitated by the proposed project would undergo project-specific developmental review, including design review where applicable, and would be subject to adopted development standards.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to tribal cultural resources, and no new mitigation measures are necessary. Implementation Programs TCR-A and TCR-B, which were required for the original project, would remain applicable.

Conclusion

Impacts would be similar to the CAPI EIR, and no significant new or substantially increased impacts to tribal cultural resources would occur compared to those identified in the CAPI EIR.

5.16 Utilities and Service Systems

Impacts Identified in the Certified EIR

The CAPI EIR determined that the Housing Element portion of Phase One would increase demand for water, wastewater treatment, storm water drainage, electric power, natural gas, and telecommunications. However, existing utility systems would have capacity to serve the project and impacts would be less than significant. The Bollinger Canyon Rezone portion of Phase One would increase demand for wastewater treatment, storm water drainage, electric power, natural gas, and telecommunications. In addition, the Bollinger Canyon Study Area is not currently served by utility providers, and new infrastructure would need to be extended in previously undeveloped areas to accommodate the development facilitated by the Bollinger Canyon Rezone. To mitigate impacts, mitigation measures BIO-1 through BIO-9, Implementation Programs CR-A through CR-D, Implementation Program PAL-A, and Implementation Programs TCR-A and TCR-B would be required. However, impacts associated with the Bollinger Canyon Rezone were determined to be significant and unavoidable.

The CAPI EIR determined that Phase One implementation would comply with Federal, State, and local management and reduction statutes and regulations related to solid waste and would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Impacts were determined to be less than significant.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential, infrastructure or land uses envisioned and analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR as future implementation actions of the original CAPI project. The proposed project would update the General Plan consistent with the CAPI, thereby resulting in the same utilities and service system impacts from new development as evaluated in the CAPI EIR. As discussed in Section 4.12, *Population and Housing*, the proposed project would not induce a substantial, unplanned increase in population or housing units within the Plan Area. The project's anticipated increase in population and housing units was accounted for in the CAPI EIR. The CAPI EIR identified a significant impact related to utility service for the Bollinger Canyon Rezone area, which was mitigated to the greatest extent feasible through mitigation measures BIO-1 through BIO-9, Implementation Programs CR-A through CR-D, Implementation Program PAL-A, and Implementation Programs TCR-A and TCR-B but remained significant and unavoidable. These measures would be required with implementation of the proposed project and are not affected by the proposed project.

Under the proposed project a new goal on solid waste management would be added to the General Plan 2040 which includes policies that support waste reduction, expanded participation in recycling, special waste pick-up, source reduction, construction and demolition debris recycling, and education on waste reduction. In addition, water quality policies would be updated to reflect Clean Water Program goals and activities, and reference low-impact development and sustainability. These proposed changes would further reduce potential impacts of the proposed General Plan. Future development facilitated by the proposed project would undergo project-specific developmental review, including design review where applicable, and would be subject to adopted development standards.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to utilities and service systems, and no new mitigation measures are necessary. Mitigation measures BIO-1 through BIO-9, Implementation Programs CR-A through CR-D, Implementation Program PAL-A, and Implementation Programs TCR-A and TCR-B, which were required for the original project, would remain applicable.

Conclusion

Impacts would be similar to impacts identified in the CAPI EIR for Phase One, and no significant new or substantially increased impacts to utilities or service systems would occur compared to those identified for Phase One.

5.17 Wildfire

Impacts Identified in the CAPI EIR

The CAPI EIR found that Phase One would be in and near an SRA or Very High Fire Hazard Severity Zones (FHSZs). Compliance with applicable State and local regulations relating to evacuation would reduce the extent to which the project would impair emergency response and evacuation. Accordingly, Mitigation Measure WFR-1, which includes development of a wildfire assessment plan and guidelines, would be required for applicable projects. However, impacts would remain significant

and unavoidable even with mitigation. Additionally, the CAPI EIR determined that development facilitated by Phase One would expose project occupants and structures to wildfire risks for sites located in or near Very High FHSZs. Mitigation Measure WFR-2, which requires construction wildfire risk reduction measures for applicable projects, would be required. Impacts were determined to be significant and unavoidable.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town's Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential, development locations or land uses envisioned and analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR as future implementation actions of the original CAPI project. The proposed project would update the General Plan consistent with the CAPI, thereby resulting in the same wildfire impacts from new development as evaluated in the CAPI EIR. The CAPI EIR identified significant impacts related to wildfire, which would be mitigated to the greatest extent feasible through mitigation measures WFR-1 and WFR-2 but still remained significant and unavoidable. These measures also would be required with implementation of the proposed project. Future development facilitated by the proposed project would undergo project-specific developmental review, including design review where applicable, and would be subject to adopted development standards.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to wildfire, and no new mitigation measures are necessary. Mitigation measures WFR-1 and WFR-2, which were required for the original project, would remain applicable.

Conclusion

The CAPI EIR found wildfire impacts to be significant and unavoidable. Similarly, the proposed project would also be significant and unavoidable, and no significant new or substantially increased impacts to wildfire would occur compared to the original project.

5.18 Impacts Not Potentially Significant in the CAPI EIR

The CAPI EIR considered agriculture and forestry resources and mineral resources in Section 4.18, *Effects Found Not to be Significant*, of the CAPI EIR.

Impacts Identified in the CAPI EIR

Agriculture and Forestry Resources

The CAPI EIR determined that there are 31.3 acres of unique farmland and 8.5 acres of prime farmland in the town which have not been actively used for agricultural purposes in several years. Phase One would increase the allowable densities in some of this area from 20 dwelling units per acre to 24 dwelling units per acre. The change in density would not result in an increase to the environmental footprint that is already allowed under the current zoning, and for this reason would not result in additional impacts to farmland. Phase One was determined to have no impact on Williamson Act contract lands. In addition, there is no land in the Plan Area that meets the definition of a forestry resource as defined by California Public Resources Code Section 12220(g). Additionally, there are no

farmlands or forestlands adjacent to the town for which Phase One would further the likelihood of conversion. Therefore, Phase One would not conflict with or cause rezoning of forest land or timberland nor result in the loss of forest land to non-forest use. No impact would occur.

Mineral Resources

The Town of Moraga does not have significant mineral resources or active mining sites within its boundaries, and there are no identified mineral resources that would be affected or made unavailable by the buildout of Phase One. Therefore, the CAPI EIR concludes that Phase One would have no impact to mineral resources.

Noise (Airport-Related)

There are no airports within Moraga and the noise contours for the closest airports do not extend into Moraga. Accordingly, none of the Plan Area is located within projected airport noise contours. There are also no private airstrips in Moraga. Therefore, no substantial noise exposure from airport noise would occur. Therefore, the CAPI EIR concluded that Phase One would have no impact regarding airport noise.

Impacts of the Proposed Project

Agriculture and Forestry Resources

As discussed in the CAPI EIR, the Plan Area, including the proposed project, would not impact Important Farmland, areas zoned for agricultural use, property enrolled in a Williamson Act contract, forestry resources, timber resources, or areas zoned for timber production. Accordingly, the proposed project would have no impacts to agriculture and forestry resources.

Mineral Resources

As discussed in the CAPI EIR, the Plan Area, including the proposed project, does not include areas known to contain mineral resources, and the project would not affect or make unavailable mineral resources. The project would have no impact to mineral resources.

Noise (Airport-Related)

As discussed in the CAPI EIR, there are no airports within Moraga and the noise contours for the closest airports do not extend into Moraga. Accordingly, the proposed project would not have impacts regarding airport noise.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to agriculture and forestry resources, mineral resources, or airport noise compared to those identified in the CAPI EIR, and no new mitigation measures are necessary.

Conclusion

Impacts would be similar to the CAPI EIR, and no significant new or substantially increased agriculture and forestry resources, mineral resources, or airport noise impacts would occur compared to those identified in the CAPI EIR.

6 Cumulative Impacts

In addition to the specific impacts of individual projects, CEQA requires consideration of potential cumulative impacts of the proposed project. CEQA defines “cumulative impacts” as two or more individual impacts that, when considered together, are substantial or will compound other environmental impacts. Cumulative impacts are the combined changes in the environment that result from the incremental impact of development of the proposed project and other past, present, and probable future projects producing related or cumulative impacts. For example, noise impacts of two nearby projects may be less than significant when analyzed separately but could have a significant impact when analyzed together. The cumulative impact analysis provides a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

CEQA Guidelines Section 15130 requires that a cumulative impact analysis consider either a list of planned and pending projects that may contribute to cumulative effects or a summary of projections contained in an adopted planning document such as a general plan.

Impacts Identified in the CAPI EIR

The cumulative setting for the analysis in the CAPI EIR is explained in Section 3, *Environmental Setting*, of the CAPI EIR. As stated in that section, because the project is a Housing Element Update, General Plan Amendment, and rezoning, cumulative impacts are treated somewhat differently than would be the case for a project-specific development. By its nature, Phase One considered cumulative impacts insofar as it considered cumulative development that could occur within the town limits. For example, the transportation analysis considers the overall change in vehicle miles travelled (VMT) due to implementing potential development projects under the Planning Initiative that would add to the town buildout. As such, the analysis in the CAPI EIR considers cumulative impacts by definition. These cumulative VMT calculations are accounted for in the air quality, energy, greenhouse gas emissions, and noise analyses; therefore, these analyses would also be considered cumulative. Other impacts, such as geology and soils and cultural resources, are site specific and would not result in an overall cumulative impact from growth outside of the town. Therefore, the analysis of project impacts in the CAPI EIR also constitutes the cumulative analysis.

Impacts of the Proposed Project

The proposed project would implement the updated General Plan 2040 and does not involve changes to the Town’s Land Use Map or land use categories and would not modify the buildout estimates, development standards, development potential, development location or land uses envisioned and analyzed in the CAPI EIR. The proposed revisions to the General Plan were generally anticipated by the CAPI EIR as future implementation actions of the original CAPI project. Because the conditions in the CAPI EIR are substantially the same as the current conditions in the town and region, the cumulative setting in the CAPI EIR has not changed and remains the same for the purposes of this analysis. The proposed project would not result in new impacts compared to Phase One as analyzed in the CAPI EIR. Like Phase One, the proposed project would result in impacts related to air quality, GHGs, cultural resources, hazards and hazardous materials, noise, transportation, and wildfire, and also would result in cumulatively considerable impacts, even with implementation of the aforementioned mitigation measures. Similar to Phase One, the proposed project would result in less than significant cumulative impacts related to all other impact areas with adherence to State and local

regulations as well as the Moraga Municipal Code; therefore, the proposed project would not make a cumulatively considerable contribution to a cumulative impact.

Effects and Mitigation Measures

No new or substantially more severe significant effects would occur to cumulative impacts, and no new mitigation measures are required.

Conclusion

The proposed project would have cumulatively considerable impacts related to air quality, GHGs, cultural resources, hazards and hazardous materials, noise, transportation, and wildfire, and less than significant cumulative impacts with respect to all other impact areas. No substantial changes have occurred that require major revisions to the CAPI EIR. There is no new information indicating that the proposed project would have new significant impacts or substantially more severe significant impacts with respect to cumulative impacts than were identified in the CAPI EIR. None of the conditions listed in *CEQA Guidelines* Section 15162 requiring preparation of a subsequent EIR have been met.

7 Conclusion

As discussed in detail in the preceding sections, potential impacts associated with the proposed project are consistent with potential impacts characterized and mitigated for in the CAPI EIR. Substantive revisions to the CAPI EIR are not necessary, because no new significant impacts or significant impacts of substantially greater severity than previously described would occur because of the proposed project. Thus, the conditions outlined in *CEQA Guidelines* Section 15162(3)(A) and (D) requiring preparation of a subsequent EIR would not be met.

Based on the analysis contained herein, the following determinations are applicable:

- No further evaluation of environmental impacts is required for the proposed project.
- No subsequent EIR is necessary pursuant to *CEQA Guidelines* Section 15162.
- This addendum is the appropriate level of environmental analysis and documentation for the proposed project pursuant to *CEQA Guidelines* Section 15164.

Pursuant to *CEQA Guidelines* Section 15164(c), this addendum will be included in the public record for the CAPI EIR. Documents related to this addendum will be available at the Town of Moraga Planning Department at 329 Rheem Boulevard in Moraga.

8 References and Preparers

8.1 References

Moraga, Town of. 2023. Comprehensive Advanced Planning Initiative Final Environmental Impact Report, State Clearinghouse No. 2022020106. <https://www.moraga.ca.us/501/Environmental-Review>. (accessed September 2024).

8.2 List of Preparers

Rincon prepared this addendum under contract to the Town of Moraga. Persons and firms involved in data gathering, analysis, project management, and quality control include:

Rincon Consultants, Inc.

Abe Leider, AICP CEP, Principal-in-Charge

Gianna Meschi, Project Manager