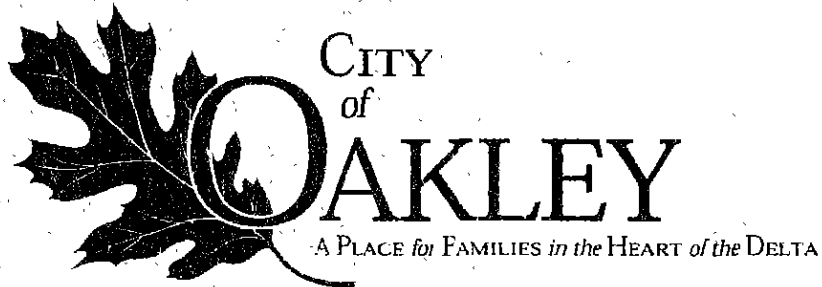


GILBERT PROPERTY

FINAL ENVIRONMENTAL IMPACT REPORT SCH# 2007012075

PREPARED FOR
THE CITY OF OAKLEY



SEPTEMBER 2007

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FINAL
ENVIRONMENTAL IMPACT REPORT
GILBERT PROPERTY PROJECT

State Clearinghouse #: 2007012075

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September 2007

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1. INTRODUCTION AND LIST OF COMMENTERS

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INTRODUCTION

This Final Environmental Impact Report (FEIR) contains public and agency comments received during the public review period of the Gilbert Property Draft Environmental Impact Report (DEIR). This document has been prepared by the City of Oakley in accordance with the California Environmental Quality Act (CEQA).

BACKGROUND

A Notice of Preparation (NOP) for the DEIR was released January 25, 2007 for a 30-day review period. In addition, a public scoping meeting was held on February 7, 2007. The comments received from the NOP were addressed in the Gilbert Property DEIR. The Gilbert Property DEIR is an informational document intended to disclose the environmental consequences of approving and implementing the Gilbert Property project. All written comments received during the 45-day public review period, from April 9, 2007 to May 23, 2007, are addressed in this FEIR.

SUMMARY OF TEXT CHANGES

Chapter 2, Revisions to the DEIR Text, identifies all changes to the DEIR. These changes are in response to comments on the DEIR received during the public review period.

RESPONSES TO COMMENTS

Responses to comments received on the DEIR during the public review period are presented in Chapter 3, Comments and Responses. Comments were received during the public comment period solely from written correspondence. Each comment letter received has been numbered at the top and then bracketed to indicate how the letter has been divided into individual comments. Each comment is given a number with the letter number appearing first, followed by the comment number. For example, the first comment in Letter 1 would have the following format: 1-1. In Chapter 3 of the FEIR, the bracketed comment letters precede responses to the comments found in the letters.

LIST OF COMMENTERS

The following is a list of comment letters received identifying the letter number, agency or person submitting the letter, and the page number on which the letter appears.

<u>Letter</u>	<u>Page</u>
1. Ironhouse Sanitary District	3-2
2. Department of Energy, Western Area Power Administration	3-10

3. Department of Transportation..... 3-14
4. Carlson, Barbee & Gibson, Inc. 3-18
5. Carlson, Barbee & Gibson, Inc (Memorandum)..... 3-20

2. REVISIONS TO THE DEIR TEXT

2. REVISIONS TO THE DEIR TEXT

INTRODUCTION

This chapter presents all of the revisions made to the DEIR in response to comments received. New text is double underlined and deleted text is struck through. Text changes are presented in the page order in which they appear in the DEIR. It should be noted that none of the following text revisions change the conclusions of the DEIR.

TEXT CHANGES

NOTE: New text is double underlined; deleted text is ~~struck through~~.

2.0 EXECUTIVE SUMMARY

Page 2-1 of the DEIR, third paragraph, is hereby revised to read:

The Gilbert Property project site is bounded by the partially developed Cypress Grove project, Delta Vista Middle School, Iron House Elementary School, the currently vacant Emerson property to the west, the vacant Burroughs property to east, Cypress Road to the south, and the Contra Costa Water District Canal (CCWD/USBR Canal) to the north. The canal separates the project site from approximately 1,200-acres of open space to the north. ~~The canal separates the project site from approximately 1,200 acres of open space to the north.~~ As a result of complete agreements reached between the State of California, the City of Oakley, environmental groups and the prior land owners, the property north of the canal was conveyed to public entities and the parcels south of the canal were designated for development. A substantial portion of this area north of the canal is currently owned by the State of California and is anticipated to be restored to wetlands in the near future. A 55-acre portion of land immediately north of the CCWD/USBR canal and the project site at the end of Sellers Avenue is held in escrow, pursuant to a Memorandum of Understanding and Development Agreement, for future conveyance to the City of Oakley as a community park.

Page 2-1 of the DEIR, fourth paragraph, is hereby revised to read:

The property owners of the Gilbert, Emerson and Burroughs Properties entered into Memorandums of Understanding and Development Agreements during 2002 and 2003 ~~resulted in~~ ing in a comprehensive plan that would result in (1) vested rights for residential development on approximately 271 acres south of the Contra Costa Canal, including the Gilbert Property; (2) conveyance to the State of California (more specifically, to the Department of Water Resources) of approximately 1,150 acres adjusted to the Delta for wetland and Marsh habitat

restoration; and (3) conveyance to the City of approximately 100 acres for park, recreational, trail and community center purposes, including approximately 27 acres within the Burroughs property south of the Contra Costa Canal.

Table 2-1, Summary of Impacts and Mitigation Measures, Page 2-62 of the DEIR, Mitigation Measure 4.13-2 is hereby revised as follows:

4.13-2 *Prior to the issuance of building permits, the applicant shall participate in the provision of funding, per ordinance 86-01, to maintain police services through a special police services tax, similar to conditions placed on recent City subdivision approval, for the approval of the Community Development Department.*

Table 2-1, Summary of Impacts and Mitigation Measures, Page 2-62 of the DEIR, Mitigation Measure 4.13-3(a) is hereby revised as follows:

4.13-3(a) *Prior to the issuance of building permits, the project proponent shall pay a fair share of costs per ordinance 06-01, for new fire protection facilities and services, consistent with fire impact fees adopted by the City of Oakley ~~the development agreement as determined by the City Manager.~~*

3.0 PROJECT DESCRIPTION

Figure 3-3, Gilbert Property Tentative Map has been updated and replaced (See Appendix A of the Final EIR).

Page 3-12 of the DEIR, first paragraph, is hereby revised to read:

A trail would be located along the northern boundary of the development just south of the CCWD/USBR canal. This trail ultimately would connect to the trail ~~constructed by~~ adjacent to the levee across the Emerson north boundary that was completed as part of the Cypress Grove development to the west, which in turn provides access to the existing Marsh Creek Trail, and links to an existing regional trail system. It should be noted that a gap would exist in the trail across the Emerson property until that area is developed.

Page 3-13 of the DEIR, fourth paragraph, is hereby revised to read:

Sellers Avenue will be designed as ultimately a four-lane divided road from Cypress Road to the project boundary with the CCWD/USBR right of way. The Gilbert Property would include the construction of two of these northbound lanes and one southbound lane plus ~~half of the~~ entire median, minus landscape improvements, as a portion of the project.

Page 3-14 of the DEIR, Storm Drainage Section, is hereby revised to read:

The design of the storm water management facilities for the Gilbert Property project would be developed to control peak storm water flows, improve the quality of the storm water runoff before being discharged from the site, and to protect the homes from flooding during large storm events. A storm water pond would be located in the central portion of the Gilbert Property. The pond's surface area would be approximately five acres and pumped into the existing outfalls to Emerson Slough, which is consistent with the area's drainage shed. The pond would be sized to accommodate developed flows for the proposed project site and Burroughs property, as well as the existing flows from properties to the south ~~and east~~. As the properties to the south develop, additional ponds or below grade detention would need to be constructed within those properties to detain storm flows. The outfalls have already been comprehensively studied and analyzed for CEQA purposes and permitted by the City of Oakley under the entitlements for the Cypress Grove subdivisions to the west (8678, 8679 and 8680), which has been constructed. As a result, these outfalls are not considered part of the proposed project.

Page 3-15 of the DEIR, first paragraph, last line, is hereby revised to read:

The Gilbert Property project may accommodate a portion of this improvement ~~if~~ within the project boundary.

4.2 AESTHETICS

Page 4.2-2 of the DEIR, second paragraph, is hereby revised to read:

The proposed land plan for the Gilbert Property project site includes ~~commercial and~~ residential development, trails, a park, levees, and a storm water detention pond, as well as the infrastructure improvements necessary to accommodate the new development (See Chapter 3, Project Description, of this Draft EIR for a complete description of project features.)

Page 4.2-7 of the DEIR, fourth paragraph, is hereby revised to read:

A minimum of 25 feet of landscaping (including a trail) is planned along the north side of Cypress Road, ~~and 15 feet along the south side along the southern boundary of the Emerson, Gilbert and Burroughs properties~~. A generally 16-foot wide landscaped street median divider would be constructed in the center of Cypress Road. A decorative sound wall would be constructed along the north side of Cypress Road. In addition, a creatively designed "highlighted intersection" is planned for the Cypress Road and Sellers Avenue intersection, as called for in Oakley's Residential Design Guidelines.

Page 4.2-8 of the DEIR, third paragraph, is hereby revised to read:

Street yard landscaping would be provided for all private residential lots by the home builders. The landscaping would include trees, shrubs, groundcover, sidewalks and fencing. ~~Landscaping would be maintained through homeowner's associations for all green court cluster and duet lots, and possibly for other housing product lots as well. Non-street yard facing~~ Landscaping improvements would generally be the responsibility of the future residents.

4.3 LAND USE AND AGRICULTURAL RESOURCES

Page 4.3-6 of the DEIR, third paragraph, is hereby revised to read:

Although the General Plan Land Use Diagram places the commercial space on both the Emerson and Gilbert sites, the General Plan does not explicitly state that the commercial development be situated on the Gilbert site. The General Plan states that the "intersection of East Cypress Road and Sellers Avenue is designated for higher intensity uses, including a node of commercial uses at the intersection with multi-family or high density single family surrounding." (City of Oakley General Plan Land Use Element, Page 2-24.) The Framework Study specifies that the totality of the commercial development would be shifted onto the Emerson site. The Gilbert Project would include multi-family high-density land uses in the southeast corner of the project site (~~see Figure 4.3-3, Gilbert Land Use Diagram~~).

Page 4.3-7 of the DEIR, Figure 4.3-3, Gilbert Land Use Diagram, is hereby removed from the DEIR.

4.4 TRAFFIC AND CIRCULATION

Page 4.4-22 of the DEIR, second paragraph, is hereby revised to read:

Cypress Road will be improved along the project boundary with a landscaped median, as well as a landscaped corridor with a trail on the north side of the road. The project would complete the northern half of Cypress Road with three westbound through lanes from Sellers Avenue to ~~the western boundary of the CCWD/USBR right of way~~ Knightsen Avenue with transition to the existing road necessary for safe vehicular movement.

Page 4.4-22 of the DEIR, third paragraph, is hereby revised to read:

The ultimate design of Sellers Avenue will be constructed as a two ~~four~~ lane divided road from Cypress Road north to the project boundary with the CCWD/USBR Right of Way, as adopted by the Development Agreement. The proposed project would include the construction of the northbound lanes, but

stripe the road for two-way traffic (i.e. one southbound lane and one northbound lane), and would construct a median with no landscape improvements.

Page 4.4-22 of the DEIR, last paragraph, is hereby revised to read:

Other roadway improvements associated with the Gilbert Property project include the following:

- Transition of Sellers Avenue north to the Contra Costa Water District Canal ~~future community park~~;
- Modification of existing traffic signals and installation of new traffic signal at the main entry;
- Intersection improvements for Franklin Lane and Knightsen Avenue at Cypress Road; and
- Modification of existing driveways to adjacent properties.

Mitigation Measure 4.4-4, Chapter 4.4, Transportation and Circulation and in Table 2-1, Chapter 2, Executive Summary, of the DEIR is hereby amended as follows:

4.4-4 *The project shall include bus stops on the north both sides of Cypress Road near Sellers Avenue. The final design and location of these bus stops shall be subject to the approval of the Oakley City Engineer prior to approval of final maps. The City Engineer shall coordinate with Tri-Delta Transit as to the placement of the bus stops.*

4.13 PUBLIC SERVICES AND UTILITIES

Pages 4.13-2 and 4.13-3 of the DEIR are hereby revised to read:

Wastewater Collection and Treatment

The Ironhouse Sanitary District (ISD) provides wastewater service to the entire City of Oakley and the unincorporated areas of Bethel Island and Sandmound. Wastewater services include the ~~transmission~~ conveyance of primarily residential and some commercial and light industrial raw wastewater to a treatment facility, ~~for treatment,~~ and ~~land disposal of treated effluent onto agricultural lands on the mainland and Jersey Island~~ the wastewater and residual waste solids.

Current System Capacity

The wastewater system is composed of collection, treatment, and disposal. The collection and treatment facilities will be expanded to meet future requirements. The disposal system has been sized to meet the buildout capacity within the District. The current daily average dry weather flow is 2.64 MGD and treatment capacity totals 3.0 MGD. The current average BOD concentration is 225 mg/l, an

increase of 20 percent over the original design value of 188 mg/l disposal delivery system can handle 4.3 MGD.

Current Conveyance Facilities

The trunk line system is divided into four general areas that are identified as follows:

- Empire Avenue System
- South of Ridge Line System
- Central System, O'Hara Avenue, Laurel Road
- Highway 4 System

The ISD collection system includes approximately 85 miles of gravity pipelines, 20 miles of pressure pipelines, and 31 pump stations. All of the pump stations have a permanent standby generator on-site or are equipped with a portable generator plug-in. Pumping stations and wet wells are to be designed for continuous operation at peak inflow. For reasons of safety, the pumping stations are duplex installations with standby power at major stations. Pump system failure alarms and pumping status is telemetered to signal the ISD office.

Wastewater Treatment

ISD owns and operates a wastewater treatment plant in the northeast portion of Oakley. The plant currently provides wastewater treatment services for Oakley, Bethel Island, and the Sandmound area. Fifty acres of on-site storage are currently available for treated wastewater. The plant uses an aerated pond treatment system that occupies about 7.5 acres of the site. The aerated pond system consists of a nine-inch parshall flume, two grinders, two pumps, and two parallel-two-stage aerated treatment ponds followed by storage and then chlorination.

Effluent Current Disposal Facilities

Current ISD disposal facilities consist of disinfection facilities, 50 acres of storage ponds with a capacity of 350 acre-feet, and land application of recycled water on 166 acres of "mainland" agricultural adjacent to the WWTP and on 425 acres of Jersey Island. Effluent is disposed of through land application of the treated effluent on irrigated pasture and agricultural crops. Currently the disposal is split between the mainland and Jersey Island properties, both are owned by the District. ISD is permitted to apply the reclaimed water on 350 acres of the Jersey Island property and on 260 acres of the mainland property. This provides enough capacity to accommodate the current plant capacity of 3.0 MGD. ISD has increased expected ultimate effluent disposal capacity from 3.0 MGD to 8.0 MGD by the acquisition of additional land.

Sludge Disposal Capacity

The Ironhouse Sanitary District has never applied sludge on property they own, although sludge application is permitted in their current Wastewater Discharge Requirements. ISD has increased its sludge disposal capacity through the beneficial reuse of sludge by land application on ISD owned lands. ISD rotates the application of dewatered sludge and treated effluent both on the existing disposal areas on ISD property and on Jersey Island.

Pages 4.13-17 and 4.13-18 of the DEIR, impact discussion 4.13-1, is hereby revised to read:

Wastewater treatment for the project is provided by Ironhouse Sanitary District (ISD). ~~The ISD's new Wastewater Treatment Facility has a capacity of three million gallons per day (MGD). The current average dry weather flow into the plan is approximately 2.15~~ 2.6 million gallons per day (mgd). Ironhouse Sanitary District's WWTP is rapidly approaching capacity, which is estimated at 2.7 mgd. In order to provide adequate capacity until a new wastewater treatment plant is constructed and operable, ISD is removing solids from the treatment cells and effluent storage ponds on an annual basis. The current average dry weather flow into the plan is approximately 2.15 MGD. The base average dry weather wastewater generation from the project's 510 residential units is illustrated in Table 4.13-2.

Table 4.13-2 Estimated Wastewater Generation for Proposed Project		
Residential:	510 units x 225 gallons per dwelling unit	114,750 Gallons Per Day (GPD)
Ground Water Infiltration (High Groundwater):	120 acres x 300 gallons per day per acre	36,000 GPD
Total:		150,750 GPD (0.15 MGD)
<i>Figures are based upon 225 gallons-per-residential dwelling unit and 300 gallons per acre infiltration estimates.</i>		

Ironhouse Sanitary District is currently designing a new 4.3 mgd wastewater treatment plant. The ISD Wastewater Treatment Facility has adequate capacity to handle the added 0.15 MGD. In addition, ~~t~~the applicant project developer shall would pay applicable trunkline capacity and plant capacity fees for the new WWTP, which would help fund current expansion.

Currently, properties connected to the system on Cypress Road pump their wastewater to the treatment plant through an existing 14-inch ~~force main~~ forcemain in Cypress Road. The ~~force main~~ forcemain connects to an existing ~~18-inch~~ gravity main in State Route (SR) 4 that flows to the treatment plant (See Figure 4.13-1).

As shown in Figure 4.13-1, the proposed project includes a regional pump station on the proposed project site. The pump station is envisioned to serve all of the original Dutch Slough properties, as well as areas south of Cypress Road, and would flow from the Cypress Groves Subdivision.

The proposed project requires the construction of a 14-inch forcemain. The new forcemain is proposed to begin east of Jersey Island Road and run down Cypress Road, turn north on Sellers to the USBR canal ROW and be located in the ROW, and then cross over onto ISD property at the junction of Marsh Creek and the Contra Costa Canal.

In addition to the forcemain, the project would be required to contribute to the upsizing of the current 18-inch sewer trunk to a 36-inch sewer trunk.

~~Ironhouse Sanitation District is requiring a second force main, estimated at 14 inches, to serve the ultimate buildout of the City and ISD service boundary. This line may be constructed in Cypress Road or along the northern trail corridor adjacent to the CCWD/USBR right of way. The Gilbert Property project would construct trunk mains in the local streets to collect wastewater produced by the project. The wastewater would flow by gravity to pump stations. This system would connect to the new 14 inch force main.~~

Pages 4.13-18 and 2-61 of the DEIR, for clarification purposes, mitigation measure 4.13-2 is hereby revised to read:

4.13-2 Prior to the issuance of building permits, the applicant shall participate in the provision of funding, per ordinance 86-01, to maintain police services through a special police services tax, similar to conditions placed on recent City subdivision approval, for the approval of the Community Development Department.

Pages 4.13-20 and 2-61 of the DEIR, for clarification purposes, mitigation measure 4.13-3(a) is hereby revised to read:

4.13-3(a) Prior to the issuance of building permits, the project proponent shall pay a fair share of costs, per ordinance 06-01, for new fire protection facilities and services, consistent with fire impact fees adopted by the City of Oakley the development agreement as determined by the City Manager.

3. COMMENTS AND RESPONSES

3. COMMENTS AND RESPONSES

This chapter responds to each of the five comment letters on the DEIR received during the public comment period. Each bracketed comment letter is followed by numbered responses to each bracketed comment.

Letter 1

FAX
(925) 625-0189



IRONHOUSE SANITARY DISTRICT
450 Walnut Meadows Drive • P.O. Box 1105 • Oakley, CA 94561

Telephone
(925) 625-2279

May 22, 2007

Ms. Rochelle Henson
City of Oakley
3231 Main Street
Oakley, CA 94561

RECEIVED
MAY 23 2007
CITY OF OAKLEY

**SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE
GILBERT PROPERTY**

Dear Ms. Henson,

1-1

Ironhouse Sanitary District's comments, consisting of 3 pages, on the DEIR for the Gilbert Property are attached.

If you wish to discuss the comments, please call.

Sincerely,
IRONHOUSE SANITARY DISTRICT


Jennifer M. Skrel
District Engineer

**Letter 1
(Cont'd.)**

Corrections to Page 4.13-2 through 4.13-3

Wastewater Collection, Treatment, and Disposal

Ironhouse Sanitary District (ISD) provides wastewater service to the entire City of Oakley and unincorporated areas of Bethel Island and Sandmound. Wastewater services include the conveyance of primarily residential and some commercial and light industrial raw wastewater to a treatment facility for treatment and disposal of treated effluent onto agricultural lands on the mainland and Jersey Island.

Current System Capacity

The wastewater system is composed of collection, treatment, and disposal. The current average dry weather flow to ISD's wastewater treatment plant is 2.60 mgd. Improvements to the WWTP completed in 1997, provided capacity for up to 3.0 mgd at an influent BOD concentration of 188 mg/l. Over the past several years, the influent BOD concentration has steadily increased, due mainly to the use of low flush toilets. The current average influent BOD concentration is 225 mg/l, an increase of 20% over the original design value of 188 mg/l.

Due to the impacts of increased influent BOD load, ISD's WWTP is rapidly approaching capacity estimated at approximately 2.7 mgd. To address the higher BOD load, ISD is removing solids from the treatment cells and effluent storage ponds on an annual basis.

Current Conveyance Facilities

The ISD collection system includes approximately 85 miles of gravity pipelines, 20 miles of pressure pipelines and 31 pump stations. All the pump stations have either a permanent standby generator on-site or are equipped with a plug in for a portable generator.

ISD under has the ability to route raw sewage, from the north easterly portion of the collection system, to emergency storage basins south of Bethel Island when periodic maintenance and/or repair of wastewater conveyance systems is necessary.

Current Treatment Facilities

The treatment train consists of two channel grinders, a 9-inch parshall flume, two 42-inch diameter screw pumps, and two parallel, two-stage aerated ponds, with return sludge capability. The first aerated pond is a completely mixed basin with a volume of 1.7 million gallons and five 20-horsepower floating aerators. The second completely mixed aerated pond has a volume of 2.4 million gallons, and six 10-horsepower floating aerators.

1-2

1-3

**Letter 1
(Cont'd.)**

Current Disposal Facilities

ISD's disposal system currently consists of disinfection facilities, 50 acres of storage ponds with a capacity of 350 acre-feet (114 MG) assuming 3-feet of freeboard, and land application of recycled water on 166 acres of "mainland" agricultural land adjacent to the wastewater treatment plant, and on 425 acres on Jersey Island.

Sludge Disposal Capacity

ISD has never applied sludge on property they own though their current Waste Discharge Requirements allow them to do so. Currently ISD is contracting to have sludge removed from the treatment and effluent storage ponds and disposed of off-site.

Corrections to Pages 4.13-17 through 4.13-18

4.13-1 Impacts related to adequate wastewater treatment and infrastructure capacity

Wastewater treatment for the project is provided by Ironhouse Sanitary District (ISD). The current average dry weather flow into the plant is approximately 2.6 MGD. ISD's WWTP is rapidly approaching capacity estimated at approximately 2.7 mgd. To provide adequate capacity until a new wastewater treatment plant is constructed and operable ISD is removing solids from the treatment cells and effluent storage ponds on an annual basis.

The base average dry weather wastewater generation from the project's 510 residential units is illustrated in Table 4.13-2.

**Table 4.13-2
Estimated Wastewater Generation for Proposed Project**

No corrections to table.

ISD is in the process of designing a new 4.3 MGD wastewater treatment plant that is planned to be operational by September 2010. The project developer will pay applicable trunkline capacity and plant capacity fees to help fund the proposed new plant.

Currently, properties connected to the system on Cypress Road pump their wastewater to the treatment plant through an existing 14-inch forcemain in Cypress Road. The forcemain connects to an existing gravity main in SR 4 that flows to the treatment plant (See Figure 4.13-1).

To serve growth in the Cypress Road area ISD is requiring construction of a Regional Pump Station, 14-inch forcemain, and 36-inch gravity trunk sewer.

**1-2
(Cont'd.)**

**Letter 1
(Cont'd.)**

Regional Pump Station

To serve the project a new Regional Pump Station on the Gilbert property is proposed. Originally to serve the Burroughs, Gilbert and Emerson properties the Regional Pump Station was located on the Emerson Property. This proposed Regional Pump Station on the Gilbert property is envisioned to serve all the original Dutch Slough Properties as well as areas to the south of Cypress Road and flow from the Cypress Groves Subdivision. A 10-inch gravity line has been partially constructed to convey flow from the existing Cypress Groves pump station to the proposed Regional Pump Station on the Gilbert property. It is ISD desire minimize the number of sub-regional pump stations constructed for all the areas tributary to the proposed Regional Pump Station.

Forcemain

The proposed project will require construction of a new 14-inch forcemain. The new Regional Pump Station shall pump into the new forcemain in the future once construction of the entire 14-inch forcemain is complete and can temporarily pump into the existing forcemain. The new 14-inch forcemain is proposed to begin east of Jersey Island Road and run down Cypress Road, turn north on Sellers to the USBR canal ROW and be located in the ROW then cross over onto ISD property at the junction of Marsh Creek and the Contra Costa Canal. ISD is in the process of designing a casing for the 14-inch as it crossings Contra Costa Water District's proposed canal pipeline.

36-inch Trunk Sewer

Flow from the Gilbert project and surrounding areas plus that from the East Cypress Corridor and Bethel Island will necessitate upsizing the current 18-inch truck sewer which conveys flows to the wastewater treatment plant to a 36-inch trunk sewer. The proposed project will participate in construction of the 36-inch trunk sewer. ISD is in the process of designing the segment of 36-inch as it crosses the Contra Costa water District's proposed canal pipeline.

The proposed project will be paying fees and installing infrastructure that will allow ISD to provide adequate collection, treatment and disposal capacity to serve the proposed project, hence the proposed project would have a *less-than-significant* impact on the wastewater system.

**1-2
(Cont'd.)**

LETTER 1: JENNIFER M. SKREL, IRONHOUSE SANITARY DISTRICT

Response to Comment 1-1

The comment is an introduction to comments 1-2 and 1-3 and does not address the adequacy of the DEIR.

Response to Comment 1-2

The suggested edits have been incorporated, as appropriate, to Pages 4.13-2 and 4.13-3 of the Draft EIR.

Wastewater Collection and Treatment

The Ironhouse Sanitary District (ISD) provides wastewater service to the entire City of Oakley and the unincorporated areas of Bethel Island and Sandmound. Wastewater services include the ~~transmission~~ conveyance of primarily residential and some commercial and light industrial raw wastewater to a treatment facility; for treatment; and land disposal of treated effluent onto agricultural lands on the mainland and Jersey Island ~~the wastewater and residual waste solids.~~

Current System Capacity

The wastewater system is composed of collection, treatment, and disposal. The collection and treatment facilities will be expanded to meet future requirements. The disposal system has been sized to meet the buildout capacity within the District. The current daily average dry weather flow is 2.61 MGD and treatment capacity totals 3.0 MGD. Although the design capacity is 3.0 MGD, due to increased BODs (an increase of 20 percent over the original design value of 188 mg/L to an average of 225 mg/L), the ISD's WWTP is rapidly approaching capacity, which is estimated at 2.7 MGD. In order to provide adequate capacity (3.0 MGD) until a new wastewater treatment plant is constructed and operable, ISD is removing solids from the treatment cells and effluent storage ponds on an annual basis. The current disposal delivery system can handle 4.3 MGD.

Current Conveyance Facilities

The trunk line system is divided into four general areas that are identified as follows:

- Empire Avenue System
- South of Ridge Line System
- Central System, O'Hara Avenue, Laurel Road
- Highway 4 System

The ISD collection system includes approximately 85 miles of gravity pipelines, 20 miles of pressure pipelines, and 31 pump stations. All of the pump stations have a permanent standby generator on-site or are equipped with a portable generator plug-in. Pumping stations and wet wells are to be designed for continuous operation at peak inflow. For reasons of safety, the pumping stations are duplex installations with standby power at major stations. Pump system failure alarms and pumping status is telemetered to signal the ISD office.

Wastewater Treatment

ISD owns and operates a wastewater treatment plant in the northeast portion of Oakley. The plant currently provides wastewater treatment services for Oakley, Bethel Island, and the Sandmound area. Fifty acres of on-site storage are currently available for treated wastewater. The plant uses an aerated pond treatment system that occupies about 7.5 acres of the site. The aerated pond system consists of a nine-inch parshall flume, two grinders, two pumps, and two parallel-two-stage aerated treatment ponds followed by storage and then chlorination.

Effluent Current Disposal Facilities

Current ISD disposal facilities consist of disinfection facilities, 50 acres of storage ponds with a capacity of 350 acre-feet, and land application of recycled water on 166 acres of "mainland" agricultural adjacent to the WWTP and on 425 acres of Jersey Island. Effluent is disposed of through land application of the treated effluent on irrigated pasture and agricultural crops. Currently the disposal is split between the mainland and Jersey Island properties, both are owned by the District. ISD is permitted to apply the reclaimed water on 350 acres of the Jersey Island property and on 260 acres of the mainland property. This provides enough capacity to accommodate the current plant capacity of 3.0 MGD. ISD has increased expected ultimate effluent disposal capacity from 3.0 MGD to 8.0 MGD by the acquisition of additional land.

Sludge Disposal Capacity

The Ironhouse Sanitary District has never applied sludge on property they own, although sludge application is permitted in their current Wastewater Discharge Requirements. ISD has increased its sludge disposal capacity through the beneficial reuse of sludge by land application on ISD owned lands. ISD rotates the application of dewatered sludge and treated effluent both on the existing disposal areas on ISD property and on Jersey Island.

In addition, the suggested edits have been incorporated, as appropriate, to Pages 4.13-17 and 4.13-18 of the DEIR as follows:

4.13-1 Impacts related to adequate wastewater treatment and infrastructure capacity.

Wastewater treatment for the project is provided by Ironhouse Sanitary District (ISD). ~~The ISD's new Wastewater Treatment Facility has a capacity of three million gallons per day (MGD). The current average dry weather flow into the plan is approximately 2.15~~ 2.6 million gallons per day (mgd). Ironhouse Sanitary District's WWTP is rapidly approaching capacity, which is estimated at 2.7 mgd. In order to provide adequate capacity until a new wastewater treatment plant is constructed and operable, ISD is removing solids from the treatment cells and effluent storage ponds on an annual basis. The current average dry weather flow into the plan is approximately 2.15 MGD. The base average dry weather wastewater generation from the project's 510 residential units is illustrated in Table 4.13-2.

Table 4.13-2 Estimated Wastewater Generation for Proposed Project		
Residential:	510 units x 225 gallons per dwelling unit	114,750 Gallons Per Day (GPD)
Ground Water Infiltration (High Groundwater):	120 acres x 300 gallons per day per acre	36,000 GPD
Total:		150,750 GPD (0.15 MGD)
<i>Figures are based upon 225 gallons-per-residential dwelling unit and 300 gallons per acre infiltration estimates.</i>		

Ironhouse Sanitary District is currently designing a new 4.3 mgd wastewater treatment plant. The ISD Wastewater Treatment Facility has adequate capacity to handle the added 0.15 MGD. In addition, t~~The applicant project developer shall would pay applicable trunkline capacity and plant capacity fees for the new WWTP, which would help fund current expansion.~~

Currently, properties connected to the system on Cypress Road pump their wastewater to the treatment plant through an existing 14-inch ~~foree main~~ forcemain in Cypress Road. The ~~foree main~~ forcemain connects to an existing 18-inch gravity main in State Route (SR) 4 that flows to the treatment plant (See Figure 4.13-1).

As shown in Figure 4.13-1, the proposed project includes a regional pump station on the proposed project site. The pump station is envisioned to serve all of the original Dutch Slough properties, as well as areas south of Cypress Road, and would flow from the Cypress Groves Subdivision.

The proposed project requires the construction of a 14-inch forcemain. The new forcemain is proposed to begin east of Jersey Island Road and run down Cypress Road, turn north on Sellers to the USBR canal ROW and be located in the ROW, and then cross over onto ISD property at the junction of Marsh Creek and the Contra Costa Canal.

In addition to the forcemain, the project would be required to contribute to the upsizing of the current 18-inch sewer trunk to a 36-inch sewer trunk.

~~Ironhouse Sanitation District is requiring a second force main, estimated at 14 inches, to serve the ultimate buildout of the City and ISD service boundary. This line may be constructed in Cypress Road or along the northern trail corridor adjacent to the CCWD/USBR right of way. The Gilbert Property project would construct trunk mains in the local streets to collect wastewater produced by the project. The wastewater would flow by gravity to pump stations. This system would connect to the new 14 inch force main.~~

It should be noted that ISD is not requesting the project include construction of the 36-inch sewer trunk line, but rather the fair-share contribution to the future construction of the trunk line. Therefore, the above revised text is to clarify details based on the ISD information provided in their comment letter and do not alter the conclusions of the DEIR.

Letter 2



Department of Energy
Western Area Power Administration
Sierra Nevada Customer Service Region
114 Parkshore Drive
Folsom, California 95630-4710

MAY 2 2007

Ms. Rochell Henson
Senior Planner
City of Oakley
3231 Main Street
Oakley, CA 94561

Dear Ms. Henson:

2-1

Thank you for the opportunity to comment on the Notice of Availability of the Draft Environmental Impact Report for the Gilbert Ranch Project (Subdivision 9033). The United States Department of Energy, Western Area Power Administration (Western), does not have any objections to the proposed use of Western's Olinda-Tracy 500-kilovolt transmission line easement, provided the project does not interfere with our easement rights and are in accordance with our general guidelines. The developers should obtain license agreements from Western prior to construction. Please have the developer submit the project specific improvement plans to Western for review and approval prior to construction.

Enclosed is a copy of Western's general guidelines for the use of the easement area. If you have any questions, please contact Ms. Susan Sinclair at (916) 353-4600.

Sincerely,

A handwritten signature in cursive script that reads "Heidi R. Miller".

Heidi R. Miller
Realty Specialist

Enclosure

**Letter 2
(Cont'd.)**

**WESTERN AREA POWER ADMINISTRATION
GENERAL GUIDELINES CONCERNING THE USE OF
ELECTRIC TRANSMISSION LINE RIGHTS-OF-WAY**

RE: Olinda-Tracy 500-kV Transmission Line (Olinda to the Sacramento River)

Western Area Power Administration (Western) owns a 125-foot easement along the length of the referenced transmission line. Western's rights within the easement include the right to construct, reconstruct, operate, maintain, and patrol the transmission line.

Rights usually reserved to the landowner include the right to cultivate, occupy, and use the land for any purpose that does not conflict with Western's use of its easement. To avoid potential conflicts, it is Western's policy to review all proposed uses within the transmission line easement. We consider (1) Safety of the public, (2) Safety of our Employees, (3) Restrictions covered in the easement, (4) Western's maintenance requirements, and (5) Protection of the transmission line structures and (6) Road or street crossings.

The outline below lists the considerations covered in the review. Please note that some items may overlap. This outline has been prepared only as a guide; each right-of-way encroachment is evaluated on an individual basis.

1. **Safety Of The Public**
 - A. Approval depends, to a large extent, on the type and purpose of the development. Western takes our obligation to public safety very seriously. To insure our obligation, any use of the easement that will endanger the public will not be allowed or strongly discouraged (e.g., kite flying is prohibited).
 - B. Metal fences must be grounded in accordance with applicable safety codes.
 - C. Lighting standards shall not exceed a maximum height of 15 feet and not placed directly under the conductors (wires). All lighting standards must be grounded.
 - D. All vegetation on the easement shall not exceed a maximum height of 12 feet at maturity.
 - E. Structures are not allowed on the easement. Structures include, but are not limited to, buildings, sheds, swimming pools, basketball courts, tennis courts, gazebos, etc.
 - F. No ground elevation changes are allowed which would reduce the ground to conductor clearance below 35 feet.

**Letter 2
(Cont'd.)**

2. **Safety Of Our Employees**

Vegetation and encroachments into our right-of-way requires our crews to take action, which places them at risk. Therefore, any vegetation or encroachments that present a risk to our employees will not be allowed.

3. **Restrictions Covered In The Easement**

The easement prohibits the following: (1) any use that will interfere with or damage the equipment of the United States, (2) digging or drilling of a well, (3) erecting buildings or structures, (4) placing or piling up material within the easement boundaries. The easement gives Western the right to remove trees, brush or other objects interfering with the safe operation and maintenance of the line.

4. **Maintenance Requirements**

- A. Berms shall not be placed next to the base of the transmission line tower.
- B. Any proposed improvements to the easement (including grading, parking lot, lighting, landscaping, fences, etc.), must be reviewed by Western to assure that they will not interfere with the safe operation and maintenance of the transmission line.
- C. A 14-foot gate is required in any fences that cut off access along our easement.
- D. Thirty (30) feet of unobstructed access is to be maintained around towers.

5. **Protection Of The Transmission Line Structure (Towers, Guy Wires, etc.)**

- A. If the proposed use increases the possibility of a motor vehicle hitting the transmission line structure, an appropriate guardrail shall be installed to protect the structure (e.g., parking lots or roads).
- B. Trench digging, which would weaken or damage the structure, is prohibited.
- C. No ground elevation changes are allowed within 20 feet of the structure, and in no case shall the conductor to ground clearance be reduced below code limitation.

6. **Roads Or Street Crossings**

Western's policy is to have roads or streets cross the easement at right angles, or as nearly at right angles as possible, so that a minimum area of the road or street lies within the transmission line easement.

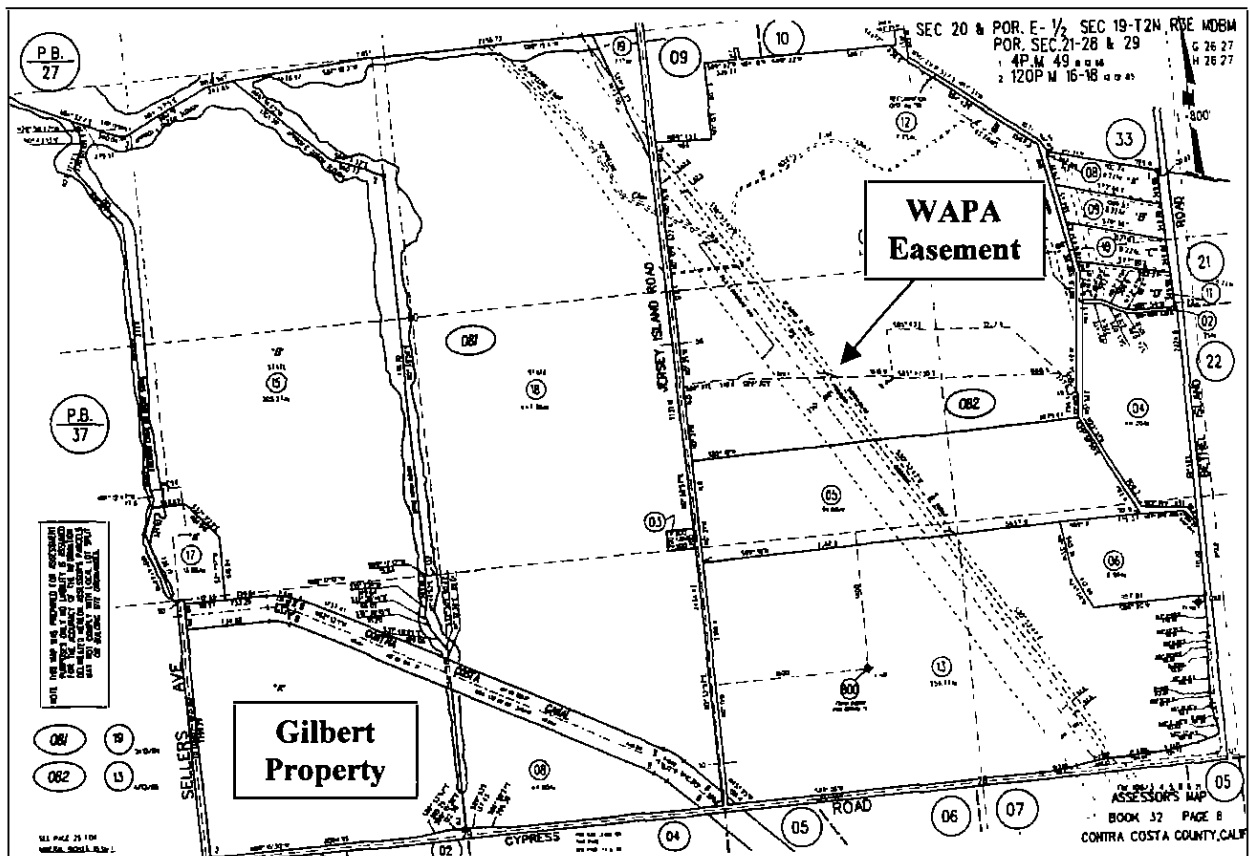
Requests for permission to use the transmission line right-of-way should be submitted to:
Western Area Power Administration, Sierra Nevada Regional Office, Attn: Realty Officer,
114 Parkshore Drive, Folsom, CA 95630.

LETTER 2: HEIDI R. MILLER, DEPARTMENT OF ENERGY

Response to Comment 2-1

The comment does not raise issues regarding the content of the DEIR. However, Contra Costa Assessor Map 32.8 shows the Western Area Power Administration Easement as located approximately 0.5 miles east of the project site (See Figure 3-1). Therefore, the easement will not be encroached upon and a license agreement is not required.

**Figure 3-1
Western Area Power Administration Easement Rights Location**



Letter 3

STATE OF CALIFORNIA BUSINESS TRANSPORTATION AND HOUSING AGENCY

ARNOLD BOHWARTENBERGER Governor

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 28660
OAKLAND, CA 94623-0660
PHONE (510) 286-5505
FAX (510) 286-5569
TTY (800) 735-2929



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May 22, 2007

CCD04958
CC-4-R34.92
SCH 2007012075

Rochelle Henson
City of Oakley
3231 Main Street
Oakley, CA 94561

Dear Ms. Henson:

Gilbert Property Project – Draft Environmental Impact Report

Thank you for including the California Department of Transportation (Department) in the environmental review for the proposed Gilbert Property Project. The comments presented are based on the Draft Environmental Impact Report (DEIR). As lead agency, the City of Oakley is responsible for all project mitigation, including improvements to state highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

3-1 **Advance Planning**
Figure 4.4-7 shows 22% of the trips as "Trips that stay within the City of Oakley." Are these trips assumed to not pass through any of the analyzed intersections? If so, this is unrealistic since most of these trips would likely pass through one or more of these intersections.

3-2 Figure 4.4-7 identifies the AM peak-hour as 8:00-9:00 AM. This seems late given the large number of long distance commuters in Oakley. What is the source for this determination?

3-3 **Traffic & Highway Operations**
There is a pending permit project to cut into the existing northbound storage length of the turning lanes at Cypress Road and Main Street (SR 4), creating a "keep clear" zone, that allows southbound SR 4 traffic to make a left turn into the gas station on the southeast corner.

This will reduce the storage capacity for the right turn lane to eastbound Cypress Road south of the intersection. This could cause a traffic backup and time delay on northbound SR 4 at Cypress Road. The project's proponent and the City should discuss the operation of this intersection keeping both the proposed Gilbert Property Project, and the highway permit project in mind.

"Caltrans improves mobility across California"

Sent By: CALTRANS TRANSPORTATIO PLANNING; 510 288 5560;

May-22-07 2:55PM;

Page 2/2

Ms. Rochelle Henson
May 22, 2007
Page 2

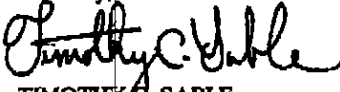
Letter 3
(Cont'd.)

3-4

Impacts to any affected sections of mainline State Route 4 (SR 4), SR 4 Bypass, and the SR 4/SR160 northbound onramp were not discussed. As appropriate, impacts should be identified and mitigation measures proposed.

Should you require further information or have any questions regarding this letter, please call Christian Bushong of my staff at (510) 286-5606.

Sincerely,



TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

c: State Clearinghouse

"Caltrans Improves mobility across California"

LETTER 3: TIMOTHY G. SABLE, DEPARTMENT OF TRANSPORTATION

Response to Comment 3-1

The 22 percent of trips assumed to stay within the City of Oakley were distributed through most of the project intersections along East Cypress Road and Main Street into Downtown Oakley. The reduction was mainly taken at the perimeter intersections to the south and beyond Oakley's commercial areas. In addition, the report assumes the implementation of the East Cypress Road Specific Plan, which includes an additional 300,000 square feet of commercial/retail space and would draw some of its business from the project.

Response to Comment 3-2

The peak hour was determined to be the average peak period from the various traffic counts that were taken for the project. This varies in different parts of the City due to effects from schools, truck traffic, commuters, and other factors. 7:30 to 8:30 AM was the peak hour recorded at many of the intersections. To be conservative, the highest peak hour of data was collected at each intersection. As a result, the 8:00 to 9:00 AM peak hour identified in the text was not necessarily what was used for many of the intersections. At some intersections, the data used was actually from earlier peak hours.

Response to Comment 3-3

The City and the project sponsor are both aware of the current operational issues at Cypress Road and Main Street. The project sponsor has agreed, and is required per Mitigation Measure 4.4-3(a), to contribute a share proportionate to the operational improvements that the City determines are needed.

Response to Comment 3-4

Recent studies for the design of the SR 4 Bypass have included detailed analyses of the operations on the mainline freeways in the area, and have accounted for the potential future development in Oakley. Further analysis of freeway operations in the area would not be expected to yield any meaningful information. At the existing ramps at the SR 4/SR 160 interchange, the project would increase traffic volumes by less than two percent and, in coordination with the City, the determination was made that further analysis of these ramps would not be required. This is, in part, based on the fact that the project would contribute to the Laurel Extension. Impact 4.4-1, Page 4.4-26 of the DEIR, states that improvements to Laurel Road would include extending the western portion to connect with the SR-4 Bypass, widening Laurel Road to a four-lane arterial between Empire Avenue and Main Street, and extending Laurel Road on the east from Laurel Road's current terminus just west of the Union Pacific Railroad to Sellers Avenue. The Laurel Extension, along with the completion of the SR 4 Bypass, will substantially reduce the future traffic volumes at the SR 4/SR 160 interchange. Furthermore, Mitigation Measure 4.4-1, page 4.4-28 of the DEIR, indicates that the project applicant would contribute to the Laurel Extension by paying a fair share of the cost through payment of the City's Transportation Impact

Fee and payment of regional traffic fees to the East Contra Costa Regional Fee and Finance Authority (ECCRFFA).

Letter 4

Rochelle Henson

From: Sandra Pellegrino [SPellegrino@CBandG.com]
Sent: Wednesday, May 23, 2007 9:41 AM
To: Rochelle Henson
Cc: Bob@denovahomes.com
Subject: FW: Gilbert EIR Comment

Rochelle,

Did the Gilbert EIR Project Description get revised per the attached pond comment?

Thanks,

Sandra Pellegrino, P.E.
Project Engineer



Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS

6111 Bollinger Canyon Road, Suite 150
San Ramon, CA 94583
P: (925) 866-0322
F: (925) 866-8575
www.cbandg.com

From: Sandra Pellegrino
Sent: Friday, May 04, 2007 5:22 PM
To: Steve Garrett (SGarrett@castlecompanies.com); tsaunders@ryderhomes.com; 'Rochelle Henson'; Rod Stinson
Cc: 'Bob Weiss'; Dave Carlson
Subject: Gilbert EIR Comment

4-1 The Gilbert Project Description includes the statement "The pond would be sized to accommodate developed flows for the proposed project as well as the existing flows from properties to the south and east" on page 3-14. The Dutch Slough master drainage concept has included the developed Burroughs site draining to the Gilbert pond. It is our understanding that only the properties south of Cypress Road were included as existing condition and would need their own detention system when developed in the future. Please review.

4-2 Also, the Hydrology section 4.12-3 on page 4.12-29 mentions the Baldocchi property being part of the drainage area and Figure 4.12-4 shows the Gilbert, Baldocchi and Burroughs properties hatched. The figure does not show the drainage boundary for the other properties to the south that will contribute existing condition flows. Please review.

4-3 Also, please update the Tentative Map on page 3-11. We will email Raney the scanned current map separately.

I will be out of the office and will return on May 21. If you need anything, please contact Karrie Mosca (kmosca@cbandg.com) or Dave Carlson.

Sandra Pellegrino, P.E.
Project Engineer

5/23/2007

LETTER 4: SANDRA PELLEGRINO, CARLSON, BARBEE & GIBSON, INC.

Response to Comment 4-1

Based on the Comment 4-1, and for clarification purposes, page 3-14 of the DEIR is hereby revised as follows:

Storm Drain

The design of the storm water management facilities for the Gilbert Property project would be developed to control peak storm water flows, improve the quality of the storm water runoff before being discharged from the site, and to protect the homes from flooding during large storm events. A storm water pond would be located in the central portion of the Gilbert Property. The pond's surface area would be approximately five acres and pumped into the existing outfalls to Emerson Slough, which is consistent with the area's drainage shed. The pond would be sized to accommodate developed flows for the proposed project site and Burroughs property, as well as the existing flows from properties to the south and east. As the properties to the south develop, additional ponds or below grade detention would need to be constructed within those properties to detain storm flows. The outfalls have already been comprehensively studied and analyzed for CEQA purposes and permitted by the City of Oakley under the entitlements for the Cypress Grove subdivisions to the west (8678, 8679 and 8680), which has been constructed. As a result, these outfalls are not considered part of the proposed project.

This change is for clarification purposes only, and does not alter any of the conclusions contained within the DEIR.

Response to Comment 4-2

Figure 4.12-4, Gilbert Site Stormwater Drainage, on page 4.12-31 of the DEIR, does not show the drainage area for the other properties to the south. Based on the Dutch Slough Properties Master Infrastructure Exhibit prepared by Carlson, Barbee & Gibson, Figure 4.12-4 has been revised to depict the drainage area for the properties to the south (See Appendix A). In addition, the DEIR existing drainage discussion and data includes the properties south, which were originally left out of the figure. Because the drainage discussion and data were included in the analysis of the DEIR, the conclusions of the DEIR do not change.

Response to Comment 4-3

Based on Comment 4-3, Figure 3-3, Gilbert Property Tentative Map is hereby replaced with the updated Tentative Map (See Appendix A). The Tentative Map was updated to reflect revisions to the Land Area Summary. Acreage totals for some parcels were changed slightly; however, the total acreage, density, and number of lots did not change. Therefore, the revisions that were made to the Tentative Map do not alter any of the conclusions contained within the DEIR.

Letter 5



**Carlson, Barbee
& Gibson, Inc.**
CIVIL ENGINEERS • SURVEYORS • PLANNERS

May 21, 2007
Job No.: 878-20

MEMORANDUM

TO: Tim Saunders, Ryder Companies
Steve Garrett, Castle Companies, Inc.

FROM: Karrie Mosca, P.E., Project Manger

CC: Dave Carlson, Principal
Sandra Pellegrino, P.E., Project Engineer

SUBJECT: Comments to Gilbert Property EIR

Executive Summary

- 5-1 - Third paragraph, 5th Line
Delete Duplicate sentence
- 5-2 - Fourth paragraph, 2nd Line
"...during 2002 and 2003 resulted ing.."

Table 2-1

- 5-3 - Impact 4.4-3 – Question –
The Main Street Improvements referenced were completed by the developers of the Cypress Grove project. We are not aware of additional improvements that need to be made or any specific cost to the Gilbert project for those improvements other than through the payment of Traffic Impact fees.
- 5-4 - 4.4-4
The Gilbert project does not plan to construct the ultimate improvements on the south side of Cypress. Perhaps, this could indicate construction of bus stops on the north side only, but indicate bus stops will be required on the south side in the future.
- 5-5 - 4.4-8
This item is very vague because these improvements could be very costly. Is the intent for this project to truly pay a "fair share" and if so, what is the equation for the calculation? Or is the intent of the mitigation to just pay City Traffic Impact fees?
- 5-6 - 4.7-5, 4.12-2, 4-12-6
Can these measures be tied to "prior to acceptance of the improvements by the City", rather than "approval of Improvement Plans?"

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KRM/ahr
P:\PROJECTS\0999878-20\GILBERT\Map001.doc

Letter 5
(Cont'd.)

Carlson, Barbee & Gibson, Inc.

Comments to Gilbert Property EIR
Page 2 of 2

May 21, 2007
Job No.: 878-20

Chapter 3 – Project Description

- 5-7 - Page 3-12 1st paragraph
The trail adjacent to the Levee across the Emerson north boundary was completed by the Cypress Grove project.
- 5-8 - Page 3-13 4th paragraph
The project has proposed to construct the entire median with no landscape improvements in Sellers Avenue not “half”.
- 5-9 - Page 3-15 1st paragraph last line
“Improvement if within the project boundary”.

Chapter 4.2 – Aesthetics

- 5-10 - 4.2-2 Project Features
No commercial component is proposed.
- 5-11 - 4.2-7 Landscape Architecture – 2nd paragraph
The project is not proposing to complete any landscaping on the south side of Cypress Road. This section is an old reference. The ultimate south side landscaping will be a 30' parkway to be completed in the future.
- 5-12 - 4.2-8– 3rd paragraph
No Homeowner's Associations are being proposed with this project.
- 5-13 - Figure 4.3-3, Page 4.3-7
Figure should be updated for current site plan.

Chapter 4.4 – Traffic and Circulation

- 5-14 - 4.2-22 2nd paragraph
“The project would complete the northern half of Cypress Road with three westbound through lanes from Sellers Avenue to the western boundary of the CCWD/USBR right of way Knightsen Avenue with transition to the existing road necessary for safe vehicular movement”.
- 5-15 - 4.2-22 3rd paragraph
This paragraph should read “the ultimate design of Sellers Avenue will be a four lane divided road from Cypress Road north to the project boundary with the CCWD/USBR Right of Way, as adopted by the Development Agreement. The project has proposed to construct the northbound lanes but strip the road for two-way traffic (i.e. one southbound and one northbound lane), and to construct median with no landscape improvements in the median.”
- 5-16 - 4.2-22 Last paragraph
First bullet point says the project will include, “transition of Sellers Avenue north to the future community park”. This leads me to believe the project is crossing CCWD which is not the case. I think it should be deleted.

LETTER 5: KARRIE MOSCA, CARLSON, BARBEE & GIBSON, INC.

Response to Comment 5-1

Based on the Comment 5-1, Page 2-1, third paragraph of the DEIR is hereby revised:

The Gilbert Property project site is bounded by the partially developed Cypress Grove project, Delta Vista Middle School, Iron House Elementary School, the currently vacant Emerson property to the west, the vacant Burroughs property to east, Cypress Road to the south, and the Contra Costa Water District Canal (CCWD/USBR Canal) to the north. The canal separates the project site from approximately 1,200-acres of open space to the north. ~~The canal separates the project site from approximately 1,200 acres of open space to the north.~~ As a result of complete agreements reached between the State of California, the City of Oakley, environmental groups and the prior land owners, the property north of the canal was conveyed to public entities and the parcels south of the canal were designated for development. A substantial portion of this area north of the canal is currently owned by the State of California and is anticipated to be restored to wetlands in the near future. A 55-acre portion of land immediately north of the CCWD/USBR canal and the project site at the end of Sellers Avenue is held in escrow, pursuant to a Memorandum of Understanding and Development Agreement, for future conveyance to the City of Oakley as a community park.

This change is for clarification purposes only, and does not alter any of the conclusions contained within the DEIR.

Response to Comment 5-2

Based on the Comment 5-2, Page 2-1, fourth paragraph of the DEIR is hereby revised:

The property owners of the Gilbert, Emerson and Burroughs Properties entered into Memorandums of Understanding and Development Agreements during 2002 and 2003 ~~resulted in~~ ing in a comprehensive plan that would result in (1) vested rights for residential development on approximately 271 acres south of the Contra Costa Canal, including the Gilbert Property; (2) conveyance to the State of California (more specifically, to the Department of Water Resources) of approximately 1,150 acres adjusted to the Delta for wetland and Marsh habitat restoration; and (3) conveyance to the City of approximately 100 acres for park, recreational, trail and community center purposes, including approximately 27 acres within the Burroughs property south of the Contra Costa Canal.

This change is for clarification purposes only, and does not alter any of the conclusions contained within the DEIR.

Response to Comment 5-3

The improvements to Main Street were completed and funded by the developers of the Cypress Grove project; however, the intent of the mitigation measure is to ensure that the developers of the proposed project contribute their fair share toward reimbursement of the expenditures for the Main Street improvements.

Response to Comment 5-4

The commenter is correct. The proposed project does not include construction of bus stops on the south side of Cypress Road near Sellers Avenue. Construction of bus stops on the north side of Cypress Road will sufficiently mitigate impacts related to alternative transportation facilities. It should be noted that future developments to the south would be responsible for construction of bus stops on the south side of Cypress Road. Therefore, Mitigation Measure 4.4-4 in Chapter 4.4, Transportation and Circulation, page 4.4-30 of the DEIR is hereby amended as follows:

4.4-4 *The project shall include bus stops on the north both sides of Cypress Road near Sellers Avenue. The final design and location of these bus stops shall be subject to the approval of the Oakley City Engineer prior to approval of final maps. The City Engineer shall coordinate with Tri-Delta Transit as to the placement of the bus stops.*

This change is for clarification purposes only, and does not alter any of the conclusions contained within the DEIR.

Response to Comment 5-5

This comment does not address the adequacy of the DEIR. The City and the project sponsor are both aware of the current operational issues at Cypress Road and Main Street and that the project sponsor has agreed to contribute a proportionate share to the operational improvements that the City determines are needed there.

Response to Comment 5-6

The timing for Mitigation Measures 4.7-5, 4.12-2, and 4.12-6 may not be tied to acceptance of improvements by the City rather than the approval of Improvement Plans. The detention basin safety program, the levee maintenance program, and the storm drain system maintenance program included in these mitigation measures must be reviewed and approved in conjunction with Improvement Plans because they are integral to the system's design. Therefore, the programs must be submitted prior to approval of Improvement Plans.

Response to Comment 5-7

The commenter is correct. The trail that was completed by the Cypress Grove project is adjacent to the levee across the north boundary of the Emerson Property. Page 3-12, first paragraph of the Draft EIR is hereby revised as follows:

A trail would be located along the northern boundary of the development just south of the CCWD/USBR canal. This trail ultimately would connect to the trail constructed by adjacent to the levee across the Emerson Property north boundary that was completed as part of the Cypress Grove development to the west, which in turn provides access to the existing Marsh Creek Trail, and links to an existing regional trail system. It should be noted that a gap would exist in the trail across the Emerson property until that area is developed.

This change is for clarification purposes only, and does not alter any of the conclusions contained within the DEIR.

Response to Comment 5-8

The commenter is correct. The proposed project includes the construction of the entire median on Sellers Avenue, but does not include landscape improvements for the median. Page 3-13, fourth paragraph of the Draft EIR is hereby revised as follows:

Sellers Avenue will be designed as ultimately a four-lane divided road from Cypress Road to the project boundary with the CCWD/USBR right of way. The Gilbert Property would include the construction of two of these northbound lanes and one southbound lane plus ~~half of the~~ entire median, without landscape improvements, as a portion of the project.

This change is for clarification purposes only, and does not alter any of the conclusions contained within the DEIR.

Response to Comment 5-9

Based on the Comment 5-9, Page 3-15, last line of the first paragraph, of the DEIR is hereby revised as follows:

The Gilbert Property project may accommodate a portion of this improvement if within the project boundary.

This change is for clarification purposes only, and does not alter any of the conclusions contained within the DEIR.

Response to Comment 5-10

The commenter is correct. The proposed project does not include a commercial component. Page 4.2-2 of the DEIR is hereby revised as follows:

Project Features

The proposed land plan for the Gilbert Property project site includes ~~commercial~~ and residential development, trails, a park, levees, and a storm water detention pond, as well as the infrastructure improvements necessary to accommodate the new development (See Chapter 3, Project Description, of this Draft EIR for a complete description of project features.)

This change is for clarification purposes only, and does not alter any of the conclusions contained within the DEIR.

Response to Comment 5-11

The commenter is correct. Page 4.2-7, fourth paragraph of the DEIR is hereby revised as follows:

A minimum of 25 feet of landscaping (including a trail) is planned along the north side of Cypress Road, ~~and 15 feet along the south side along the southern boundary of the Emerson, Gilbert and Burroughs properties.~~ A generally 16-foot wide landscaped street median divider would be constructed in the center of Cypress Road. A decorative sound wall would be constructed along the north side of Cypress Road. In addition, a creatively designed "highlighted intersection" is planned for the Cypress Road and Sellers Avenue intersection, as called for in Oakley's Residential Design Guidelines.

This change is for clarification purposes only, and does not alter any of the conclusions contained within the DEIR.

Response to Comment 5-12

The commenter is correct. Page 4.2-8, third paragraph of the DEIR is hereby revised as follows:

Street yard landscaping would be provided for all private residential lots by the home builders. The landscaping would include trees, shrubs, groundcover, sidewalks and fencing. ~~Landscaping would be maintained through homeowner's associations for all green court cluster and duet lots, and possibly for other housing product lots as well. Non-street yard facing~~ Landscaping improvements would generally be the responsibility of the future residents.

This change is for clarification purposes only, and does not alter any of the conclusions contained within the DEIR.

Response to Comment 5-13

Figure 4.3-3, Gilbert Land Use Diagram (Page 4.3-7, Chapter 4.3 of the DEIR), included preliminary dwelling units, densities, and acreages for the residential component of the project. The Tentative Map has since been revised to reflect changes to the acreage of individual parcels. Therefore, to remove any inconsistencies, Figure 4.3-3 is hereby removed from the chapter.

Response to Comment 5-14

Based on the comment, page 4.4-22, second paragraph of the DEIR is hereby revised as follows:

Cypress Road will be improved along the project boundary with a landscaped median, as well as a landscaped corridor with a trail on the north side of the road. The project would complete the northern half of Cypress Road with three westbound through lanes from Sellers Avenue to the western boundary of the CCWD/USBR right of way Knightsen Avenue with transition to the existing road necessary for safe vehicular movement.

This change is for clarification purposes only, and does not alter any of the conclusions contained within the DEIR.

Response to Comment 5-15

Based on the comment, page 4.4-22, third paragraph of the DEIR is hereby revised as follows:

The ultimate design of Sellers Avenue will be constructed as a two four lane divided road from Cypress Road north to the project boundary with the CCWD/USBR Right of Way, as adopted by the Development Agreement. The proposed project would include the construction of the northbound lanes, but stripe the road for two-way traffic (i.e. one southbound lane and one northbound lane), and the construction of a median with no landscape improvements.

This change is for clarification purposes only, and does not alter any of the conclusions contained within the DEIR.

Response to Comment 5-16

The commenter is correct. Sellers Avenue would not be extended as part of the proposed project to cross the Contra Costa Water District canal. Therefore, for clarification, page 4.4-22, fourth paragraph of the DEIR is hereby revised as follows:

Other roadway improvements associated with the Gilbert Property project include the following:

- Transition of Sellers Avenue north to the Contra Costa Water District Canal future community park;

- Modification of existing traffic signals and installation of new traffic signal at the main entry;
- Intersection improvements for Franklin Lane and Knightsen Avenue at Cypress Road; and
- Modification of existing driveways to adjacent properties.

This change is for clarification purposes only, and does not alter any of the conclusions contained within the DEIR.

4. MITIGATION MONITORING PLAN

4. MITIGATION MONITORING PLAN

INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all state and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a "mitigated negative declaration" or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring Plan (MMP) for the Gilbert Property project. The MMP includes a description of the requirements of CEQA and a compliance checklist. The project as approved includes mitigation measures. The intent of the MMP is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Environmental Impact Report for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMP shall be funded by the applicant.

COMPLIANCE CHECKLIST

The MMP contained herein is intended to satisfy the requirements of CEQA as they relate to the Environmental Impact Report for the Gilbert Property project prepared by the City of Oakley. This MMP is intended for use by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMP were developed in the Environmental Impact Report prepared for the proposed project.

The Gilbert Property project Environmental Impact Report presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA as a measure that does one or more of the following:

- Avoids the impact altogether by not taking a certain action or parts of an action.
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment.
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project.
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMP will provide for monitoring of construction activities, as necessary, and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Oakley. Table 4-1 identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMP. The City of Oakley will be responsible for ensuring compliance.

During construction of the project, the City will assign an inspector who will be responsible for field monitoring of mitigation measure compliance. The inspector will report to the City's Community Development Department and will be thoroughly familiar with permit conditions and the MMP. In addition, the inspector will be familiar with construction contract requirements, construction schedules, standard construction practices, and mitigation techniques. In order to track the status of mitigation measure implementation, field-monitoring activities will be documented on compliance monitoring report worksheets. The time commitment of the inspector will vary depending on the intensity and location of construction. Aided by the attached table, the inspector will be responsible for the following activities:

- On-site, day-to-day monitoring of construction activities.
- Reviewing construction plans and equipment staging/access plans to ensure conformance with adopted mitigation measures.
- Ensuring contractor knowledge of and compliance with the MMP.
- Verifying the accuracy and adequacy of contract wording.
- Having the authority to require correction of activities that violate mitigation measures. The inspector shall have the ability and authority to secure compliance with the MMP.
- Acting in the role of contact for property owners or any other affected persons who wish to register observations of violations of project permit conditions or mitigation. Upon receiving any complaints, the inspector shall immediately contact the construction representative. The inspector shall be responsible for verifying any such observations and for developing any necessary corrective actions in consultation with the construction representative and the City of Oakley.
- Obtaining assistance as necessary from technical experts in order to develop site-specific procedures for implementing the mitigation measures.
- Maintaining a log of all significant interactions, violations of permit conditions or mitigation measures, and necessary corrective measures.

MITIGATION MONITORING PLAN

The following table indicates the mitigation measure number; the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
4.2 Aesthetics						
4.2-3	Impacts associated with new sources of light and glare.	4.2-3 During construction the developer shall install hooded and/or shielded streetlights to avoid excessive lighting on adjacent properties, for the review and approval of the Community Development Department.	Project Developer	Community Development Department	During construction	
4.4 Transportation and Circulation						
4.4-1	Project contribution to unacceptable LOS operations on Main Street at O'Hara Avenue, Cypress Road, and at Malicoat Avenue.	4.4-1 Prior to final map approval, the proposed project would contribute to the mitigation of the above-identified impacts by paying the proposed project's fair share of the cost through the payment of regional traffic fees to the East Contra Costa Regional Fee and Finance Authority (ECCRFFA) and the City's Transportation Impact Fee.	Project Applicant	ECCRFFA Community Development Department	Prior to final map approval	
4.4-3	Traffic impacts related to the railroad crossing on Cypress Road.	4.4-3(a) Prior to approval of building permits, the applicant shall contribute its fair share, to be determined by the City at the time of the approval of the building permits, toward the reconstruction of the Main Street/Cypress Road intersection as determined by the	Project Applicant	City Engineer	Prior to approval of building permits	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>City Engineer for the following improvements:</p> <ul style="list-style-type: none"> To provide approximately 600 feet of storage on Main Street for the southbound left-turn and northbound right-turn movements. Interconnect all signals. 				
		4.4-3(b) Implement Mitigation Measure 4.4-1.	N/A	N/A	N/A	
4.4-4	Impacts related to alternative transportation facilities.	4.4-4 The project shall include bus stops on the north side of Cypress Road near Sellers Avenue. The final design and location of these bus stops shall be subject to the approval of the Oakley City Engineer prior to approval of final maps. The City Engineer shall coordinate with Tri-Delta Transit as to the placement of the bus stops.	Project Applicant	City Engineer Tri-Delta Transit	Prior to approval of final maps	
4.4-8	Cumulative impacts of the proposed project at the intersection at	4.4-8(a) Applicant shall be responsible for the project's fair share of the cost to revise the Main Street southbound approach with two left-turn lanes, one through lane,	Project Applicant	City Engineer	Prior to re-recording of final maps	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
	West Cypress Road and O'Hara Avenue.	and one shared through and right-turn lane. The project's fair share funding shall be submitted as determined by the City Engineer prior to the recording of final maps. 4.4-8(b) Implement Mitigation Measure 4.4-1.	N/A	N/A	N/A	
4.5 Air Quality						
4.5-1	Impacts related to construction dust emissions.	4.5-1 Consistent with guidance from the BAAQMD, and prior to issuance of a grading permit, the applicant shall incorporate the following mitigation measures into the construction contract documents, which shall be submitted for the review and approval of the City Engineer: <ul style="list-style-type: none"> Water all active construction areas at least twice daily and more often during windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust 	Project Applicant	City Engineer BAAQMD	Prior to issuance of grading permit	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p><i>palliatives;</i></p> <ul style="list-style-type: none"> • <i>Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;</i> • <i>Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites;</i> • <i>Sweep daily (preferably with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality;</i> • <i>Sweep streets daily (preferably with water sweepers) if visible soil material is carried onto adjacent public streets;</i> • <i>Apply non-toxic soil stabilizers to inactive</i> 				

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>construction areas;</p> <ul style="list-style-type: none"> • Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.); • Limit traffic speeds on unpaved roads to 15 mph; • Install sandbags or other erosion control measures to prevent silt runoff to public roadways; and • Replant vegetation in disturbed areas as quickly as possible. <p>The above measures include all feasible measures for construction emissions identified by the Bay Area Air Quality Management District for large sites.</p>				
4.5-5	Impacts relating to the cumulative effects of the proposed project on air quality.	4.5-5 Implement Mitigation Measure 4.5-1.	N/A	N/A	N/A	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

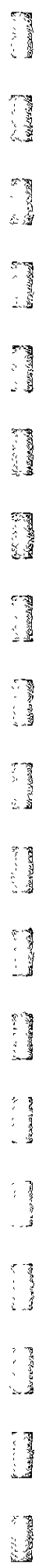
Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
4.6-1	Noise impacts related to land use compatibility.	<p>4.6 Noise</p> <p>4.6-1(a) <i>The applicant shall construct noise barriers prior to occupancy to reduce noise at exterior use areas adjacent to Cypress Road and Sellers Avenue to 65 dB L_{dn} or less. The applicant/developer shall include the following mitigation measures on the improvement plans to be approved by the City Engineer prior to the approval of the improvement plans or initiation of any grading or construction activity:</i></p> <ul style="list-style-type: none"> <i>The barriers shall be constructed solidly over the entire surface and at the base. Openings or gaps between barrier materials or the ground decrease the noise reduction provided by a noise barrier; and</i> <i>Suitable materials for barrier construction shall have a minimum surface weight of 3 lbs./ft² (such as</i> 	Project Applicant/ Developer	City Engineer	Barrier design and location shall be indicated on Improvement Plans prior to approval of Improvement Plans or initiation of any grading or construction activity Barriers shall be installed prior to occupancy of the residential units	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>one-inch thick wood, masonry block, concrete, or metal).</p> <p>4.6-1(b) <i>Project-specific acoustical analyses shall be conducted during final detailed design of the project when building elevations and floor plans are available in order to determine how interior noise levels can be reduced to 45 dBA L_{dn} or lower. The future noise environment at the project site shall require sound-rated construction methods and the provision of forced-air mechanical ventilation so that windows could be kept closed at the occupants' discretion to control noise. Noise insulation features include sound-rated windows, sound-rated doors, and careful attention to exterior wall detailing (including caulking and possible sound insulating upgrades such as resilient channels, or stucco exterior siding). The final detailed design of noise insulation features necessary to maintain interior</i></p>	Project Applicant	Community Development Department City Engineer	Prior to issuance of building permit	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		noise levels at acceptable levels shall be completed at the time that the final plans are available and prior to the issuance of a building permit.				
4.6-3	Impacts related to construction noise.	<p>4.6-3(a) Noise-generating activities at the construction site or in areas adjacent to the construction site associated with the project in any way shall be restricted to the hours of 7:30 am to 5:30 pm, Monday through Saturday. Construction is prohibited on Sundays and City holidays.</p> <p>4.6-3(b) The applicant/developer shall include the following mitigation measures on the improvement plans to be approved by the City Engineer prior to the approval of the improvement plans or initiation of any grading or construction activity:</p> <ul style="list-style-type: none"> • Equip all equipment driven by internal combustion engines with intake and exhaust mufflers that are in 	Project Contractor	Community Development Department	During construction activities	
			Project Applicant/ Developer	City Engineer	Prior to approval of Improvement Plans or initiation of any grading or construction, and during construction	



**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>good condition and appropriate to the equipment. Unnecessary idling of internal combustion engines should be strictly prohibited;</p> <ul style="list-style-type: none"> Stationary noise-generating equipment, such as air compressors or portable power generators, must be located the greatest distance applicable from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses; Utilize "quiet" air compressors and other stationary noise sources where technology exists; and Designate a "disturbance coordinator" who would be responsible for responding to any local complaints regarding construction noise. The disturbance coordinator 				

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		will determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented.				
4.7 Hazards						
4.7-2	Impacts from abandoned natural gas production wells.	<p>4.7-2(a) Prior to the issuance of a grading permit, the project developer shall provide to the City of Oakley a detailed soils assessment, in the vicinity of the abandoned wells located on the project site, for the review and approval of the City Engineer. If contaminants are not detected in the environmental assessment, further mitigation shall not be required. If contamination is identified, a remediation plan shall be submitted, and all contaminants shall be removed to the satisfaction of the City of Oakley and Contra Costa County Environmental Health Services.</p>	Project Developer	City Engineer CCCEHS	Prior to issuance of grading permit	
		4.7-2(b) Prior to the issuance of a grading	Project Developer	DOG	Prior to issuance	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>permit, the developer shall locate and test for any surface leakage of all former gas production wellheads on the project site pursuant to DOG guidelines and under the supervision of a DOG engineer. If leakages are not detected, further mitigation shall not be required. If leakages are identified, the wells shall be sealed, a remediation plan shall be submitted, and all contaminants shall be removed to the satisfaction of the City of Oakley and Contra Costa County Environmental Health Services. Additionally, the developer shall notify the DOG of planned improvements located within 10 feet of the well to evaluate the need for possible access or engineering controls.</p>		<p>Engineer City Engineer CCCEHS</p>	<p>of grading permit</p>	
4.7-3	<p>Impacts to the off-site pipeline from project construction activities.</p>	<p>4.7-3 Prior to commencement of grading and construction, the developer, and a representative from the City's Engineering Department shall meet on the project site and</p>	<p>Project Contractor/ Developer</p>	<p>City Engineer</p>	<p>Prior to commencement of any grading or construction</p>	

**TABLE 4-1 GILBERT PROPERTY PROJECT
MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
4.7-4	Impacts related to the presence of asbestos and lead particles on the project site.	<p>prepare site-specific safety guidelines for construction in the field to the satisfaction of the City Engineer. The safety guidelines shall be noted on the improvement plans and be included in all construction contracts involving the project site.</p> <p>4.7-4 Prior to issuance of a demolition permit by the City for any on-site structures, the project proponent shall provide a site assessment that determines whether any structures to be demolished contain asbestos and/or lead paint. If structures do not contain asbestos or lead-based paint, no further mitigation is required. If any structures contain asbestos, the application for the demolition permit shall include an asbestos abatement plan consistent with local, state, and federal standards, subject to approval by the City Engineer. If lead-based paint is found, all loose and peeling paint shall be removed and disposed of by a licensed and certified lead paint removal.</p>	Project Applicant	City Engineer	Prior to issuance of a demolition permit	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
4.7-5	Exposure of residents to safety hazards due to the construction of additional residences near the Contra Costa Canal and the stormwater detention ponds.	contractor, in accordance with local, state, and federal regulations. The demolition contractor shall be informed that all paint on the buildings shall be considered as containing lead. The contractor shall take appropriate precautions to protect his/her workers, the surrounding community, and to dispose of construction waste containing lead paint in accordance with local, state, and federal regulations subject to approval of the City Engineer.	Project Applicant	City Engineer	Prior to approval of Improvement Plans	
4.7-7	Exposure of	4.7-7(a) When residential structures are	Project Developer	City	Prior to issuance	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
	proposed residences to wildland fires.	<i>developed, an approved fire apparatus access shall be provided to within 150 feet of all portions of the first floor as measured by an approved route around the exterior of the building. Structures not capable of meeting this requirement shall be considered a special hazard and have installed a fire sprinkler system.</i>		Engineer	of building permit	
		<i>4.7-7(b) The East Contra Costa Fire Prevention Department shall, as necessary, ensure the installation of radio repeater towers within the proposed project area. The location and design of any radio repeater towers shall be subject to the review and approval of the City Engineer and Community Development Department.</i>	East CCFPD	City Engineer Community Development Department	Prior to project occupancy	
		<i>4.7-7(c) Development of the site should be carried out in accordance with East Contra Costa Fire Prevention Department rules and regulations and the Uniform Building Code and the regulations adopted by the East</i>	Project Developer	City Building Official East CCFPD	During Construction	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		Contra Costa Fire Prevention Department.	Project Applicant	City Engineer	Prior to approval of design review	
		4.7-7(d) Prior to approval of design review for residential structures, the applicant shall show that all roofs shall be Class A type.				
4.8 Biological Resources						
4.8-1	Impacts to jurisdictional waters of the U.S. and waters of the State.	4.8-1(a) To the extent feasible implementation of the project shall be designed and constructed to avoid and minimize adverse effects to waters of the United States or jurisdictional waters of the State of California within the project area.	Project Developer	Community Development Department	Prior to and during construction	
		4.8-1(b) A Section 404 permit for fill of jurisdictional wetlands shall be sought, and mitigation for impacts to jurisdictional waters that cannot be avoided shall conform with the USACE "no-net-loss" policy and the USACE Regulatory Guidance Letter No. 02-2 establishing policies and guidance on appropriate mitigation for impacts to jurisdictional waters. Mitigation for impacts to both federal and State	Project Developer	Community Development Department USACE	Prior to issuance of grading permits	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>jurisdictional waters shall be addressed using these guidelines.</p> <p>4.8-1(c) Mitigation shall include creation of wetlands at a minimum 1:1 ratio in conjunction with preservation/enhancement of wetlands at a minimum 1:1 ratio, and all temporary impacts resulting from construction access or similar activities shall be revegetated and restored.</p> <p>Or,</p> <p>Alternatively, the applicant shall provide the required mitigation either through an in-lieu fee program, purchase of the required acreage in an approved mitigation bank, or an approved Habitat Conservation Plan (HCP).</p>	Project Developer/ Contractor	Community Development Department USACE	During construction	
		<p>4.8-1(d) A mitigation plan shall be prepared for mitigation implemented both on-site and off site that provides guidance on managing and monitoring the wetland mitigation</p>	Project Developer	Community Development Department USACE	Annually during monitoring activities	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
4.8-2	Impacts to Protected and Heritage Trees.	<p>habitat. The mitigation plan shall include jurisdictional and non-jurisdictional wetland mitigation. The mitigation plan shall include standards deemed acceptable by the City of Oakley, USACE, RWQCB, and CDFG. Annual reports of the monitoring activities and results shall be provided to the City of Oakley, USACE, USFWS, CDFG and RWQCB.</p> <p>4.8-2(a) Building structure and yard design, along with construction activities, shall attempt to retain existing protected and heritage trees on the project site to the maximum extent practicable. Prior to the issuance of grading permits, the project developer shall have a tree preservation plan prepared by an ISA-certified arborist to minimize damage to on-site protected and heritage trees during the construction of the project, replace any protected or heritage trees damaged or killed by development of the project, and plant additional trees as determined by the</p>	Project Developer	USFWS CDFG RWQCB	Prior to issuance of grading permits	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p><i>Community Development</i> The plan shall be reviewed and approved by the Community Development Department prior to issuance of a grading permit, and the plan shall be in compliance with Sections 5-D-3A and 5-D-2-3B of the City of Oakley Zoning Ordinance. The tree preservation plan shall include but not be limited to the following elements:</p> <ul style="list-style-type: none"> <i>The preservation element of the plan shall include but not be limited to installation of protective fencing during construction, appropriate irrigation practices, and inclusion of appropriate tree preservation notes on grading and construction plans. The replacement and new plantings portion of the plan shall include a map showing where the replacement and new trees will be located.</i> <i>Where mitigation is determined to be necessary,</i> 				

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>tree removal shall be mitigated at a minimum 3:1 ratio or other ratio acceptable to the City of Oakley, or an in-lieu fee shall be paid on a per-inch basis as determined by the Community Development Department. The mitigation trees shall be established with appropriate maintenance to ensure long-term self-sustaining survivorship.</p> <ul style="list-style-type: none"> In the event that any protected or heritage tree is damaged during the construction process, the applicant shall comply with subsection 5-D-3A.5(E) and/or 5-D-3B.6(D) and 5-D-3B.6 (E) of the Oakley Zoning Ordinance as applicable, including but not limited to notification of the Community Development Director. <p>4.8-2(b) Per the Tree Preservation Ordinance Section 5-D-3B.6(B) and (C), prior to the issuance of any</p>	Project Applicant	Community Development Department	Prior to issuance of grading or building permit	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>grading or building permit for a property where protected or heritage trees will be removed, the applicant shall deposit cash or other acceptable security with the Community Development Department on a per-tree basis in the amount established by the involved development's conditions of approval of approved applications. As required, the City may hold the deposit for a two-year period to guarantee the health of the trees for a two-year period upon completion of construction. In addition, the applicant may be required to enter into a tree maintenance agreement secured by said deposit/bond by which the applicant agrees to maintain said trees in a living and viable condition throughout the term of agreement. This agreement may be transferred to any new owner of the property for the remaining length of the agreement.</p>	Project Applicant	Community	Prior to removal	

4.8-2(c) The applicant shall obtain the

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		necessary permit for the removal and/or destruction of protected or heritage trees that cannot be avoided during project construction for the review and approval of the Community Development Department.		Development Department	and/or destruction of protected trees	
4.8-3	Impacts to special-status brachiopods.	4.8-3(a) Prior to issuance of a grading permit, the applicant shall conduct wet season surveys per the 1996 USFWS Interim Survey Guidelines for Vernal Pool Brachiopods within potentially suitable habitat on the Gilbert Property and adjacent off-site during the appropriate season. If vernal pool fairy shrimp is not found during wet season surveys, a second wet season or dry season soil collection and cyst identification shall be conducted. If federally protected brachiopods are not found after completion of protocol-level surveys, then no further mitigation shall be required. If federally protected brachiopods are found during one or more of the surveys, then the following measures shall	Project Applicant	Community Development Department USFWS	Prior to issuance of grading permits	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>4.8-3(b) <i>If protected brachiopods are found to occur during protocol surveys on the Gilbert Property, properties that are connected biologically and hydrologically (via ground or surface water) shall also be considered as potentially occupied habitat. Assessment of presence or absence shall be determined on a property-by-property basis, taking into account connectivity of the wetland areas. Project impacts shall be evaluated and mitigation shall be based on an analysis of the following:</i></p> <ul style="list-style-type: none"> • <i>Connectivity of aquatic habitats (both ground and surface water);</i> • <i>Habitat quality measured as potential to support listed shrimp species;</i> • <i>Potential for cyst (egg) dispersal;</i> • <i>Adjacent land uses, current and anticipated, and</i> 	Project Applicant	Community Development Department USFWS	Prior to issuance of grading permits	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>resulting effects on the hydrology of aquatic habitats;</p> <ul style="list-style-type: none"> • Threats and encroachment on populations of listed species, including edge effects and associated buffers, and habitat fragmentation; • If protected brachiopods are found within the boundary of the project site, impacts to occupied or potentially occupied aquatic habitats and an associated upland buffer, to be determined according to the criteria above, shall be avoided to the extent feasible. If avoidance is not feasible, aquatic habitat and the amount of watershed associated with the preserved pools necessary to sustain the existing hydrology of the pool habitat shall be replaced at a 1:1 ratio at a location approved by the City and 				

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>USFWS. The habitat in the amount specified above shall be acquired, permanently protected, and enhanced through management for the benefit of the species, to compensate for the loss of aquatic habitat on the project site. A plan describing the mitigation and monitoring requirements and performance standards shall be prepared if habitat is preserved or acquired for special-status fairy shrimp species. This mitigation measure shall be coordinated with the plan in Mitigation Measure 4.8-1 (d). Alternatively, the applicant can provide the required mitigation either through an in-lieu fee program, purchase of the required acreage in an approved mitigation bank, or an approved Habitat Conservation Plan (HCP). Take authorization shall be</p>				

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p><i>obtained from the USFWS if federally-listed branchiopods are present on-site.</i></p> <p><i>4.8-3(c) If presence of protected brachiopods is confirmed during protocol surveys, the uppermost layer of soil in seasonally inundated habitat may contain cysts of listed crustaceans as well as seeds of vernal pool plants. Therefore, before these wetlands are filled, the top layer of soil shall be made available prior to the start of project grading to any vernal pool creation bank that requests it, with USFWS approval, for inoculating newly created pools. Soil stockpiled for this purpose shall be shielded from rain with a waterproof cover to ensure that it remains completely dry.</i></p>	Project Contractor	Community Development Department USFWS	Prior to start of project grading	
4.8-5	Impacts to special-status fish species.	<p><i>4.8-5(a) A Fish Rescue Plan for the project area shall be prepared that details measures to avoid take of fish during any construction activities within the ordinary high water</i></p>	Project Developer	Community Development Department USFWS	During construction and pumping	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>level of Dutch Slough. To ensure compliance and implementation of the plan, a qualified biologist shall be present during construction and pumping activities.</p> <p>4.8-5(b) <i>If construction takes place within the ordinary high water level, formal consultation with the NOAA Fisheries, and USFWS shall be required in conjunction with USACE Section 404 permit. If construction takes place below top-of-bank, formal consultation with CDFG as part of the Streambed Alteration Agreement to determine appropriate measures to avoid impacts to special-status fish species. A mitigation plan shall be prepared that includes measures to avoid take of special-status fish during construction activities and post construction water withdrawal activities. At a minimum, the following mitigation measures shall be incorporated into the mitigation plan:</i></p>	Project Developer	Community Development Department NOAA USFWS USACE CDFG	During construction and post dewatering activities	

**TABLE 4-1 GILBERT PROPERTY PROJECT
MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
4.8-6	Impacts to silvery legless	<ul style="list-style-type: none"> If entrapment in the siphons, flood gates, pumps, outfalls or other features is determined by the fisheries biologist to cause a potentially significant impact, a fish screen or other structure approved by USFWS, NOAA Fisheries, and CDFG shall be placed on these features to prevent fish entering the diversions system. Turbidity and suspended sediment levels in water discharged into Emerson Slough shall not exceed more than 10 percent above ambient levels in these water bodies. Waterway construction in Emerson and Dutch Slough shall occur between July 1 and October 1 (or other period requested by the NOAA Fisheries) to work outside of the season in which juvenile salmonids could be present in the system. 				
4.8-6(a)	Impacts to silvery legless	Pre-construction surveys for silvery legless lizard shall be	Project Developer	Community Development	Prior to issuance of grading	

TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
	lizard.	<p>conducted within the sand mound habitat on the project site and submitted to the City of Oakley for review and approval prior to the issuance of grading permits. If silvery legless lizard is not found, no further mitigation is required. If they are found Mitigation Measure 4.8-6(b) shall be implemented.</p> <p>4.8-6(b) If silvery legless lizard is documented on the project site, occupied habitat as well as other highly suitable habitat shall be avoided to the maximum extent feasible. If avoidance is not feasible, habitat shall be replaced at a 1:1 ratio at a location approved by the City and CDFG. Habitat in the amount specified above shall be acquired, and permanently protected, and enhanced through management for the benefit of the species, to compensate for the loss of suitable sand dune and mound habitat on the project sites. Alternatively, the applicant shall provide the</p>	Project Applicant/ Developer	<p>Department</p> <p>CDFG</p> <p>Community Development Department</p> <p>CDFG</p>	permits	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
4-8-7	Impacts to giant garter snake.	<p>required mitigation either through an in-lieu fee program, purchase of the required acreage in an approved mitigation bank, or an approved Habitat Conservation Plan (HCP).</p> <p>4.8-7(a) The following measures shall be implemented to avoid potential take of individual garter snakes during construction:</p> <ul style="list-style-type: none"> All construction activity within potential giant garter snake aquatic habitat shall be conducted between May 1 and October 1. This is the active period for giant garter snakes and if present, potential effects are lessened because snakes are actively moving and can avoid danger. Any dewatered areas within the sloughs shall remain dry for at least 15 consecutive days prior to excavating or filling of the dewatered area. A qualified biologist shall 	Project Contractor	Community Development Department USFWS RWQCB	Before, during, and after construction	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>provide project contractors and construction crews with a worker-awareness program appropriate for giant garter snakes before any work within aquatic habitats or adjacent upland habitats is initiated. This program shall be used to describe the species, its habits and habitats, its legal status and required protection, all applicable mitigation measures, and conditions of any state or federal permits as they relate to giant garter snake. Proof of this instruction shall be submitted to the City.</p> <ul style="list-style-type: none"> • During project activities and following construction, all trash shall be properly contained, removed from the work site, and disposed of properly. • 24-hours prior to construction activities, the project area shall be 				

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>surveyed for giant garter snake. Survey of the project area shall be repeated if a lapse in construction activity of two weeks or greater has occurred. If a giant garter snake is encountered during construction, activities shall not begin until appropriate corrective measures have been completed or it has been determined that the snake shall not be harmed. Any sightings and any incidental take shall be reported immediately to the USFWS at (916) 414-6600.</p> <ul style="list-style-type: none"> • Movement of heavy equipment to and from the project site shall be restricted to established roadways to minimize disturbance. • After completion of construction activities, any temporary fill and construction debris shall be removed and, wherever feasible, disturbed areas 				

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>shall be restored to pre-project conditions. Restoration work shall include replanting emergent vegetation.</p> <ul style="list-style-type: none"> All fueling and maintenance of vehicles or other equipment and staging areas shall occur at least 66 feet from any water body. Prior to the onset of work, the applicant shall prepare a plan to allow prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. To control erosion during and after project implementation, the applicant shall implement best management practices, as identified by the Regional Water Quality Control Board. Drainage banks shall 				

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
4.8-8	Impacts to western pond turtle.	<p>be stabilized by compacting additional soil after sediment and vegetation removal to minimize the potential for erosion. Additionally, during sediment and vegetation removal in a channel that still contains flowing water during August, September, and October, a silt fence shall be installed directly downstream of the project site. This will help to prevent silt accumulation downstream of the project site.</p> <p>4.8-8(a) A qualified biologist shall conduct pre-construction surveys for western pond turtles in all construction areas identified as potential nesting or dispersal habitat located within 1,000 feet of potential aquatic habitat 48 hours prior to initiation of construction activities. If western pond turtle is found during pre-construction surveys, it shall be relocated as necessary to a location deemed</p>	Project Developer	Community Development Department CDFG	Prior to construction	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p><i>suitable by the biologist and CDFG (i.e., at a location which is a sufficient distance from construction activities). This survey shall include looking for turtle nests within the construction area. If a nest is found within the construction area, construction shall not take place within 100 feet of the nest until the turtles have hatched and have left the nest or can be safely relocated with assistance from CDFG.</i></p>	<p>Project Contractor</p>	<p>Community Development Department CDFG</p>	<p>Prior to construction</p>	
		<p><i>4.8-8(b) Because attempting to locate pond turtle nests will not result in a realistic probability of detection, after completion of pre-construction surveys, and relocation as necessary, exclusion fencing shall be placed around all construction-sites adjacent to aquatic habitats to eliminate the possibility of nest establishment in uplands adjacent to aquatic areas.</i></p>	<p>Project Contractor</p>	<p>Community Development Department CDFG</p>	<p>Prior to construction</p>	
		<p><i>4.8-8(c) If construction activities occur in aquatic areas where turtles have</i></p>	<p>Project Contractor</p>	<p>Community Development Department</p>	<p>During construction</p>	

**TABLE 4-1 GILBERT PROPERTY PROJECT
MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>been identified during pre-construction or other surveys, a biological monitor shall be present during disturbance of those aquatic habitats. If any turtle is found, it shall be relocated as necessary to a location deemed suitable by the biologist and CDFG (i.e., at a location which is a sufficient distance from construction activities).</p>		<p>Department CDFG</p>		
		<p>4.8-8(d) A qualified biologist shall provide project contractors and construction crews with a worker-awareness program before any work within aquatic habitats or adjacent upland habitats that are appropriate for western pond turtles. This program shall be used to describe the species, its habits and habitats, its legal status and required protection, and all applicable mitigation measures.</p>	Project Contractor	<p>Community Development Department CDFG</p>	Prior to construction	
4.8-9	Impacts to western burrowing owl.	<p>4.8-9(a) Prior to issuance of a grading permit, pre-construction surveys of all potential burrowing owl habitat shall be conducted by a qualified</p>	Project Developer	Community Development Department	Prior to issuance of grading permits	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>biologist within the project area and within 250 feet of the project boundary. Presence or sign of burrowing owl and all potentially occupied burrows shall be recorded and monitored according to CDFG and California Burrowing Owl Consortium guidelines. If burrowing owls are not detected by sign or direct observation, construction may proceed.</p> <p>4.8-9(b) Prior to issuance of a grading permit, focused over-wintering surveys of all potential burrowing owl habitat shall be conducted by a qualified biologist within the Gilbert property. Presence or sign of burrowing owl shall be recorded and monitored according to CDFG and California Burrowing Owl Consortium guidelines.</p>	Project Developer	<p>CDFG</p> <p>Community Development Department</p> <p>CDFG</p>	<p>Prior to issuance of grading permits</p> <p>Prior to construction</p>	
		<p>4.8-9(c) If potentially nesting burrowing owls are present during pre-construction surveys conducted between February 1 and August 31, grading shall not be allowed within</p>	Project Contractor	<p>Community Development Department</p> <p>CDFG</p>	<p>Prior to construction</p>	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>250 feet of any nest burrow during the nesting season (February-August), unless approved by the CDFG.</p> <p>4.8-9(d) If burrowing owl is detected during pre-construction surveys outside the nesting season (September 1-January31), passive relocation and monitoring may be undertaken by a qualified biologist following CDFG and California Burrowing Owl Consortium guidelines, which involve the placement of one-way exclusion doors on occupied and potentially occupied burrowing owl burrows. Owls shall be excluded from all suitable burrows within the project area and within a 160-foot buffer zone of the impact area. A minimum of a week shall be allowed to accomplish this task and allow for owls to acclimate to alternate burrows. These mitigation actions shall be carried out prior to the burrowing owl breeding season (February 1- August 31) and, until construction begins, the site shall</p>	Project Developer	Community Development Department CDFG	Prior to construction	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>be monitored weekly by a qualified biologist to ensure that burrowing owls do not re-inhabit the site.</p> <p>4.8-9(e) <i>If burrowing owl or sign of burrowing owl is detected at any time on the project site, a minimum of 6.5 acres of foraging habitat per pair or individual resident bird, shall be acquired and permanently protected to compensate for the loss of burrowing owl habitat. The acreage shall be based on the maximum number of owls observed inhabiting the property for any given observation period, pre-construction survey, or other field visit. The protected lands shall be occupied burrowing owl habitat and at a location acceptable to CDFG and the City of Oakley. The habitat in the amount specified above shall be acquired, permanently protected, and enhanced through management for the benefit of the species, to compensate for the loss of burrowing owl habitat on the</i></p>	Project Applicant/ Developer	Community Development Department CDFG	Prior to and during construction	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>project site. Alternatively, the applicant shall provide the required mitigation either through an in-lieu fee program, purchase of the required acreage in an approved mitigation bank, or an approved Habitat Conservation Plan (HCP).</p> <p>4.8-9(f) Before construction activities begin, all construction personnel shall receive training that includes photos of burrowing owl for identification purposes, habitat description, limits of construction activities in the project area, and guidance regarding general measures being implemented to conserve burrowing owl as they relate to the project.</p>	Project Contractor	Community Development Department CDFG	Prior to construction	
		<p>4.8-9(g) A monitoring report of all activities associated with pre-construction surveys, avoidance measures, and passive relocation of burrowing owls shall be submitted to the City and CDFG no later than two weeks before initiation of grading.</p>	Project Developer	Community Development Department CDFG	Two weeks prior to grading	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
4.8-10	Impacts to raptors and migratory birds.	4.8-10(a) <i>The removal of any buildings, trees, emergent aquatic vegetation, or shrubs shall occur from September 1 through December 15, outside of the avian nesting season. If removal of buildings, trees, emergent aquatic vegetation, or shrubs occurs, or construction begins between February 1 and August 31 (nesting season for passerine or non-passerine land birds) or December 15 and August 31 (nesting season for raptors), a nesting bird survey shall be performed by a qualified biologist within 14 days prior to the removal or disturbance of a potential nesting structure, trees, emergent aquatic vegetation, or shrubs, or the initiation of other construction activities during the early part of the breeding season (late December through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, a qualified biologist shall</i>	Project Contractor	Community Development Department CDFG	Prior to construction	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>inspect all potential nesting habitat (trees, shrubs, structures, grasslands, pastures, emergent aquatic vegetation, etc.) in and immediately adjacent to the impact areas for nests.</p> <p>4.8-10(b) All vegetation and structures with active nests shall be flagged and an appropriate non-disturbance buffer zone shall be established around the nesting tree. The size of the buffer zone shall be determined by the project biologist in consultation with CDFG and will depend on the species involved, site conditions, and type of work to be conducted in the area. Typically, if active nests are found, construction activities shall not take place within 500 feet of the raptor nests and within 100 feet of other migratory birds until the young have fledged. A qualified biologist shall monitor active nests to determine when the young have fledged and are feeding on their own. The project biologist and</p>	Project Contractor	Community Development Department CDFG	During construction	

TABLE 4-1 GILBERT PROPERTY PROJECT
MITIGATION MONITORING PLAN

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
4.8-11	Impacts to Swainson's hawk.	<p>CDFG shall be consulted for clearance before construction activities resume in the vicinity.</p> <p>4.8-11(a) In order to ensure that nesting Swainson's hawks shall not be affected by construction on the project site or off-site improvement locations, a qualified biologist shall conduct pre-construction surveys according to CDFG and Swainson's Hawk Technical Advisory Committee guidelines (2000). Survey Period I occurs from January 1 – March 20, Period II from March 20 – April 5, Period III from April 5 – April 20, Period IV from April 21 – June 10, and Period V is from June 10 – July 30. Three surveys shall be completed in at least each of the two survey periods immediately prior to a project's initiation and encompass the area within ½ mile of the project site. If a nest site is found, then either of the following measures shall be implemented:</p> <p>4.8-11(b) Trees containing known or</p>	Project Developer	Community Development Department CDFG	Prior to construction	
			Project Contractor	Community	Prior to	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>potential raptor nest sites that must be removed as a result of project implementation shall be removed during the non-breeding season (September 1 to January 31) to discourage future nesting attempts, on the condition that no Swainson's hawk pair is currently utilizing the nest site. Monitoring evidence that any nests in trees planned for early removal are unattended by reproductive-aged birds must be provided; or</p> <p>4.8-11(c) If an active Swainson's hawk nest is found sufficiently close (as determined by the qualified biologist and CDFG) to the construction area to be affected by construction activities, a qualified biologist shall determine the extent of a construction-free buffer zone to be established around the nest. Intensive new disturbances (e.g., heavy equipment activities associated with construction) that may cause nest abandonment or forced fledging shall not be</p>	Project Contractor	<p>Development Department CDFG</p> <p>Community Development Department CDFG</p>	<p>construction</p> <p>Prior to construction</p>	

TABLE 4-1 GILBERT PROPERTY PROJECT
MITIGATION MONITORING PLAN

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
4.8-12	Impacts to special-status bat species.	<p>initiated within this buffer zone between March 1 and September 1 until it is determined by a qualified biologist in coordination with CDFG that the young have fledged and are feeding on their own.</p> <p>4.8-12(a) A pre-construction survey for roosting bats shall be performed by a qualified biologist within 30 days prior to any removal of trees or structures on the site. If no active roosts are found, then no further action shall be required. If either a maternity roost or hibernacula (structures used by bats for hibernation) is present, the following mitigation measures shall be implemented.</p> <p>4.8-12(b) If active maternity roosts or hibernacula are found in trees or structures which are to be removed as part of project construction, the project shall be redesigned to avoid the loss of the tree or structure occupied by the roost to the extent feasible as determined by the City. If an active maternity</p>	Project Developer	Community Development Department CDFG	Prior to construction	
			Project Developer/ Contractor	Community Development Department CDFG	Prior to demolition	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>roost is located and the project cannot be redesigned to avoid removal of the occupied tree or structure, demolition shall commence before maternity colonies form (i.e., prior to March 1) or after young are volant (flying) (i.e., after July 31). Disturbance-free buffer zones as determined by a qualified biologist in coordination with CDFG shall be observed during the maternity roost season (March 1 - July 31).</p> <p>4.8-12(c) If a non-breeding bat hibernacula is found in a tree or structure scheduled for removal, the individuals shall be safely evicted, under the direction of a qualified biologist (as determined by a Memorandum of Understanding with CDFG), by opening the roosting area to allow airflow through the cavity. Demolition shall then follow at least one night after initial disturbance for airflow. This action shall allow bats to leave during darkness, thus</p>	Project Contractor	Community Development Department CDFG	Prior to demolition	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
4-8-14	Contribution to cumulative impacts to biological resources in the project area.	<p>4.8-14 Implement Mitigation Measures 4.8-1 through 4.8-12.</p> <p>increasing their chance of finding new roosts with a minimum of potential predation during daylight. Trees or structures with roosts that need to be removed shall first be disturbed at dusk, just prior to removal that same evening, to allow bats to escape during the darker hours.</p>	N/A	N/A	N/A	
4.9 Geology and Soils						
4.9-1	Damage to foundations, pavements, and other structures constructed within the project site as a result of heaving and settlement of expansive soils.	<p>4.9-1 Prior to approval of improvement plans, the project proponent shall conduct a design-level geotechnical study, which shall consider the recommendations in the existing geology report and additional recommendations as needed. The study shall specifically address whether expansive soils are present in the development area and include measures to address these soils.</p>	Project Applicant	City Engineer	Prior to approval of Improvement Plans	

**TABLE 4-1 GILBERT PROPERTY PROJECT
MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		where they occur. The recommendations from the geotechnical study shall be incorporated into the design of roadway and infrastructure improvements as well as foundation and building design for the review and approval of the City Engineer.				
4.9-2	Impacts related to weak or compressible clay.	4.9-2 Prior to the approval of improvement plans, and after the project grading plans are completed and the approximate building loads are determined, a qualified geotechnical engineer shall determine if remediation measures such as removing and surcharging the compressible materials are necessary to minimize future settlement to acceptable levels. The applicant shall provide the findings of the consolidation analysis to the City Engineering Division for review and approval.	Project Applicant	City Engineer	Prior to approval of Improvement Plans	
4.9-3	Loss of structural support due to	4.9-3(a) Prior to issuance of a grading permit, the applicant/developer shall incorporate the	Project Applicant	City Engineer	Prior to issuance of grading permits	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
	potential liquefaction.	<p>recommendations of a design-level geotechnical report into the improvement plans. The following measures include, but are not limited to, the options available to reduce site liquefaction potential and/or adverse effects to structures located above potentially liquefiable soils. Once final grading plans are designed, the project's geotechnical engineers will need to determine the appropriate methods of mitigating the effects of liquefaction such as:</p> <ul style="list-style-type: none"> • Remove and replace potentially liquefiable soils; • Strengthen foundations (e.g., post-tensioned slab, reinforced mat or grid foundation, or other similar system) to resist excessive differential settlement associated with seismically-induced liquefaction; • Support the proposed structures on an engineered fill pad in order to reduce 				



**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>differential settlement resulting from seismically-induced liquefaction and post-seismic pore pressure dissipation; and</p> <ul style="list-style-type: none"> Densify potentially liquefiable soils with an in situ ground improvement technique such as deep dynamic compaction, vibro-compaction, vibro-replacement, compaction grouting, or other similar methods. <p>4.9-3(b) If deep dynamic compaction is expected to be implemented as the method of densification or for any other reason, the following measures shall be implemented:</p> <ul style="list-style-type: none"> Geotechnical engineers for the Contra Costa Water District and the Group Member performing Deep Dynamic Compaction (the "DDC Member") shall mutually agree upon acceptable threshold limits 	Project Contractor	City Engineer CCWD	During compaction	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p><i>for peak particle velocities measured during deep dynamic compaction at the toe of the Canal berm (the "Threshold Limits") along the DDC Member's Project. The sole purpose of the Threshold Limits is to attempt to avoid damage to the canal. The parties are not warranting that peak particle velocities at the toe of the Canal berm along the DDC Member's Project less than said Threshold Limits is safe or would not cause or contribute to Canal damage. In determining Threshold Limits, in addition to general safety and engineering factors, the District and DDC Member Engineers may also consider the types and amounts of comprehensive general liability insurance coverage provided by the DDC Member and its contractors</i></p>				

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>or sub-contractors, as well as specific design, construction monitoring, and other measures that are developed to protect the Canal's Integrity, stability, and water quality as set forth above. (For example, if the District believes the amounts of comprehensive general liability insurance coverage provided by the DDC Member and its contractors or sub-contractors is insufficient, the Threshold Limits should be reduced accordingly to reflect this fact.) An independent licensed engineer selected by the District (with the concurrence of the DDC Member) shall, at the DDC Member's sole cost and expense, monitor measurements of peak particle velocities at the toe of the Canal berm along the DDC Member's Project</p>				

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

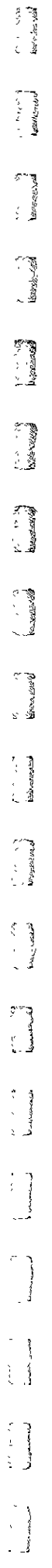
Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>during the period that Deep Dynamic Compaction is being performed, and shall submit to the District logs reflecting such measurements on a daily basis during such period.</p> <ul style="list-style-type: none"> To help ensure that the threshold limits are not exceeded, the DDC Member shall commence deep dynamic compaction on those portions of the project site located farthest from the Canal, and thereafter shall proceed with Deep Dynamic Compaction from those portions of the Project toward the Canal. That is, the DDC Member shall always conduct Deep Dynamic Compaction on this Project in a manner that the progression is in a direction toward the canal. <p>If the threshold limits are</p>				

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
4.9-4	Increased soil erosion, wind and water erosion, and siltation of local drainage during construction and after construction from excavation and grading activities.	<p>exceeded while deep dynamic compaction is being performed, then the DDC Member shall immediately cease performing deep dynamic compaction within its Project and promptly notify the District. Deep dynamic compaction shall not resume unless and until (i) measures are developed and implemented by the DDC Member to ensure that the threshold limits are not exceeded, and (ii) the DDC Member notifies the District in writing of such measures.</p> <p>4.9-4 Prior to issuance of a grading permit, the project applicant shall submit, for the review and approval of the City Engineer, an erosion control plan that utilizes standard construction practices to limit the erosion effects during construction of the proposed project. Measures could include, but are not limited to:</p> <ul style="list-style-type: none"> • Hydro-seeding; 	Project Applicant	City Engineer	Prior to issuance of grading permits	

**TABLE 4-1 GILBERT PROPERTY PROJECT
MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<ul style="list-style-type: none"> • Placement of erosion control measures within drainageways and ahead of drop inlets; • The temporary lining (during construction activities) of drop inlets with "filter fabric" (a specific type of geotextile fabric); • The placement of straw wattles along slope contours; • Directing subcontractors to a single designation "wash-out" location (as opposed to allowing them to wash-out in any location they desire); • The use of siltation fences; and • The use of sediment basins and dust palliatives. 				
4.9-5	Grading and import of fill.	4.9-5 Implement Mitigation Measure 4.9-4.	N/A	N/A	N/A	
4.11 Historical and Cultural Resources						
4.11-2	Unearthing of previously unknown archaeological resources as a	4.11-2(a) During construction, if any earth-moving activities uncover artifacts, exotic rock, or unusual amounts of bone or shell, work shall be halted in the immediate area of the find	Project Contractor	Community Development Department	During construction	



**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
	<p>result of project grading.</p>	<p>and shall not be resumed until after a qualified archaeologist has inspected and evaluated the deposit and determined the appropriate means of curation. The appropriate mitigation measures may include as little as recording the resource with the California Archaeological Inventory database or as much as excavation, recordation, and preservation of the sites that have outstanding cultural or historic significance.</p> <p>4.11-2(b) During construction, if bone is uncovered that may be human, the Contra Costa County Coroner and the Native American Heritage Commission in Sacramento shall be notified. Should human remains be found, the Coroner's office shall be immediately contacted and all work halted until final disposition by the Coroner. Should the remains be determined to be of Native American descent, the Native American Heritage</p>	<p>Project Contractor</p>	<p>Community Development Department NAHC Contra Costa County Coroner</p>	<p>During construction</p>	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
4.11-3	In combination with other known and foreseeable projects in the Oakley area, the project's contribution to cumulative cultural resources impacts.	<p>Commission shall be consulted to determine the appropriate disposition of such remains.</p> <p>4.11-3 Implement Mitigation Measures 4.11-2(a) and (b).</p>	N/A	N/A	N/A	
4.12 Hydrology, Water Supply and Water Quality						
4.12-2	Maintenance of levees surrounding the project.	<p>4.12-2 Prior to Improvement Plan approvals the project engineer shall develop a levee maintenance program. The maintenance program shall be submitted for the review and approval of the City Engineer and include the plan for financing and maintenance of the levee system. The plan shall include the following guidelines:</p> <ul style="list-style-type: none"> • All pertinent agencies that may have jurisdiction over 	Project Applicant	City Engineer CDFG USFWS RWQCB CCCPWD USACE	Prior to approval of Improvement Plans	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>the repair area shall be consulted. These agencies may include (but are not limited to) the California Department of Fish and Game, the U.S. Fish and Wildlife Service, the Army Corps of Engineers, and the Regional Water Quality Control Board.</p> <ul style="list-style-type: none"> • Both an engineering geologist and a civil engineer shall be consulted on significant embankment repairs. • Soil removal and placement shall be limited to the minimum amount needed to achieve bank stabilization. • Access roads shall be kept clear of obstructions and maintained in a manner that allows access for maintenance equipment at all times. Access road dimensions and specifications shall conform to guidelines prepared by the 				

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		<p>City of Oakley.</p> <ul style="list-style-type: none"> The establishment of woody vegetation (e.g. trees or shrubs) can impair the integrity of the levees. Therefore, regular inspection for, and removal of, woody vegetation shall be required. Tunnels created by ground squirrels and other animals can also compromise the integrity of the levees. Annual inspection of the levees by a competent professional shall be required to assess the need for remedial repairs and animal control measures. Material shall not be placed in a manner that could be eroded by normal or expected high flows. Bank stabilization in excess of 500 feet in length or an average of one cubic yard per running foot must be authorized by the City of Oakley or Contra Costa County Flood Control. 				

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
4.12-4	Adequate water supply and delivery for new residents.	<ul style="list-style-type: none"> The condition of levee embankments and access roads shall be monitored in detail as part of routine monitoring, as well as during post-flood event inspections. During periodic monitoring visits, personnel shall inspect the entire perimeter of the levees around the project and note evidence of erosion or slope failures on both sides of the levee. Embankments shall generally be free of erosion, rills, stumps, and landslides. <p>4.12-4(a) Prior to approval of the final map the applicant shall be required to pay a fair share fee as determined by the DWD toward the CIP for water service infrastructure improvements.</p> <p>4.12-4(b) Each final subdivision map approval shall be conditioned on DWD's issuance of a "Written Verification" that its water supplies are sufficient to serve the subdivision, if required by and</p>	Project Applicant	Community Development Department DWD	Prior to approval of final map	
			Project Applicant	Community Development Department DWD	Prior to approval of final map	

**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
		consistent with SB 221.				
4.12-4(c)		Each final subdivision map approval shall be conditioned on the inclusion of the property covered by such map within the CCWD's CVP contractual service area.	Project Applicant	Community Development Department CCWD	Prior to approval of final map	
4.12-6	Maintenance of stormwater ponds.	4.12-6 Prior to Improvement Plan approvals, the project engineer shall develop a storm drain system maintenance program. The maintenance program shall be submitted for the review and approval of the City Engineer and include the plan for financing and maintenance of the water quality detention basin. The plan shall address aquatic vegetation and vector control, pond bank and inlet structure conditions, and pond sediment removal.	Project Engineer	City Engineer	Prior to approval of Improvement Plans	
4.12-7	Maintenance of storm drain system.	4.12-7 Implement Mitigation Measure 4.12-6.	N/A	N/A	N/A	
4.13 Public Services and Utilities						
4.13-2	Adequate ratio of law	4.13-2 Prior to the issuance of building permits, the applicant shall	Project Applicant	Community Development	Prior to issuance of building	

**TABLE 4-1 GILBERT PROPERTY PROJECT
MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
	enforcement personnel to residents.	<i>participate in the provision of funding, per ordinance 86-01, to maintain police services through a special police services tax, similar to conditions placed on recent City subdivision approval, for the approval of the Community Development Department.</i>		Department	permit	
4.13-3	Adequate ratio of fire department personnel to residents.	<i>4.13-3(a) Prior to the issuance of building permits, the project proponent shall pay a fair share of costs, per ordinance 06-01, for new fire protection facilities and services, consistent with fire impact fees adopted by the City of Oakley.</i>	Project Applicant	City Manager	Prior to issuance of building permit	
		<i>4.13-3(b) Prior to approval of the building plans, the project applicant shall provide proof to the Community Development Department that fire flow requirements shall be met.</i>	Project Applicant	Community Development Department	Prior to approval of building plans	
4.13-4	Number of enrolled students exceeding capacity.	<i>4.13-4 Prior to recordation of final map, the proposed project property owner shall pay appropriate SB50 and AB16 school impact fees.</i>	Project Applicant	Community Development Department	Prior to recordation of final map	
4.13-5	Adequate provision of	<i>4.13-5 Prior to recordation of final map, the proposed project property</i>	Project Applicant	Community Development Department	Prior to recordation of	

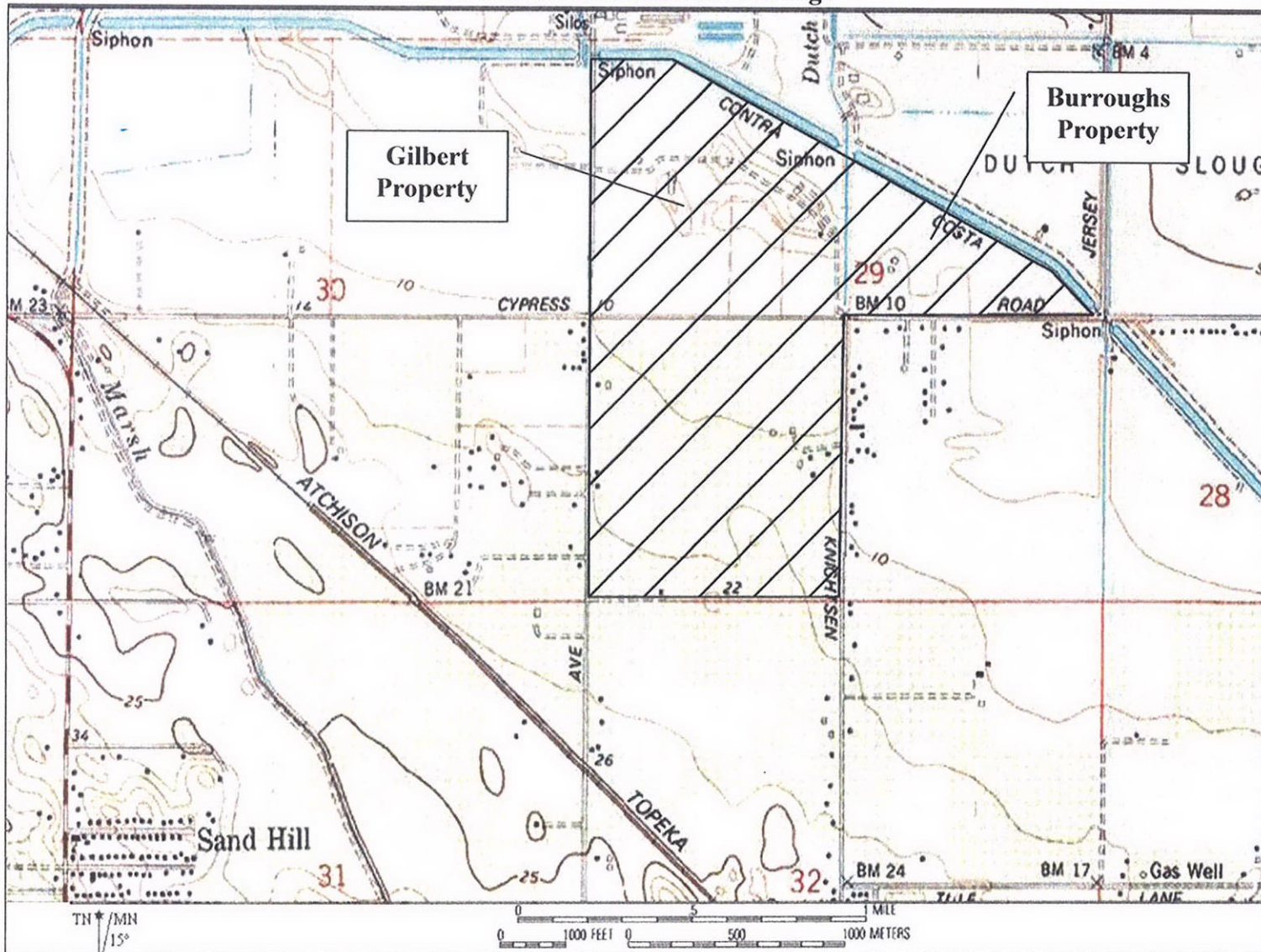
**TABLE 4-1 GILBERT PROPERTY PROJECT
 MITIGATION MONITORING PLAN**

Mitigation Number	Impact	Mitigation Measure	Implementing Party	Monitoring Agency	Implementation Schedule	Sign Off
	parks and recreation space for new residents.	<i>owner shall pay the remaining park in-lieu fee to facilitate the provision of the community park facilities to be located north of the CCWD/USBR canal.</i>		Department	final map	
4.13-7	Cumulative impacts to public services and facilities.	<i>4.13-7 Prior to the issuance of building permits, the project proponent shall pay a fair share of costs for new wastewater collection facilities, as determined by the Community Development Department and Ironhouse Sanitary District.</i>	Project Applicant	Community Development Department Ironhouse Sanitary District	Prior to issuance of building permit	

APPENDICES

APPENDIX A

Figure 4.12-4
Gilbert Site Stormwater Drainage



APPENDIX B

Figure 3-3
 Gilbert Property Tentative Map

