



OAKLEY 2020
GENERAL PLAN
DRAFT
ENVIRONMENTAL
IMPACT REPORT

CITY OF OAKLEY
3639 MAIN STREET
OAKLEY, CA 94561

SEPTEMBER, 2002



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PREPARED FOR:
CITY OF OAKLEY
3639 Main Street
Oakley, CA 94561

PREPARED BY:
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Quad Knopf

IN CONJUNCTION WITH:

Pacific Municipal Consultants: Gen. Plan
Fehr & Peers: Circulation
Santina & Thompson: Engineering
RHAA: Parks and Recreation
SDC: Recreation Planning
Foothill Associates: Biology and GI
May Associates, Inc.: Biology
Bollard & Brennan: Noise
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Bottomley Associates: Urban Design

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EXECUTIVE SUMMARY

ES.I PROPOSED PROJECT

The proposed project is the creation and adoption of the *Oakley 2020 General Plan*. As a newly incorporated city, the *Oakley 2020 General Plan* will constitute the first general plan prepared by the City and will supersede the current General Plan, prepared by Contra Costa County. The overall purpose of the project is to create and adopt a plan that will preserve and enhance the quality of life for Oakley's citizens while providing for future growth and development of jobs, housing, public facilities, and community resources. The proposed project will accommodate approximately 68,453 persons in 21,568 dwelling units (du) at buildout.

The General Plan is comprised of goals, policies, a land use diagram, and other figures (for example, planned transportation system) to guide future development within the City's Planning Area.

The General Plan includes the seven elements required by State law – Land Use, Transportation, Conservation, Open Space, Safety, Noise, and Housing – as well as optional elements, including Growth Management and Economic Development.

Other purposes of the proposed project are described below:

- To fulfill the requirements of Sections 65300 et seq. of the Government Code.
- To guide the rate, quality, quantity, and type of growth in Oakley over the next twenty years.
- To allow for future development within the Oakley Planning Area while preserving its small town and informal feel as the City develops.
- To ensure future residential and commercial development is attractive and appropriate for Oakley.
- To ensure the community infrastructure keeps pace with development.
- To ensure the provision of a safe and convenient multi-modal circulation system in the City of Oakley.
- To encourage future economic growth within the City of Oakley while also providing adequate housing for all economic segments of the community.
- To provide employment growth that balances the existing development and future growth in Oakley.

- To preserve agricultural land and uses in and adjacent to Oakley and to ensure that there are open space buffers between Oakley and surrounding cities.
- Ensure that open space and natural landscapes remain a major component of lands near the Delta.
- To focus recreational development on the Delta to provide a center for tourism and a base for recreational activity.
- To protect current and future Oakley residents from the adverse effects of noise and other potential environmental hazards.

ES.2 SUMMARY OF PROJECT IMPACTS AND MITIGATION

Section 15123(b)(1) of the *Guidelines for Implementation of the California Environmental Quality Act* (State CEQA Guidelines) provides that the summary shall identify each significant effect with proposed mitigation measures that would reduce or avoid that effect. This information is summarized in Table ES.2-1, Summary of Impacts and Mitigation Measures.

Because the General Plan’s policies are designed to avoid or minimize environmental impacts, the Plan itself is self-mitigating. No additional mitigation measures have been proposed. The tables, figures, and policies referenced in the Mitigation/General Plan policies in Table ES.2-1 and Chapter 3: Environmental Setting, Impact Analysis, and Mitigation are found in the *Oakley 2020 General Plan*.

The significance of each impact is also shown in Table ES.2-1, both before and after implementation. Levels of significance are determined by comparing the impact to thresholds of significance, also described in Chapter 3: Environmental Setting, Impact Analysis, and Mitigation. Impacts are either “significant,” meaning they cross the established threshold, “less than significant,” meaning they do not, “potentially significant,” meaning they may cross the threshold depending on variable factors (actions by other agencies, economic and market cycles, specific development proposals not foreseen by the Plan, etc), or “beneficial.”

ES.3 ALTERNATIVES

Section 15126(d) of the State CEQA Guidelines requires the EIR to describe a reasonable range of alternatives to the project or to the location of the project that could feasibly accomplish the basic objectives of the project, and to evaluate the comparative merits of the alternatives. No impacts of the proposed project have been identified as significant after mitigation. However, alternatives that would further reduce or avoid these impacts could represent an environmentally superior alternative to the project. If the environmentally superior alternative is the “no project” alternative, however, the EIR must also identify an environmentally superior alternative among the other alternatives.

The following alternatives are evaluated in the EIR:

Alternative 1: High Density Alternative: The High Density Alternative includes development that emphasizes higher density residential and office/business park development and de-emphasizes lower density residential, industrial, and recreational development. The build out of this alternative generates about 83,589 people in 26,702 dwelling units (du), compared to 68,453 people in 21,568 du, under the proposed project.

Alternative 2: Low Density Alternative: The Low Density Alternative includes development that emphasizes agricultural and industrial operations and de-emphasizes business park and commercial development. The build out of this alternative generates about 63,983 people in 20,262 dwelling units (du), compared to 68,453 people in 21,568 du, under the proposed project.

Alternative 3: No Project Alternative: CEQA requires that one of the alternatives be a “No Project” alternative. The No Project alternative represents the case in which the City of Oakley does not adopt the proposed project, the *Oakley 2020 General Plan*. In the absence of the proposed project, the current Contra Costa County General Plan, which was adopted by the City of Oakley in 1999 to serve as the Oakley General Plan until completion and adoption of the *Oakley 2020 General Plan*, would continue to guide the city’s development.

The No Project Alternative emphasizes agricultural operations and single family residential and de-emphasizes business park and commercial development and public services and recreational development. The build out of this alternative generates about 74,918 people in 23,942 dwelling units (du), compared to 68,453 people in 21,568 du, under the proposed project.

ES.4 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

The following issues produced controversy during development of the proposed General Plan, but have been largely resolved through the General Plan process:

- Existing lack of consistency between the Contra Costa County General Plan land use designations and County zoning. State law requires the general plan and zoning to be consistent. This issue has been addressed through creation of the Agricultural Limited land use designation.
- Establishing new proposed land uses for the closed DuPont plant property; proposed land uses include business park, research and development, offices and light industrial rather than heavy industrial.
- Establishing new proposed land uses for the M8 property which has an existing County-approved development agreement.

- Confirmation that public facilities and services (specifically, water supply and wastewater treatment) will be adequate to serve the proposed General Plan build out.
- Preservation of agricultural land vs. the future viability of commercial agriculture in the Planning Area.
- Coordination with the unincorporated community of Knightsen regarding 154± acres located at Sellers and Cypress Road.
- Relationship of the Oakley Planning Area to the planned Highway 4 Bypass.

**Table ES.2-1
Summary of Impacts and Mitigation, Oakley 2020 General Plan Draft EIR
Significance after Implementation**

Impact		Significance	Mitigation – Element and Policy/Program		Significance after Implementation
3.1-A	The proposed General Plan would physically divide an established community.	Less Than Significant	Land Use	Policies #2.1.8; #2.2.5; #2.3.1; #2.4.1; and #2.8.8	Less Than Significant
			Circulation	Policies #3.2.3 and #3.7.5	
3.1-B	The proposed General Plan may induce growth and an increase in the number of housing units and jobs in the Planning Area	Potentially Significant	Land Use	Policies #2.1.1; #2.1.3; #2.1.5; #2.1.9; #2.3.6; and #2.3.11	Less Than Significant
				Programs #2.1.C; #2.2.A; and #2.4.A;	
			Circulation	Policy #3.7.7	
			Housing	Policies #10.1.1 and #10.3.3	
Programs #10.1.A; #10.1.B; and #10.1.E					
3.1-C	The proposed General Plan may result in land use conflicts and incompatibility between existing and proposed land uses.	Potentially Significant	Land Use	Policies #2.2.3; #2.2.7; #2.2.13; #2.3.1; and #2.4.3	Less Than Significant
			Open Space & Conservation	Policies #6.1.2 and #6.1.4	
				Program #6.6.A	
			Parks & Recreation	Policy #7.5.7	
Noise	Policies #9.1.1 and 9.2.1				
3.1-D	The proposed General Plan may detract from the strength of Downtown Oakley as a focal point and destination within the City.	Potentially Significant	Land Use	Policies #2.2.6; #2.3.7; #2.3.8; #2.3.12; #2.8.1; #2.8.3; #2.8.4; #2.8.5; and #2.8.9	Less Than Significant
				Programs #2.3.A; #2.3.B; #2.5.A; #2.8.B; and #2.8.C	
			Economic Development	Programs #5.1.C; #5.1.L; and #5.4.A	
			Open Space & Conservation	Policies #6.5.1; #6.5.4; and #6.5.5	
			Parks & Recreation	Program #7.4.E	

Impact		Significance	Mitigation – Element and Policy/Program		Significance after Implementation
3.1-E	The proposed General Plan may result in a cumulative impact on land use and development, regional population growth, and jobs/housing balance.	Potentially Significant	All	All	Less Than Significant
3.2-A	Development associated with the proposed General Plan may impact scenic vistas and visual natural resources within the Planning Area.	Potentially Significant	Land Use	Policies #2.1.5; #2.1.6; #2.1.9; #2.6.6; and #2.6.7 Programs #2.4.B and #2.6.A	Less Than Significant
			Open Space & Conservation	Policies #6.3.4; #6.3.5; #6.3.7; #6.6.1; #6.6.2; #6.6.3; #6.6.4; #6.7.1; and #6.7.2 Programs #6.3.G; #6.3.H; #6.6.B; #6.7.A; and #6.7.B	
			Parks & Recreation	Policies #7.3.5; #7.4.3; #7.4.10; and #7.4.11 Programs #7.4.B and #7.4.C	
3.2-B	Development associated with the proposed General Plan may alter the existing visual character or quality and urban design of the Planning Area.	Potentially Significant	Land Use	Policies #2.1.3; #2.2.1; #2.2.2; #2.3.2; #2.5.1; #2.5.3; and #2.5.5 Programs #2.4.B and #2.5.A	Less Than Significant
			Economic Development	Policy #5.3.2 Programs #5.3.B; #5.3.C; and #5.3.E	
			Open Space & Conservation	Policies #6.5.1; #6.5.2; #6.5.4; and #6.5.6 Program #6.5.B	
3.2-C	Development of the proposed General Plan may change the City character.	Potentially Significant	<i>See Impact 3.2.B</i>		Less Than Significant
3.3-A	New urban development associated with the proposed	Potentially Significant	Circulation	Policies #3.1.1; #3.1.2; #3.1.7; and #3.1.8	Less Than Significant
				Programs #3.1.A; #3.1.B; and #3.1.C	

Impact		Significance	Mitigation – Element and Policy/Program		Significance after Implementation
<i>(cont)</i>	General Plan may result in increased traffic exceeding Level of Service (LOS) standards for roadway segments and signalized intersections.		Growth Management	Policies #4.1.1 and #4.1.2	<i>(cont)</i>
3.3-B	New urban development and intensification of use of developed areas in the Plan Area may result in increased needs for transit services not available through existing transit services and facilities.	Potentially Significant	Circulation	Policies #3.3.1; #3.3.2; #3.3.3; and #3.7.2	Less Than Significant
				Programs #3.1.G; #3.3.A; #3.3.C; #3.3.D; #3.3.E; #3.3.F; #3.3.G; and #3.7.B	
			Open Space & Conservation	Policy #6.2.2	
				Program #6.2.A	
Housing	Policy #10.1.2				
	Programs #10.1.G and #10.1.H				
3.3-C	New urban development associated with the proposed General Plan may create additional demand for pedestrian and bicycle connections and facilities.	Potentially Significant	Land Use	Policies #2.3.6; #2.3.9; #2.8.2; #2.8.3; #2.8.5; and #2.8.9	Less Than Significant
				Program #2.8.D	
			Circulation	Policies #3.2.1; #3.2.2; #3.2.3; #3.2.4; #3.7.2; and #3.7.3	
				Programs #3.1.E; #3.1.G; #3.2.A; #3.2.B; #3.2.D; #3.5.B; #3.7.B; #3.7.D; and #3.7.G	
			Open Space & Conservation	Policy #6.2.2	
Program #6.2.A					
Parks & Recreation	Policies #7.3.8; #7.4.10; #7.5.6; #7.5.7; #7.5.10; #7.5.11; #7.5.12; and #7.6.2				
3.3-D	New urban development associated with the proposed General Plan may result in a cumulative effect on traffic, transit, or pedestrian and bicycle facilities.	Potentially Significant	<i>See Impacts 3.3-A, 3.3-B, and 3.3-C</i>		Less Than Significant

Impact		Significance	Mitigation – Element and Policy/Program		Significance after Implementation
3.4-A	New stationary and mobile sources of air pollutants caused by build-out of the proposed General Plan Land Use Map may cause emissions of ROG, NO _x , and PM ₁₀ .	Potentially Significant	Land Use	Policies #2.1.1; #2.2.5; #2.2.6; #2.2.12; #2.3.3; #2.3.6; #2.3.11; #2.8.7; #2.8.8; and #2.8.10	Less Than Significant
			Circulation	Policies #3.7.2 and #3.7.6	
				Programs #3.7.D and #3.7.G	
			Open Space and Conservation	Policies #6.2.1; #6.2.2; #6.2.3; #6.2.4; and #6.2.5	
				Programs #6.2.A and #6.2.C	
			Health & Safety	Policies #8.3.1; #8.3.2; #8.3.3; #8.3.4; and #8.3.5	
Housing	Policy #10.1.2				
	Programs #10.1.G and #10.1.H				
3.4-B	Construction activities associated with development under the proposed General Plan may cause emissions of dust or contaminants from construction equipment exhaust that may substantially contribute to existing air quality violations or expose sensitive receptors to substantial pollutant concentrations.	Potentially Significant	Land Use	Policy #2.2.4	Less Than Significant
				Program #2.2.C	
			Circulation	Policy #3.7.1	
				Program #3.7.A	
			Open Space & Conservation	Policies #6.2.1; #6.2.3; #6.2.4; and #6.2.B	
				Program #6.2.C	
3.4-C	The population projections used in the proposed General Plan may be inconsistent with those of the 2000 Clean Air Plan.	Potentially Significant	<i>See Impacts 3.3-A, 3.3-B, 3.3-C, 3.3-4, and 3.4-A</i>		Less Than Significant
3.4-D	Build-out of proposed General Plan may cause increased localized carbon monoxide concentrations at congested intersections.	Less Than Significant	<i>None Required</i>		Less Than Significant

Impact		Significance	Mitigation – Element and Policy/Program		Significance after Implementation
3.4-E	Implementation of the Proposed General Plan could result in placement of sensitive land uses near potential sources of objectionable odors, dust, or toxic air contaminants.	Potentially Significant	Land Use	Policies #2.2.3; #2.2.4; #2.2.5; and #2.2.13	Less Than Significant
			Growth Management	Policies #4.7.3; #4.7.4; and #4.7.7	
				Program #4.7.E	
			Open Space & Conservation	Policies #6.1.2 and #6.2.4	
Programs #6.1.C; #6.1.D; and #6.6.A					
3.4-F	New stationary and mobile sources of air pollutants caused by build-out of the proposed General Plan Land Use Map may cause emissions of ROG, NO _x , and PM ₁₀ that would be cumulatively considerable.	Potentially Significant	<i>See Impact 3.4-A</i>		Less Than Significant
3.5-A	New growth associated with the proposed General Plan may put increasing pressure on parks and recreational facilities, which may create demand for new and expanded recreational facilities and/or shortage of park facilities accessible to all residents.	Potentially Significant	Parks & Recreation	Policies – ALL	Less Than Significant
				Programs – ALL	
			Growth Management	Policies #4.3.5; #4.6.9; and #4.10.8	
			Open Space & Recreation	Policy #6.1.4	
Programs #6.1.B; #6.2.A; and #6.6.B					
3.5-B	Growth and development associated with the proposed General Plan may result in the loss of open space that may increase pressures to develop open space lands.	Potentially Significant	Land Use	Policies #2.1.5 and #2.7.1	Less Than Significant
				Program #2.6.A	
			Growth Management	Policies #4.4.6 and #4.7.8	
			Open Space & Conservation	Policies #6.1.4; #6.3.1; #6.3.2; #6.6.1; and #6.6.4	
				Programs #6.1.B; #6.3.B; #6.6.A; #6.6.B; and #6.6.C	
Parks & Recreation	Policies #7.1.10; #7.1.11; #7.3.5; #7.3.6; and #7.4.6				
Programs #7.1.A and #7.7.B					

Impact		Significance	Mitigation – Element and Policy/Program		Significance after Implementation
3.5-C	The proposed General Plan may convert prime farmland, unique farmland, or farmland of statewide importance or conflict with existing zoning for agricultural use or a Williamson Act contract with the Planning Area.	Potentially Significant	Land Use	Policies #2.2.5; #2.2.13; and #2.6.5	Less Than Significant
			Growth Management	Policy #4.9.3	
				Program #4.9.E	
			Open Space & Conservation	Policies #6.1.1; #6.1.2; #6.1.3; and 6.1.4	
				Programs #6.1.B; #6.1.D; #6.1.E; and #6.1.F	
			Parks & Recreation	Policy #7.3.6	
Housing	Policy #10.2.8				
	Programs #10.3.A and #10.3.B				
3.6-A	Growth and development associated with the proposed General Plan may strain government services and create demand for expanded services and facilities.	Potentially Significant	Land Use	Policies #2.2.9; #2.2.10; #2.2.14; and #2.3.13	Less Than Significant
				Programs #2.1.C; #2.1.D; #2.1.E; #2.4.C; and #2.8.B	
			Circulation	Policy #3.6.4	
				Programs #3.5.D and #3.7.E	
			Growth Management	Policies #4.1.1; #4.1.2; #4.1.4; #4.2.1; #4.2.2; #4.2.3; #4.2.4; #4.2.5; #4.2.6; #4.2.7; #4.2.8; #4.2.9; #4.2.10; #4.2.11; #4.2.12; #4.3.1; #4.3.2; #4.3.3; #4.3.4; #4.3.5; #4.4.2; #4.5.4; #4.6.2; #4.6.3; #4.6.4; #4.6.5; #4.6.6; #4.6.7; #4.6.8; #4.6.10; and #4.10.4	
				Programs #4.2.A; #4.2.B; #4.2.D; #4.3.B; #4.3.D; #4.4.F; #4.4.G; #4.5.D; #4.6.B; #4.6.F; #4.6.G; #4.9.A; #4.10.E; and #4.10.F	
			Open Space & Conservation	Policy #6.5.B	
			Parks & Recreation	Policies #7.1.12; #7.1.19; and #7.2.1	
Programs #7.1.A; #7.1.B; #7.1.D; #7.1.G; #7.1.H; #7.1.I; #7.1.O; #7.3.A; #7.4.A; #7.7.I; and #7.7.J					
Housing	Programs #10.2.F; #10.2.G; #10.2.H; #10.2.I; #10.2.T; and #10.5.E				

Impact		Significance	Mitigation – Element and Policy/Program		Significance after Implementation
3.6-B	Growth and development associated with the proposed General Plan may strain fire protection and emergency services and create demand for expanded services and facilities.	Potentially Significant	Circulation	Program #3.5.F	Less Than Significant
			Growth Management	Policies #4.4.1; #4.4.2; #4.4.3; #4.4.4; #4.4.5; and #4.4.6	
				Programs #4.4.C; #4.4.D; #4.4.E; #4.4.F; and #4.4.G	
			Health & Safety	Policies #8.4.4 and #8.4.5	
Program #8.4.B					
3.6-C	Growth and development associated with the proposed General Plan may strain law enforcement and create demand for expanded services and facilities.	Potentially Significant	Land Use	Policy #2.6.5	Less Than Significant
			Circulation	Policy #3.5.1	
				Programs #3.5.A and #3.5.F	
			Growth Management	Policies #4.5.1; #4.5.2; #4.5.3; #4.5.4; and #4.5.5	
Programs #4.5.A; #4.5.B; #4.5.C; and #4.5.D					
3.6-D	Growth and development associated with the proposed General Plan may strain schools and create demand for expanded services and facilities	Potentially Significant	Land Use	Policy #2.2.9	Less Than Significant
			Circulation	Program #3.2.C	
			Growth Management	Policies #4.3.5; #4.6.1; #4.6.2; #4.6.3; #4.6.4; #4.6.5; #4.6.6; #4.6.7; #4.6.8; #4.6.9; #4.6.10; and #4.6.11	
				Programs #4.5.B; #4.6.A; #4.6.B; #4.6.C; #4.6.D; #4.6.E; #4.6.F; #4.6.G; and #4.7.A	
			Parks & Recreation	Policies #7.1.10; #7.1.17; and #7.6.3	
Programs #7.1.L; #7.1.N; #7.2.B; #7.6.A; and #7.7.I					
3.6-E	Growth and development associated with the proposed General Plan may strain solid waste and recycling services and create demand for expanded services and facilities	Potentially Significant	Growth Management	Policies #4.7.1; #4.7.2; #4.7.3; #4.7.4; #4.7.5; #4.7.6; #4.7.7; #4.7.8; #4.7.9; and #4.7.10	Less Than Significant
				Programs #4.7.A; #4.7.B; #4.7.C; #4.7.D; #4.7.E; and #4.7.F	

Impact		Significance	Mitigation – Element and Policy/Program		Significance after Implementation
3.6-F	New urban development associated with the proposed General Plan may result in a cumulative effect on public services	Potentially Significant	<i>See Impacts 3.6-A, 3.6-B, 3.6-C, 3.6-D, and 3.6-E</i>		Less Than Significant
3.7-A	Development in accordance associated with the proposed General Plan may result in changes in absorption rates, drainage patterns, and the rate and amount of surface runoff within the Planning Area. This could expose people or property to water related hazards such as flooding	Potentially Significant	Land Use	Policies #2.6.2; #2.6.3; and #2.6.4	Less Than Significant
			Growth Management	Policies #4.10.1; #4.10.2; #4.10.3; #4.10.4; #4.10.5; #4.10.6; #4.10.7; #4.10.8; and #4.10.9	
				Programs #4.10.A; #4.10.B; #4.10.C; #4.10.D; #4.10.E; #4.10.F; #4.10.G; and #4.10.H	
			Open Space & Conservation	Policy #6.3.3	
				Program #6.3.G	
			Parks & Recreation	Policy #7.1.10	
				Program #7.1.L	
Health & Safety	Policies #8.2.1; #8.2.2; #8.2.3; #8.2.4; #8.2.5; #8.2.6; #8.2.7; #8.2.8; #8.2.9; #8.2.10; #8.2.11; #8.2.12; and #8.2.13				
	Programs #8.2.A; #8.2.B; #8.2.C; #8.2.D; #8.2.E; #8.2.F; and #8.2.G				
3.7-B	New development associated with the proposed General Plan may increase fire hazard in areas with flammable brush, grass, or trees	Potentially Significant	Land Use	Policy #2.6.5	Less Than Significant
			Circulation	Program #3.5.F	
			Growth Management	Policies #4.4.1; #4.4.2; #4.4.3; #4.4.4; #4.4.5; and #4.4.6	
				Programs #4.4.A; #4.4.B; #4.4.C; #4.4.D; #4.4.E; and #4.4.F	
			Parks & Recreation	Policy #7.5.10	
			Health & Safety	Policies #8.4.1; #8.4.2; #8.4.3; #8.4.4; and #8.4.5	
Programs #8.4.A; #8.4.B; and #8.4.C					

Impact		Significance	Mitigation – Element and Policy/Program		Significance after Implementation
3.7-C	New development associated with the proposed General Plan may result in degradations to emergency preparedness that may exceed the capabilities of existing programs	Less Than Significant	Circulation	Program #3.5.F	Less Than Significant
			Growth Management	Policy #4.4.4	
			Health & Safety	Policies #8.4.1; #8.4.2; #8.4.3; and #8.4.4	
				Programs #8.4.A and #8.4.C	
3.7-D	Development associated with the proposed General Plan may locate new industrial uses that involve hazardous material and wastes close to existing or proposed sensitive receptors	Potentially Significant	Land Use	Policies #2.2.3; #2.2.4; #2.2.13; #2.4.1; and #2.4.3	Less Than Significant
			Growth Management	Policies #4.4.5; #4.7.7; and #4.7.10	
				Program #4.7.E	
			Health & Safety	Policies #8.3.1; #8.3.2; #8.3.3; #8.3.4; and #8.3.5	
Programs #8.3.A and #8.3.B					
3.7-E	Development associated with the proposed General Plan in combination with other growth in east Contra Costa County may lead to potential cumulative impacts to health and safety	Potentially Significant	<i>See Impact 3.7-A, 3.7-B, 3.7-C, and 3.7-D</i>		Less Than Significant
3.8-A	Future development associated with the proposed General Plan may result in additional discharge into surface waters or other alteration of surface water quality in violation of Regional Water Quality Control Board standards or waste discharge requirements	Potentially Significant	Growth Management	Policies #4.8.1; #4.8.2; #4.8.3; #4.8.4; #4.8.5; #4.8.6; #4.8.7; #4.8.8; #4.8.9; #4.8.10; #4.8.11; #4.8.12; #4.8.13; and #4.10.2	Less Than Significant
				Programs #4.8.A; #4.8.B; #4.8.C; #4.8.D; and #4.9.E	
3.8-B	New development associated with the proposed General Plan may result in a substantial increase of construction-related erosion and sedimentation into surface waters	Potentially Significant	Growth Management	Policies #4.10.2; #4.10.4; #4.10.5; and #4.10.9	Less Than Significant
				Programs #4.10.A; #4.10.B; #4.10.D; #4.10.E; #4.10.F; #4.10.G; and #4.10.H	
			Open Space & Conservation	Programs #6.3.G and #6.3.H	

Impact		Significance	Mitigation – Element and Policy/Program		Significance after Implementation
(cont)			Health & Safety	Policies #8.2.1 and #8.2.9 Programs #8.2.A and #8.2.B	(cont)
3.8-C	New development under the proposed General Plan may generate wastewater flows that exceed the collection and treatment capacity of the existing wastewater treatment plant	Potentially Significant	Growth Management	Policies #4.8.10; #4.8.13; #4.9.1; #4.9.2; #4.9.3; and #4.9.4 Programs #4.9.A; #4.9.B; #4.9.C; #4.9.D; and #4.9.E	Less Than Significant
			Parks & Recreation	Program #7.1.P	
3.9-A	Approval of projects under the General Plan may reduce or destroy the habitat of species identified as sensitive, including species identified as endangered, candidate, and/or special status by the California Department of Fish and Game and U.S. Fish and Wildlife Service	Potentially Significant	Land Use	Policies #2.1.5; #2.6.6; and #2.6.7 Program #2.6.A	Less Than Significant
			Growth Management	Policy #4.10.6 Program #4.10.H	
			Open Space & Conservation	Policies #6.3.1; #6.3.2; #6.3.3; #6.3.4; #6.3.5; #6.3.6; #6.3.7; #6.6.1; #6.6.2; #6.6.3; and #6.6.4 Programs #6.3.A; #6.3.B; #6.3.E; #6.3.F; #6.3.G; #6.3.H; and #6.6.C	
			Parks & Recreation	Policies #7.2.7; #7.3.7; #7.3.10; #7.4.6; and #7.4.7	
3.9-B	Implementation of the proposed General Plan may result in loss of plant and wildlife habitat within the Planning Area	Potentially Significant	<i>See Impact 3.9-A</i>		Less Than Significant
3.9-C	Approval of projects under the updated General Plan may adversely affect movement and dispersal of wildlife and wildlife migration corridors	Potentially Significant	<i>See Impact 3.9-A</i>		Less Than Significant

Impact		Significance	Mitigation – Element and Policy/Program		Significance after Implementation
3.9-D	New development under the General Plan may result in the introduction and spread of non-native invasive plant species	Potentially Significant	<i>See Impact 3.9-A</i>		Less Than Significant
3.9-E	Development associated with the proposed General Plan may result in a significant loss of trees	Potentially Significant	Open Space & Conservation	Policy #6.3.5	Less Than Significant
				Programs #6.3.C and #6.3.D	
3.9-F	Development associated with the proposed General Plan may lead to the cumulative conversion and loss of plant and animal habitat	Potentially Significant	<i>See Impact 3.9-A</i>		Less Than Significant
3.10-A	Development associated with the proposed General Plan may lead to potential damage or loss of known historic, cultural, archaeological, or paleontological resources	Less than Significant	<i>No mitigation measures are required</i>		Less Than Significant
3.10-B	Development associated with the proposed General Plan could damage unknown historic, cultural, prehistoric, or archaeological resources in the Planning Area	Potentially Significant	Land Use	Policies #2.5.1; #2.5.2; #2.5.3; #2.5.4; #2.5.5; #2.8.4; and #2.8.11	Less Than Significant
				Programs #2.5.A and #2.5.B	
			Open Space & Conservation	Policies #6.4.1; #6.5.1; #6.5.2; #6.5.3; #6.5.4; 6.5.5; and #6.5.6	
				Programs #6.4.A; #6.5.A; #6.5.B; and #6.5.C	
3.10-C	Development associated with the proposed General Plan in combination with growth elsewhere in eastern Contra Costa County and the western San Joaquin Valley could result in cumulative loss to cultural resources	Potentially Significant	<i>See Impact 3.10-B</i>		Less Than Significant

Impact		Significance	Mitigation – Element and Policy/Program		Significance after Implementation
3.11-A	New development under the proposed General Plan will increase the demand for public water and may exceed available supply (during drought years) or distribution capacity	Potentially Significant	Growth Management	Policies #4.7.5; #4.8.1; #4.8.2; #4.8.4; #4.8.5; #4.8.6; #4.8.7; #4.8.8; #4.8.9; #4.8.10; #4.8.11; #4.8.12; #4.8.13; and 0.2; Programs #4.8.A; #4.8.B; #4.8.C; #4.8.D; and #4.9.E	Less Than Significant
			Parks & Recreation	Program #7.1.P	
3.11-B	New development associated with the proposed General Plan may result in exceeding utility service capabilities during peak periods	Potentially Significant	Growth Management	Policies #4.7.1 and #4.7.6	Less Than Significant
			Open Space & Conservation	Policy #6.2.1	
			Housing	Policy #10.2.7 Programs #10.2.C; #10.2.O; and #10.4.B	
3.12-A	Development associated with the proposed General Plan may place buildings on expansive soils, thus potentially causing structural damage or exposing people or structures to potential seismic events and related ground shaking	Potentially Significant	Health & Safety	Policies #8.1.1; #8.1.2; #8.1.3; #8.1.4; #8.1.5; #8.1.6; #8.1.7; #8.1.8; #8.1.9; #8.2.13; and #8.4.4 Programs #8.1.A; #8.1.B; #8.1.C; and #8.1.D	Less Than Significant
3.12-B	Development associated with the proposed General Plan may locate people and structures in areas with potential for liquefaction	Potentially Significant	<i>See Impact 3.12-A</i>		Less Than Significant
3.12-C	Redevelopment of sites along the Delta waterfront may subject greater population to liquefaction, tsunami, and other seismic hazards	Potentially Significant	<i>See Impact 3.12-A</i>		Less Than Significant
3.13-A	New development may increase traffic volumes along	Potentially Significant	Circulation	Policy #3.7.1 Program #3.7.A	Less Than Significant

Impact		Significance	Mitigation – Element and Policy/Program		Significance after Implementation
	existing roadways and introduce traffic along new roadways, thereby exposing residents to excessive roadside noise levels		Growth Management	Program #4.3.C	
			Noise	Policies #9.1.1; #9.1.5; #9.1.6; #9.1.7; and 9.2.1	
				Program #9.1.A	
3.13-B	The General Plan may potentially expose existing noise-sensitive uses to construction-related noise, and excessive levels of ground borne vibration and noise. Ambient noise levels near areas of new development may temporarily increase	Potentially Significant	Circulation	Policy #3.7.1	Less Than Significant
				Program #3.7.A	
			Noise	Policies #9.1.2 and #9.1.4	
				Program #9.1.A	
3.13-C	Implementation of the proposed Land Use Map would have the potential of locating noise generating, non-traffic sources close to sensitive land uses	Potentially Significant	Land Use	Policies #2.1.8; #2.2.4; #2.4.1; and #2.4.3	Less Than Significant
				Program #2.4.B	
			Growth Management	Program #4.3.C	
			Noise	Policies #9.1.1; #9.1.2; #9.1.3; #9.1.4; #9.1.7; #9.1.8; #9.1.9; #9.2.1; and #9.2.2	
				Program #9.1.A	

CHAPTER I

INTRODUCTION

An Environmental Impact Report (EIR) is a document that informs decision-makers and the general public of the significant environmental impacts of a project. The California Environmental Quality Act (CEQA) requires that the EIR be prepared by the agency with primary responsibility over the approval of a project (the lead agency).

This Draft Environmental Impact Report (EIR) evaluates the probable effects of implementation of the City of Oakley's 2020 General Plan. It also identifies Policies and Implementation Programs in the Plan that mitigate these effects and, if necessary, mitigation measures to minimize significant impacts and evaluates reasonable alternatives to the proposed project. An environmentally superior alternative is identified as part of the process. A required "no-project" alternative discusses the result of not implementing the project or reasonable alternatives. Comments generated from public review of this document will be used to revise the Draft EIR and to prepare the Final EIR.

I.1 PURPOSE OF EIR

The Contra Costa County General Plan was adopted by the City of Oakley in 1999 to serve as the Oakley General Plan until completion and adoption of the *Oakley 2020 General Plan*. The Contra Costa County General Plan assumed a planning horizon of 1995 – 2010 and addressed growth, development, housing, and recreational use within the Oakley community, as well as the lands that were unincorporated County lands at the time the County general plan was adopted. The primary function of the General Plan is to prescribe growth within the region in an orderly fashion and to allocate specific areas for development that will cause the least impact to the environment. The Contra Costa County General Plan is referred to within this report as both the County General Plan and the Current Oakley General Plan, while the future Oakley General Plan is referred to as the *Oakley 2020 General Plan* and the *Proposed Oakley General Plan*. This Program Environmental Impact Report (EIR) is a first-tier evaluation of the environmental effects associated with the adoption and implementation of the *Oakley 2020 General Plan (Draft Plan)* by the City of Oakley.

The City completed a *Draft Plan* in September 2002. The adoption and implementation of a General Plan constitutes a project for the purposes of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.

According to the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines), an "EIR is an informational document which will inform public agencies, decision makers, and the public generally of the significant environmental effects of a project on the environment, identify possible ways to minimize the significant effects, and describe alternatives to the project."

The document will also serve as a source of information in the preparation of initial studies for subsequent planning and development proposals, including subsequent environmental review of specific plans; for infrastructure provision and individual development proposals; and for public facilities to serve new development. Moreover, the Draft EIR will be useful in the preparation of revisions to the City's Zoning Ordinance, Capital Improvement Program, and other implementation tools of the General Plan.

Information contained in this EIR is also intended to assist the Contra Costa County Local Agency Formation Commission (LAFCO) in making decisions about changes to the Oakley's City limits and Sphere of Influence (SOI) in the future. The General Plan and EIR have been prepared concurrently; policies in the Plan take into account the EIR's discussion of impacts and mitigation measures, so that the Plan effectively becomes self-mitigating.

I.2 GENERAL PLAN PROCESS

As part of the General Plan preparation, several technical studies and workshops were conducted to document environmental conditions, and analyze prospects for economic development, community character and growth, and development alternatives.

The initial public participation step in the process of generating the *Oakley 2020 General Plan* was conducting a Visioning Workshop (December 4, 2000). This workshop was conducted by staff and members of the general plan team, with the Planning Commission included as workshop participants. The purpose of this Workshop was to develop a shared understanding of how Oakley should develop in the future and to identify the most critical issues within Oakley. The Workshop participants were asked to provide information and opinions about Oakley in the following areas: important places; important resources; circulation planning; land use proposals; recreational planning; and Oakley's character.

Soon thereafter, the Planning Commission held a public Issues Identification Workshop (February 2001) to identify issues of special interest to the community and to rank these concerns for treatment in the General Plan. City staff compiled, and the Planning Commission reviewed, a list of issues based upon previous input from members of the City Council and the Planning Commission. Staff's list of issues included 82 individual issue statements organized under ten-topic headings. A rating system of importance was established for each issue based on the following criteria: Primary Issues that must be specifically addressed within the General Plan; Significant Issues that require consideration in the General Plan process; Moderate Issues that were worthy of discussion as time allows; and Minor Issues that are considered in general concepts only. Almost 75 percent of the issues were rated as Primary or Significant, while about 25 percent of the issue statements were given ratings of Moderate or Minor significance.

Concurrently, the General Plan team of staff and consultants prepared an *Oakley 2020 General Plan Background Report* (September 2001). The *Background Report* was prepared to present the most recent data available for the City of Oakley. The Report includes a description of current regulatory requirements that would be relevant to planning and development of the City, as well

as a description of current planning activities in the region. The purpose of the *Background Report* was to provide baseline information on the City area to assist in the preparation of the *Oakley 2020 General Plan* document and to support the environmental review of the *Oakley 2020 General Plan*. The *Background Report* addressed aspects of the community that must be considered in the planning process, such as; land use, population and housing, circulation, public services and facilities, conceptual drainage master plan, recreation and parks, biological resources, geology and hydrology, public safety, historical and cultural resources, noise, and air quality. This Document provides much of the technical data necessary to complete this Draft EIR and is referenced frequently.

There were additional studies conducted for the City that supported and contributed to the General Plan process. These include a *Downtown Revitalization Study* that was prepared by Bottomley Associates; a *Parks and Recreation Master Plan* prepared cooperatively by Bob Heitmeyer and the firm of Royston, Hanamoto, Alley, and Abey; and a study for expanding the City of Oakley sphere of influence.

The City Council and Planning Commission were involved at key decision-making points throughout the process. The City maintained a website that regularly disseminated General Plan information and allowed interested parties to submit contact information in order to receive updates via e-mail. Workshops, the Internet, and community meetings were part of an extensive outreach program to involve the public in the update of the General Plan.

I.3 APPROACH

The City of Oakley 2020 General Plan EIR is intended to serve as a Tier I CEQA document (as provided in *Guidelines §15152*). Tier I documents are broad and general in scope and typically discuss broad environmental issues that affect a large geographic area. Subsequent environmental reviews are narrower in scope and address site-specific details. Tier I documents are appropriate for general plan programs, while second and third tier reviews would typically address specific plans and subdivisions, respectively. These subsequent documents incorporate earlier EIRs by reference and add detailed analyses as necessary.

The concept of tiering helps the lead agency “to focus on issues which are ripe for decision and exclude from consideration issues already decided on or not yet ripe” (*Guidelines §15385(b)*). “Tiering is needed in order to provide increased efficiency in the CEQA process. It allows agencies to deal with broad environmental issues in EIRs at planning stages and then to provide more detailed examination of specific effects in EIRs on later development projects that are consistent with or implement the plans. These later EIRs are excused by the tiering concept from repeating the analysis of the broad environmental issues examined in the general plan EIRs” (*Guidelines §15385, “Discussion”*).

Where the lead agency has employed tiering in preparing EIRs for such earlier projects, later EIRs for specific projects generally need not discuss significant effects identified in earlier EIRs if such effects:

- (1) Already have been mitigated or avoided; or
- (2) Were examined in such detail that they may be mitigated or avoided by site-specific revisions, the imposition of conditions, or by other means in connection with the approval of the later project (*CEQA §21094(a)*).

In addition to its classification as a Tier I document, this EIR also serves as a “Program EIR.” This approach is appropriate for evaluating “a series of actions that may be characterized as one large project and may be related either:

- (1) Geographically;
- (2) As logical parts in the chain of contemplated actions;
- (3) In connection with the issuance of rules, regulations, plans or other general criteria to govern the conduct of a continuing program; or
- (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which may be mitigated in similar ways” (*Guidelines §15168*).

A program EIR has the following advantages: “it provides an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action; it ensures consideration of cumulative impacts that might be slighted in a case-by-case analysis; it avoids duplicative reconsideration of basic policy considerations; it allows the lead agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems of cumulative impacts; and, it allows reduction in paperwork” (*Guidelines §15168*).

Subsequent development projects proposed within the expanded General Plan Planning Area must then be reviewed in the context of this Program EIR to determine if additional environmental documentation is required. If the subsequent project would have environmental effects not addressed in the Program EIR, an EIR or negative declaration would be required. Where no new effects and no new mitigation measures are involved, the subsequent project may be approved without preparation of an EIR. Where an EIR is required for a subsequent project, the EIR should implement the mitigation measures developed in the Program EIR and focus its analysis on site-specific issues not previously addressed.

The analysis considers the actions that may occur over the project’s lifetime to thoroughly assess cumulative and long-range impacts associated with the project. Thus, the EIR provides a framework within which future and more detailed planning for the project may be reviewed, and identifies where additional environmental analysis may be required at subsequent stages of project implementation.

I.4 ASSUMPTIONS

The *Oakley 2020 General Plan EIR* is based on key assumptions, as described below:

1. This document is a Program EIR, and evaluates environmental impacts resulting from implementation and build out of the General Plan. While the EIR identifies potentially significant impacts with full General Plan build out, it does not preclude and, indeed, assumes that individual development project proposals submitted to the City of Oakley will necessitate independent environmental assessments in accordance with CEQA requirements. However, the EIR is intended to be used for citywide and cumulative impact analysis of subsequent project proposals that are consistent with the General Plan.
2. The EIR assumes that all existing vacant land will be converted at General Plan build out to the land uses identified on the General Plan Land Use Diagram. It is understood that development that occurs in accordance with the proposed General Plan will be incremental and timed in response to market conditions. However, interim “phases” – or development scenarios – are not evaluated herein, as they are not a part of the *Oakley 2020 General Plan* and would be considered speculative. Full implementation of the *Oakley 2020 General Plan* to a build out level – defined as the mid- to high-range of densities permitted within the General Plan land use designations – is considered a “worst case” scenario, suitable for EIR evaluation.
3. Currently, the Oakley City limit and the Sphere of Influence (SOI) boundary are coterminous. However, Oakley has expressed interest in expanding the SOI beyond the City limit line to the east of the City in two locations. These areas are referred to as the Expansion Areas within this *Oakley 2020 General Plan*. The land within the existing City limits combined with the Expansion Areas constitutes Oakley’s General Plan Planning Area for environmental review purposes. It is recognized that annexation of property to the City of Oakley would require LAFCO review and approval.
4. Cumulative impacts are defined by Section 15355 of the State CEQA Guidelines as “...two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts”. The Guidelines allow the use of projections from adopted planning documents (e.g. general plans) to define an area-wide set of conditions for use in the analysis. The *Oakley 2020 General Plan*, by its very nature, is a planning document and, therefore, the Oakley Planning Area will generally be used as the area for cumulative impact analysis.

Cumulative and project-based impacts would be the same for the following environmental issues: land use; community character; parks, open space, and agricultural resources; public schools, fire safety and emergency medical; water, wastewater, and solid waste; biological resources; historical and cultural resources; hazardous materials; geology and seismicity; hydrology, flooding, and water quality; noise; and telephone, cable, and energy. However,

cumulative impacts for air quality and transportation would extend beyond the Planning Area boundaries and are, therefore, separately evaluated in Chapter 5 (*Section 5.4: Cumulative Impacts*) of this EIR. The cumulative analysis for the proposed *Oakley 2020 General Plan* can be used for determination of cumulative impacts of subsequent project proposals.

5. Project proposals located within of the Planning Area, but outside the City's municipal boundaries, are within the land use authority of Contra Costa County. Without an annexation proposal to Oakley, the determination for approval (or disapproval) of these projects would be made by Contra Costa County. Any project proposal that includes an annexation request to the City of Oakley would be processed for annexation through the LAFCO before, or concurrent with Oakley action on the project. However, any City action would become effective only upon completion of annexation.
6. Existing settings information is based on the *Oakley 2020 General Plan Background Report* (September 2001). It is acknowledged that, given the volume of data and topics addressed in this report, data that are more recent may be available for some topics. However, this report provides comprehensive information and is sufficiently current and complete. Therefore, it is considered a reasonable and reliable resource for use as a measure of baseline data in this EIR.

I.5 ISSUES ADDRESSED IN EIR

The issues to be evaluated in the EIR were determined through a series of initial steps. A Notice of Preparation (NOP) was circulated for the Draft EIR in April 2002, and the City received comments on the NOP during a 30-day review period. These comments helped identify the major planning issues and concerns in the General Plan, and helped establish the framework and focus of the environmental analysis.

The first step toward completion of the Draft EIR was an initial analysis of the environmental setting. This analysis compiled specific information on the current conditions and characteristics of the city, as well as major issues that the City faces. Topics of analysis included land use; growth management; transportation; economic development; Downtown; historical and cultural resources; parks, recreation, and open space; schools; public facilities and services; environmental resources and conservation; noise; and air quality.

Information about the environmental settings is used to provide background about relevant issues, determine thresholds of significance, and evaluate potential impacts. From the initial analysis of environmental setting, as well as the NOP comments and public meetings, it was determined that the General Plan could result in *potential* significant impacts in the following areas:

- Aesthetics and Community Character;
- Agricultural Resources;
- Air Quality;

- Biological Resources;
- Historical and Cultural Resources;
- Geology and Seismicity;
- Hazards and Hazardous Materials;
- Drainage, Flooding and Water Quality;
- Water, Wastewater, and Solid Waste;
- Transportation/Traffic;
- Population and Housing;
- Recreation, Parks, and Open Space;
- Public Services;
- Noise; and
- Utilities and Service Systems.

Appendix A contains the Initial Study and NOP for the project, as well as comment letters received in response to the NOP. Appendix B is a list of all Goals, Policies, and Implementation Programs in the General Plan. All these documents are on file with the City of Oakley Community Development Department, City Hall, 3639 Main Street, Oakley, CA 94561.

I.6 DOCUMENTS INCORPORATED BY REFERENCE

Section 15150 of the State CEQA Guidelines permits documents of lengthy technical detail to be incorporated by reference in an EIR. Specifically, Section 15150 states that an EIR may "... incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public." Incorporated documents can be briefly summarized in the EIR and be made available to the public for inspection or reference. The *Oakley 2020 General Plan EIR* incorporates by reference the two documents noted below, which are available at the City of Oakley Community Development Department, City Hall, 3639 Main Street, Oakley, CA 94561.

- ***Oakley 2020 General Plan Background Report (September 2001)***. This document, also referred to as the *Background Report*, provides a comprehensive inventory of physical resources in the Oakley area (as of the date of publication). The *Background Report* was used as the primary database for development of the proposed Oakley 2020 General Plan. Summaries of the appropriate topics in the *Background Report* are provided in the environmental setting sections for each of the environmental issues under review in Chapter 4 of this EIR.
- ***Contra Costa County General Plan 1995-2010 (July 1996)***. This document, also referred to as the County General Plan, is the basis for the new *Oakley 2020 General Plan*, the proposed project under consideration in this EIR.

I.7 ORGANIZATION

The remainder of the Draft EIR is organized into the following chapters:

- **Chapter 2: Project Description.** This chapter includes a detailed description of the *Oakley 2020 General Plan*. The objectives of the General Plan and characteristics of the Proposed General Plan are included.
- **Chapter 3: Environmental Setting, Impact Analysis, and Mitigation.** This chapter analyzes the environmental impacts of the proposed *Oakley 2020 General Plan*. Impacts are organized by major topic. Each topic area includes a summary of the environmental setting, thresholds of significance, impacts, and mitigation measures. Policies in the *Oakley 2020 General Plan* that would avoid or reduce the impacts are also discussed.
- **Chapter 4: Alternatives.** This chapter compares the impacts of the General Plan under the Proposed General Plan and three alternatives: No Project Alternative, High Density Alternative, and Low Density Alternative. The Proposed General Plan is identified as an environmentally superior alternative.
- **Chapter 5: CEQA Required Conclusions.** Chapter 5 provides a summary of significant environmental impacts, including unavoidable, irreversible, growth-inducing, and cumulative impacts.

I.8 PUBLIC REVIEW AND COMMENT

This Draft EIR is available for public inspection at the City of Oakley Community Development Department, located at City Hall, 3639 Main Street in Oakley. The Draft EIR is also available to the public at the Oakley Branch Library, located at 1050 Neroly (Freedom High School), Oakley. Organizations and individuals are invited to comment on the Draft EIR. Where possible, respondents are asked to provide additional information that they feel is not contained in the Draft EIR, or to indicate where the information may be found. Following a 45-day public review period for the Draft EIR, the City will incorporate all comments and the City's responses to those comments into a Final EIR before certification of the Final EIR.

The primary contact person regarding information presented in this EIR is Barry Hand, Director, Community Development Department. Mr. Hand can be reached at (925) 625-7006.

CHAPTER 2

PROJECT DESCRIPTION

2.1 REGIONAL LOCATION AND PLANNING BOUNDARIES

Regional Location

The City of Oakley is located in the eastern region of Contra Costa County and is within the nine-county San Francisco Bay Area. Oakley's west border is situated at the intersection of Highway 4 and Highway 160, which provide access to San Francisco, San Jose, Sacramento, and the Central Valley. Oakley is a Delta community along with the cities of Pittsburg, Antioch, Brentwood, and the unincorporated areas of Bay Point, Bethel Island, Byron, and Knightsen. The San Joaquin River side of the Delta borders Oakley to the north, with unincorporated County territory to the east, the City of Brentwood to the south and the City of Antioch to the west. Oakley's general location is shown in Figure 2-1 of the *Oakley 2020 General Plan*.

Oakley 2020 General Plan Planning Area

The Planning Area for this General Plan is the incorporated City limits, plus two areas generally east of the City referred to as proposed Expansion Areas. The incorporated City limits include approximately 8,064 acres, while the proposed Expansion Areas include an additional 2,700 acres.

In addition to the incorporated City limit boundary, a Sphere of Influence (SOI) boundary was established for Oakley at incorporation. In the case of a newly incorporated city such as Oakley, the City limit and the SOI boundary are identical. If Oakley wishes to expand its City limit, it must submit a request to the Contra Costa County Local Agency Formation Commission (LAFCo) to expand its SOI. If the LAFCo approves the expansion of an SOI, then the City could seek annexation of the additional land, thereby expanding the City boundary.

In the case of Oakley, Contra Costa County has approved urban intensity development immediately east of the City (Cypress Lakes) that will significantly affect Oakley. In the interest of guiding such development, the City will seek annexation of these lands. Contra Costa County LAFCo has directed the City to include within the General Plan any areas that it may seek to include within the City's SOI. Under this direction, the City has included approximately 2,700 acres east of Oakley within its Planning Area to support an application to LAFCo in the event the City seeks to expand its SOI.

2.2 BACKGROUND AND CONTEXT

Evolution of Oakley

The City of Oakley, incorporated in 1999, came into being through an expression of community spirit that has been a part of Oakley since its mid-nineteenth century origins. When Samuel and Sarah Sellers arrived in 1860, the land that would become Oakley was said to be hospitable only to jackrabbits and sagebrush, though today there is archeological evidence that indigenous people were the first inhabitants of the area. The sandy soil and lack of obvious natural resources did not dampen the determination of early settlers. They set up housekeeping in the midst of the chaparral and live oak, planted orchards, and went about building a town that boasted its first school in 1862, thanks to the work of Sarah Sellers. Within twenty-five years, people like James O'Hara, Randolph Marsh, and Alden Norcross were dedicating their energies to creating a full-fledged town, buying and donating land on which businesses, schools, and churches were constructed. Marsh's original purchase of twelve sandy acres became Oakley Township and the streets, Main, Acme, Ruby, Star, and Home, so christened by Marsh, recall his name today. As the nineteenth century was about to become the twentieth, Oakley had deeded right of way to the Santa Fe railroad in exchange for the establishment of a depot and a sidetrack, dedicated its post office, and planted its first cash crop: almonds.

The twentieth century brought more visionary and public-spirited people to Oakley-families who built businesses and provided services to the growing community. Oakley's first hotel, library, hardware and feed store, women's club, and vineyards all came into being between 1910 and 1915. The Roaring Twenties saw Oakley's first bank open for business, the installation of streetlights, a fire that destroyed most of the town, and north of town a breach in the levee that claimed 2½ acres of farmland. The land was never reclaimed from the river and was then called, as it is now, Big Break. The Oakley spirit during the thirties and forties expressed itself in the unification of schools in the area, the building of a new Oakley School, the formation of a citizen's committee for better streets, natural gas, dial telephones, street signs, and the formation of a sewer district. As the 1950's loomed, Oakley residents could read their hometown news in the Oakley Observer, had authorized the Oakley Sanitary District to borrow \$30,000 for sewer line construction, and soon had its own Chamber of Commerce. The spirit of determination and generosity that marked Oakley origins is present today as this young City plans and works for the betterment of its community, just as its earliest settlers did.

Use of Relevant and Current Data

To provide a comprehensive analysis of population, households, and housing, a complete review of the City's population characteristics and housing stock must be performed. An attempt has been made to use the most current socioeconomic and building data available in this EIR. However, the recent incorporation of the City of Oakley limits the availability of data that reflects the boundaries of the City. The California Department of Finance has not yet prepared a housing and population report that includes data for the City of Oakley.

2000 Census data has been used to provide the most recent data; however, 2000 Census data has not yet been released for all population and housing categories. To provide trend data or data for housing and population characteristics that do not yet have available 2000 Census data, 1990 Census data for the Oakley zip code, 94561, has been used to provide an approximation of City of Oakley characteristics. Additional data and projections have been taken from the Association of Bay Area Governments Projections 2000 report.

Existing Population

The population in Oakley for 2000 was 25,619 as calculated by the US Census Bureau, an increase of 39.4 percent of the estimated population for the City's boundaries in 1990. The 2001 population is estimated to be 26,080, based on the average annual County growth rate of 1.8 percent over the past nine years. Over the next ten years, the population in Oakley is projected to increase by an additional 16.2 percent to 29,759 persons based on projections by the Association of Bay Area Governments. The rate of population increase over five-year periods was high during the period from 1990 to 2000, ranging from 15.9 percent to 20.3 percent. From 2000 to 2005, population increases are anticipated to be less than the previous periods at 10.0 percent. From 2005 through 2020, the population growth rate is anticipated to slow considerably in the City, with five-year population increases ranging from 5.3 to 6.8 percent.

In 2000, Contra Costa County had a population of 948,816 persons, an increase of 18.1 percent from 803,732 persons in 1990. The County is projected to reach 1,085,056 persons in 2010, an increase of 14.4 percent. Contra Costa County has experienced a lesser rate of population growth than the City of Oakley with five-year increases from 7.7 to 3.9 percent, with a general trend toward decreasing growth rates from 2005 through 2020.

Households

The change in the number of households in a city is one of the prime determinants of the demand for housing. Household growth trends do not always parallel population growth. Household growth can occur in periods of static population through formation factors such as adult children leaving home, through divorce, and with the aging of the population. Conversely, household growth can increase at a rate less than the population growth through new births, multiple generations living together, and other factors that result in increased household size.

In 2000, 7,832 households resided in Oakley. This number is anticipated to increase to 8,529 households by 2005 and to 9,214 by 2010, a 10-year increase of 17.6 percent. By 2020, 10,494 households are projected to be in the City of Oakley. The household growth rate for the five-year projection periods range from 2000 to 2020 range from 6.3 to 8.9 percent.

Contra Costa County had 344,129 households in 2000. Households are expected to increase by 12.8 percent between 2000 and 2010, reaching a projected number of 388,122. Household growth rates in Contra Costa County are less than those in Oakley, ranging from 4.7 to 6.2 percent during the 2000 to 2020 5-year projection periods.

The number of households in the City of Oakley increased by 32.9 percent, 1,940 households, between 1990 and 2000. This rate is 6.5 percent less than population growth during the same period, which totaled 39.4 percent. The stronger increase of population would be consistent with the large proportion of children and persons in the family-forming age groups within the City. In the same period, Contra Costa County increased 43,841 households, or 18.1 percent. This rate of increase was only 3.5 percent less than the Contra Costa County population percentage increase.

Persons per Household

Persons per household is an important indicator of the size of units required for the housing market. Household sizes in the City of Oakley are larger than in Contra Costa County, with an average household size of 3.26 persons in Oakley compared with only 2.72 persons in Contra Costa County. The larger sizes are consistent in both renter- and owner-occupied units with household sizes of 3.26 and 3.27 persons, respectively. Oakley has an average family size of 3.59 persons, compared with 3.23 persons in the County. The larger household sizes in Oakley are consistent with the preponderance of children and persons in the family-forming age groups and with a greater increase in population than creation of new households from 1990 to 2000.

In the City of Oakley, 89.7 percent of the population is in a household as either a householder, spouse, or child, compared with 87.7 percent in Contra Costa County. Only 5.7 percent of the Oakley population lives with other relatives and 4.6 percent lives in a household with non-relatives.

Age and Education

As for age characteristics, Oakley has 29.2 percent children (age 14 and under), which is a higher percentage than the County's 22.3 percent. The retired age population (age 55 and over) accounts for only 11.2 percent of Oakley's population, whereas the County has a higher percentage of 30.2 percent. The age group with the largest concentration is the 35 to 44 year olds, representing 20.3 percent of the population, compared with 17.3 percent in the County. Generally, persons aged 25 to 44 are considered to be in family-forming age groups; these groups represent 34.5 and 30.6 percent of the City and County populations, respectively.

Oakley does not have as high a percentage of 18 years old or older that have a college degree (19.7 percent), as does Contra Costa County (36.7 percent), but does have a higher percentage of those 3 years old or older enrolled in school (30.6 percent compared to 27.9 percent). This information also conducive of the image being drawn of a city that is family oriented.

Race and Ethnicity

The majority of persons, 75.5 percent, in the City of Oakley are White, ten percent more than the County (65.5 percent). The next highest racial concentrations in Oakley are Asian and Black, representing 11.0 percent and 9.4 percent, respectively. The remainder of the City's population

consists of other racial groups. A quarter of the population in Oakley is of Hispanic or Latino descent, compared with 17.7 percent in Contra Costa County¹.

Income

The 1990 median household income in Oakley was comparable to Contra Costa County's. The median home price in Oakley is substantially lower than the County's. The majority of Oakley residents, over 53 percent, fall into the \$35,000 to \$75,000 range, with higher percentages in this category than the County (a little over 40 percent). The \$75,000 and above income groups in Oakley (1.1 percent) are well below those in the County (3.3 percent).

Employment

The Oakley economy is heavily dependent upon the services, manufacturing, and professional services industries. These three industries comprise approximately 57 percent of the industries in the City of Oakley. The most abundant occupation in the City is technical, sales, and administrative support, followed closely by managerial and professional, which together makes up 55 percent of the labor force.

Generally, the population that lives in Oakley works within the Oakland Primary Metropolitan Statistical Area (PMSA) but does not work in the City of Oakley. Only 10.5 percent of the labor force 16 years of age and older living in the Oakley 94561 zip code works in the City of Oakley. Of the remaining 89.5 percent, 25 percent work in Antioch and Concord, another 15 percent are employed in Pittsburg, Brentwood, and Walnut Creek, 9 percent are employed in San Francisco and Oakland, and 40 percent work in other areas.

Of persons employed in Oakley, 35 percent live in Oakley and 32 percent live in Antioch. The remainder of the population that works in Oakley lives in nearby communities in small percentages of less than 5 percent each.

Since 35 percent of persons employed in Oakley live in Oakley, but only 10.5 percent of employed Oakley residents work in Oakley, there are fewer jobs available in Oakley than there are employable persons.

2.3 OBJECTIVES OF GENERAL PLAN

The City's mission statement is a clear reflection of the values that led the community to incorporate: "The City of Oakley exists to build and enhance a quality community and to serve the public in a friendly, efficient, responsive manner." In addition to the Mission Statement, the City's Vision Statement further defines the most basic goals and values of the City: "By 2007,

¹ The Census does not treat Hispanic and Latino as separate racial groups.

the City of Oakley will be recognized as a model of civic participation and a vibrant delta community where families live, work, play, shop and visit.”

Through a strategic planning process, the City Council adopted short-term overall community goals to meet the Vision. These were:

- Attract and retain businesses to the City
- Complete and begin ongoing implementation of a General Plan
- Create a functioning and vital Downtown, including a Civic Center
- Ensure financial stability
- Maintain a friendly, efficient, responsive, easily accessible City
- Organization with a high level of civic participation
- Develop and begin implementation of a comprehensive parks and recreation program

The *Oakley 2020 General Plan* establishes a comprehensive long-term plan to achieve these goals relative to land use, circulation, housing, economic development, public safety, and resource preservation. To achieve these goals, the City has established objectives for the *General Plan*. These objectives are included herein so that the environmental analysis will consider and mitigate potential impacts in a manner that is consistent with the City’s objectives. The General Plan objectives are also considered in the evaluation of the alternatives presented in this EIR.

The objectives are as follows:

- To preserve and enhance the quality of life in Oakley by protecting residential neighborhoods, improving the City’s commercial districts, and ensuring adequate provision of community facilities and services.
- To balance land uses within Oakley in a manner that ensures that revenue generated matches the City’s ability to provide a high level of urban services.
- To address the housing needs of existing and future residents, including housing affordability, availability, and adequacy.
- To provide a local street system that accommodates current and future traffic volumes.
- To create a Downtown circulation system that accommodates the needs of commuters and pedestrians.
- To achieve an overall sense of community through coordinated design standards.
- To provide open space areas that meet the recreation needs of the demographically diverse community.

2.4 GENERAL PLAN REQUIREMENTS

State law requires each California city and county to prepare a general plan. A general plan is defined as “a comprehensive, long-term plan for the physical development of the county or city, and any land outside its boundaries which in the planning agency’s judgment bears relation to its planning.” State requirements call for general plans that “comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.”

A city's general plan has been described as its constitution for development – the framework within which decisions on how to grow, provide public services and facilities, and protect and enhance the environment must be made. California's tradition of allowing local authority over land use decisions means that the state's cities have considerable flexibility in preparing their general plans.

While they allow considerable flexibility, state planning laws do establish some requirements for the issues that general plans must address. The California Government Code establishes both the content of general plans and rules for their adoption and subsequent amendment. Together, state law and judicial decisions establish three overall guidelines for general plans.

- **The General Plan Must Be Comprehensive:** This requirement has two aspects. First, the general plan must be geographically comprehensive. That is, it must apply throughout the entire incorporated area and it should include other areas that the City determines are relevant to its planning. Second, the general plan must address the full range of issues that affects the City's physical development.
- **The General Plan Must Be Internally Consistent:** This requirement means that the General Plan must fully integrate its separate parts and relate them to each other without conflict. “Horizontal” consistency applies as much to figures and diagrams as to the general plan text. It also applies to data and analysis as well as policies. All adopted portions of the general plan, whether required by state law or not, have equal legal weight. None may supersede another, so the General Plan must resolve conflicts among the provisions of each element.
- **The General Plan Must Be Long-range:** Because anticipated development will affect the City and the people who live or work there for years to come, state law requires every general plan to take a long-term perspective.

2.5 CHARACTERISTICS OF PROPOSED GENERAL PLAN

As previously mentioned, the City of Oakley has established objectives to be met by the proposed *Oakley 2020 General Plan*. The overall purpose of the *General Plan* is to create a plan that will preserve and enhance the quality of life for Oakley’s citizens while providing for future growth and development for jobs, housing, public facilities, and community resources. To obtain these objectives, the City designed the *General Plan*, presented as the Proposed Project. Characteristics of the Proposed Project, the *Oakley 2020 General Plan*, are listed below:

- To fulfill the requirements of Sections 65300 et seq. of the Government Code.
- To guide the rate, quality, quantity, and type of growth in Oakley over the next twenty years.
- To allow for future development within the Oakley Planning Area while preserving its small town and informal feel as the City develops.

- To ensure future residential and commercial development is attractive and appropriate for Oakley.
- To ensure the community infrastructure keeps pace with development.
- To ensure the provision of a safe and convenient multi-modal circulation system in the City of Oakley.
- To encourage future economic growth within the City of Oakley while also providing adequate housing for all economic segments of the community.
- To provide employment growth that balances the existing development and future growth in Oakley.
- To preserve agricultural land and uses in and adjacent to Oakley and to ensure that there are open space buffers between Oakley and surrounding cities.
- Ensure that open space and natural landscapes remain a major component of lands near the Delta.
- To focus recreational development on the Delta to provide a center for tourism and a base for recreational activity.
- To protect current and future Oakley residents from the adverse effects of noise and other potential environmental hazards.

In addition, Oakley requested Oakley citizens to contribute their visions and ideas for the City's future through Vision Workshops and other citizen meetings. The strategic directions that guide the *General Plan* also arise from the community participation and input. Throughout the *General Plan* process, the main thematic elements that emerged from community participation were that of preserving the City's "identity" and a balanced development/usage/protection of the valuable Delta region. In addition to these major themes, citizens also communicated their desire that the General Plan should:

- Ensure that adequate land is available to expand employment opportunities within the City of Oakley in order to create a job center for both Oakley residents and residents of neighboring communities.
- Create a well-balanced mix of strong retail centers, service commercial activities, and high-quality job generating opportunities that contribute to Oakley's economic well-being.
- Maintain high-quality residential development in Oakley by providing a variety of housing types for all segments of the population while retaining an emphasis on low-density residential development.
- Develop an inter-connected multi-user recreational trail system by creating new trails along the Delta with trail links to downtown, creating new and improving existing trails between various community parks, and connect Oakley trail system to surrounding communities (e.g. Brentwood, Antioch).
- Promote a transportation system that provides safe and efficient movement of people and goods within and through the City of Oakley and promotes the use of alternatives to the single-occupant vehicle and that encourages walking, bicycling and public transit use and encourages shorter commute trips for Oakley residents.

- Focus on maintaining and enhancing the Downtown as a central destination point in Oakley.
- Ensure compatibility between existing and future land uses.
- Preserve and maintain the natural resources and features in Oakley that contribute to the City's unique community character and quality of life.

All of these characteristics and themes, along with the Plan's objectives presented in Section 2.3, provided the strategic directions for the General Plan process.

2.6 PLANS OF SURROUNDING JURISDICTIONS AND OTHER AGENCIES

County

Contra Costa County General Plan

The Contra Costa County General Plan provides policies for the entire County. The County is comprised of three distinct areas: West County, Central County, and East County. Six different sub-areas are used to differentiate between the various geographic areas of the County. The East County is the largest land area in the County and is composed of the Pittsburg-Antioch area and "Other East County." The "Other East County" refers to the remainder of the East County sub-area, which includes the Cities of Brentwood and Oakley, and the unincorporated areas of Bethel Island, Knightsen, Byron, and Discovery Bay.

County Zoning Ordinance

The Contra Costa County Zoning Ordinance (Chapter 8 of the Contra Costa County Code) was adopted by the Contra Costa County Board of Supervisors in December 1945. The Zoning Ordinance regulates the use of land and the general design of structures, and establishes minimum regulations and standards for the development of land within Contra Costa County.

The zoning ordinance establishes 27 districts that are applied Countywide and in the City of Oakley. This includes fourteen residential zones of varying densities, two agricultural zones, four commercial/office zones, three manufacturing/industrial zones, three Delta recreation zones, and a public/semi-public zone.

Countywide Growth Management

In 1988, the voters of Contra Costa County approved Measure C, which added one-half cent to the County sales tax earmarked for transportation funding. In order to receive local street maintenance and improvement funds under Measure C, the County and each city in the county is required to develop a Growth Management Element as part of their General Plan.

The intent is to 1) establish a long-range program matching the demand for public facilities to serve new development with plans, capital improvement programs, and development impact

mitigation programs and 2) ensure that growth takes place in a manner that will ensure protection of health, safety, and welfare of both existing and future residents of Contra Costa County.

To assure continued receipt of local sales tax increases to fund Oakley's fair share of roadway improvements, the City of Oakley must include a growth management element in the new General Plan. The growth management element must establish policies and standards for traffic levels of service (LOS) and performance standards for fire, police, parks, sanitary facilities, water, and flood control to generally ensure that public facilities are provided, consistent with adopted standards.

The first step in the growth management program process is the completion and adoption of performance standards for public facilities and services in the Growth Management Element. The second step is an analysis of land supply and development monitoring at the beginning of each calendar year. Annual status reports on the implementation of the General Plan and its growth management program will be submitted to the City Council in June. The subsequent steps in the process, commencing with the performance standards evaluation, will occur on a five-year cycle.

Adjacent Cities

Antioch

The City of Antioch is located to the west of Oakley. The Oakley and Antioch Planning Areas are divided along State Highway 160, and further south along Neroly Road. The incorporated City limits of Antioch contain an area of approximately 18,000 acres (28 square miles), with a current population of 90,532, according to the 2000 Census data. There are several Antioch General Plan Policies are relevant to City of Oakley land use decisions as they may affect land near or adjacent to Oakley and/or they present the opportunity to share costs or coordinate with other agencies or jurisdictions to address issues that cross jurisdictional boundaries. These include Policies on community character; public, institutional, and open land; jobs/housing balance; streets and highways; transit and transportation systems; bikeways and pedestrian paths; air quality; noise; and endangered species and sensitive habitats.

Brentwood

The City of Brentwood is located adjacent to Oakley on the south. Neroly Road divides the Oakley and Brentwood Planning Areas. The Brentwood General Plan Planning Area encompasses approximately 34,500 acres in eastern Contra Costa County. The Planning Area contains the entire sphere of influence as well as additional land adjacent to the sphere. Brentwood was the state's third fastest growing city in 1999, as it was in 1998. Brentwood has been in the top ten in percent growth each year in the 1990's. The population of Brentwood, according to the 2000 Census, is 22,302. See the Brentwood General Plan for the City of Brentwood Land Use Plan.

Brentwood's north border is contiguous with Oakley's southern border. Any existing or future development along this border would affect the City of Oakley. The east two-thirds of the north section of Brentwood abutting Oakley is mostly designated for very low density residential, with small sections of low and medium density residential. Future park locations are proposed in the very low-density land use areas. The remaining west third consists of land designated as industrial.

Brentwood's General Plan also has Policies that are relevant to City of Oakley land use decisions as they may effect land near or adjacent to Oakley and/or they present the opportunity to share costs or coordinate with other agencies or jurisdictions to address issues that cross jurisdictional boundaries. These include Policies on balanced community; small town identity; public services; employment location; park planning; regional connections; transportation alternatives; and agricultural preservation.

Other Agencies With Authority Affecting Land Use

Local Agency Formation Commission

The Local Agency Formation Commission (LAFCo) has authority over land use decisions affecting local agency boundaries, including city limit and sphere of influence boundary lines. The City of Oakley would be required to submit any proposed changes to the City's limit lines or sphere of influence lines to the LAFCo for approval.

Oakley's proposed Sphere of Influence Expansion Areas are located directly to the east of the City boundary lines. They include a 154-acre area just southeast of the Sellers and Cypress intersection and a 2,547-acre area east of Jersey Island Road, north of Contra Costa Canal, east of the Delta Slough, and south of the Delta. Annexation of these areas into the City of Oakley would require LAFCo review and approval. Likewise, any changes to the Sphere of Influence boundary lines would require LAFCo review and approval. Oakley would only be capable of expanding its boundaries to the east, as the west and south are bordered by Antioch and Brentwood, and the north is bordered by the Delta.

Delta Protection Commission

The Delta Protection Commission was created in 1992 and implements a regional plan addressing land use and resource management for the Delta area. Land uses within the primary zone of the Delta are subject to the requirements of the Delta Protection Commission Plan. However, land uses in the secondary zone are not within the planning area of the Delta Protection Commission and are not are subject to the requirements of the Delta Protection Commission Plan. Oakley's waterfront is located within the secondary zone of the Delta and is thus not subject to conformance with the Plan. Refer to the Land Use and Resource Management Plan for the Primary Zone of the Delta by the Delta Protection Commission for findings, policies, and recommendations within the primary zone.

Lead and Responsible Agencies

The City of Oakley, as the Lead Agency for this project, will use this EIR in consideration of the proposed *Oakley 2020 General Plan* and related rezonings. This document will provide environmental information for several other agencies affected by the project or which are likely to have an interest in the project. Various state and federal agencies exercise control over certain aspects of the Planning Area. Key public agencies with a particular interest in the proposed project include, but are not limited to, the entities presented in Table 2-1.

**Table 2-1
Key Public Agencies**

Federal Agency	Responsibility
United States Army Corps of Engineers (Corps)	Responsible for floodplain and wetland management services along waterways, such as Marsh Creek. This agency will act as a Responsible Agency in regulating the removal of wetland areas and overseeing the permit process for replacing wetlands.
United States Fish and Wildlife Service (USFWS)	Responsible for conserving and protecting, endangered species and their habitat for the benefit of the public at large. This agency will act as a Responsible Agency pursuant to its Section 7 or Section 10 permits (Federal Endangered Species Act and Migratory Birds Act).
National Marine Fisheries Service (NMFS)	Responsible for the conservation and management of fishery resources within the U.S. Exclusive Economic Zone (EEZ) pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, Public Law 94-265, as amended.
Federal Emergency Management Agency (FEMA)	An independent agency of the federal government, reporting to the President established to reduce loss of life and property and protect our nation's critical infrastructure from all types of hazards through a comprehensive, risk-based, emergency management program of mitigation, preparedness, response and recovery.

State Agency	Responsibility
California Department of Fish and Game (DFG)	Responsible for the protection, conservation, propagation, and enhancement of California's wildlife and vegetation resources. This department enforces laws and regulations protecting sensitive biological resources and habitats. This agency will act as a Responsible Agency and has the authority to enter into agreements for alternations to any streambeds.
California Regional Water Quality Control Board (CRWQCB)	Responsible for evaluating appropriate uses of water and responsible for issuing waste discharge permits to protect water quality. This agency will act as Responsible Agency to evaluate project consistency with the City's existing National Pollutant Discharge Elimination System (NPDES) permit.

State Agency	Responsibility
California Reclamation Board (CRB)	Responsible for delineation of flooding and regulation of encroachments into designated floodways.
California Department of Food and Agriculture (CDFA)	Responsible for agricultural preserves set up by local jurisdictions under the Williamson Act.
California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR)	Responsible for regulating natural gas extraction throughout the Planning Area.
California Department of Transportation (Caltrans)	Responsible for approval of roadway improvements along state highways, including State Route 4.
California Environmental Protection Agency (CalEPA)	This agency is the primary state agency concerned with degradation of the environment and how it affects human health.
California Public Utilities Commission (CPUC)	The Public Utilities Commission regulates public utilities and would be responsible for approval of modification and improvements to railroad and major utility facilities.
Delta Protection Commission (DPC)	The entity that plans for and guides the conservation and enhancement of natural resources of the Delta..

Local Agency	Responsibility
Contra Costa Local Agency Formation Commission (LAFCO)	Establishes policies regarding the organization and service delivery of cities and special districts, and approves boundary changes proposed by any governmental agency.
City of Oakley	Lead Agency for the Oakley 2020 General Plan.
Contra Costa County, Antioch, and Brentwood	These jurisdictions will act as Interested Agencies with the proposed project because they are located directly adjacent to the City of Brentwood.
Bay Area Air Quality Management District (BAAQMD)	Serves as the regional agency dealing with air pollution in the San Francisco Bay area and has the responsibility for the implementation of the California Clean Air Act. This agency's authority extends throughout the nine-county San Francisco Bay Area, includes Contra Costa County.
Contra Costa Transportation Authority (CCTA)	Agency responsible for implementing Measure C provisions. Measure C established a one-half cent sales tax in Contra Costa County to fund a special set of transportation improvements. The Contra Costa Transportation Authority is also the designated Congestion Management Agency.
Diablo Water District (DWD)	Local surface water rights and water supply contracts serving the project area. Domestic water provided for the Oakley Planning Area.

Local Agency	Responsibility
Contra Costa Water District (CCWD)	Has local surface water rights and water supply contracts including water treatment agreements with the City of Oakley.
Contra Costa County Flood Control and Water Conservation District	Responsible for maintenance and operation of major flood control facilities and stream channels throughout Contra Costa County.
Ironhouse Sanitary District	Operates wastewater treatment facilities within Oakley and disposes of treated wastewater upon property in Oakley and on Jersey Island.
Oakley-Knightsen Fire Protection District	Provides fire protection service to a 40-square mile area that includes Oakley.
Liberty Union High School District, Oakley Union Elementary School District, and Contra Costa Community College District	Provide school services in the Oakley Planning Area.
Tri Delta Transit – Eastern Contra Costa County Transit Authority (ECCTA)	Provides Transit Service to Oakley Planning Area.
East Bay Regional Park District (EBRPD)	Maintains certain recreation trails in Oakley.

CHAPTER 3

ENVIRONMENTAL SETTING, IMPACT ANALYSIS & MITIGATION MEASURES

This chapter of the EIR contains the analysis of environmental impacts of the proposed *Oakley 2020 General Plan*. The environmental setting for each environmental impact area is described, and significance criteria are established, beyond which impacts are considered significant. The significance criteria are based on current City policy and other normally accepted standards for environmental review, consistent with State CEQA guidelines.

Many policies in the *Oakley 2020 General Plan* are designed to reduce environmental impacts. In this way, the General Plan is self-mitigating. In the discussion of impacts, the policies in the *Oakley 2020 General Plan* that would reduce the impact are presented and discussed.

The environmental analysis assumes full implementation of the *Oakley 2020 General Plan*, new development projects, road and infrastructure improvements, and new community facilities and parks. This EIR does not consider phasing of land uses or interim development stages as such phasing is not established in the proposed Plan.

Much of the setting summaries in this Chapter are excerpted from the *Oakley 2020 Draft General Plan* (September 2002) and the *Oakley 2020 General Plan Background Report* (September 2001). In addition, many tables and figures referred to in this Chapter are not repeated and can be found in the two previously mentioned documents. This report is available for review at the City of Oakley Community Development Department, 3639 Main Street, Oakley, California.

3.1 LAND USE

3.1.1 ENVIRONMENTAL SETTING SUMMARY

For a more detailed environmental setting discussion regarding land use, see the Oakley 2020 General Plan Background Report (September 2001) and the Oakley 2020 Draft General Plan (September 2002), available from the Oakley Community Development Department.

Historical Growth Pattern and General Plan Efforts

The City of Oakley is located in eastern Contra Costa County, which is in the nine-county San Francisco Bay Area. Oakley's westernmost boundary is located at the intersection of Highways 4 and 160, which provide access to San Francisco, San Jose, Sacramento, and the Central Valley. Oakley is a delta community along with the cities of Pittsburg, Antioch, Brentwood, and the unincorporated areas of Bay Point, Bethel Island, Byron, and Knightsen. The San Joaquin

River/Delta borders Oakley to the north, with unincorporated County territory to the east, the City of Brentwood and Community of Knightsen to the south and the City of Antioch to the west.

Founded in 1897, Oakley received its name from the abundance of native live oaks covering the early landscape. Oakley's incorporation was approved on November 3, 1998, and Oakley officially became a city on July 1, 1999. The City of Oakley is approximately 12.6 square miles (8,064 acres) in size and had a population of 25,619 in the year 2000, based upon the 2000 Census. The current city boundaries of Oakley are Highway 4, Neroly Road, Delta Road, Sellers Avenue, Cypress Road, Jersey Island Road, and the Delta shoreline. At the time of incorporation, the City limit was established and the Sphere of Influence (SOI) boundary was determined to be coterminous with the City limit. The City has identified additional areas east of Oakley within which the City may expand in the future. These additional areas are referred to as the Expansion Areas within this General Plan and the combined land within the City limits and the Expansion Areas constitute the City's Planning Area. The City limits/Sphere of Influence boundary and Planning Area boundary are shown in Figure 2-1 of the *Oakley 2020 General Plan*.

The City held several community workshops to guide the planning of Oakley. Among the issues discussed were the type and scale of new development, opinions of community character, and expectations of the City. The workshop results that pertain most directly to the Land Use issues are summarized below:

- A “downtown theme” or Community Focal Point is needed to help develop a sense of place for the City.
- Important, landmark or historic buildings should be maintained and enhanced.
- The City should seek a better jobs housing balance and encourage more jobs.
- Larger lots, and more “upscale” residential development should be encouraged.
- The rural character of the City should be maintained.
- Redevelopment of industrial and commercial sites should be encouraged.
- There is a need for more open space, trails, and parks. These land uses should be integrated into new development.
- Encourage commercial/retail development that provides typical urban amenities for the residents of Oakley.

Existing Land Use

Of the roughly 8,064 acres of land within the incorporated city limits of Oakley, approximately 3,588 acres are dedicated to existing land uses, or approximately 44 percent of the City's total area. Approximately 4,476 acres are currently undeveloped. In addition, the City of Oakley has identified two potential Expansion Areas, a 155-acre block adjacent to the intersection of Sellers Avenue and Cypress Road and a 2,547-acre area east of Jersey Island Road that was previously designated as the Off Island Bonus Area by Contra Costa County. As of 2002, it is anticipated

that following adoption of this General Plan, the City will proceed with applications to expand its SOI to include some or all of the designated Expansion Areas.

Tables 2-2 and 2-3 of the *Oakley 2020 General Plan* provide a breakdown by land use category of developed and undeveloped land within the incorporated City of Oakley and the proposed Expansion Areas; however, this EIR evaluates both areas within the Oakley's incorporated city limits and the additional proposed Expansion Areas together as the designated Planning Area. The combined land use categories and developed/undeveloped portions are presented in Table 3.1-1.

**Table 3.1-1
Oakley 2020 General Plan Planning Area
General Plan Land Use Designations and Developed/Undeveloped Acreages**

Land Use Designation	Total Acres	Undeveloped	Developed
Agriculture Limited	383	238	145
Single Family High	2,336	742	1,594
Single Family Medium	1,252	874	378
Single Family Low	1,456	1,063	393
Single Family Very Low	267	112	155
Multi-Family Low	184	82	102
Multi-Family High	30	22	8
Mobile Home	16	0	16
Commercial	660	443	217
Commercial Recreation	259	13	246
Business Park	114	114	0
Light Industrial	304	252	52
Utility Energy	44	44	0
Public and Semi-Public	1,000	734	266
Delta Recreation	1,459	1,445	14
Parks and Recreation	194	89	105
Roads/Canal	569	0	569
Waterways	238	0	238
Totals	10,765	6,267	4,498

Source: Pacific Municipal Consultants, 2002

Special Planning Areas

In addition to the land use designations described above, the City of Oakley also recognizes there are distinct geographic areas within and surrounding the City that merit special consideration. The following Special Planning Areas are detailed in the *Oakley 2020 General Plan* where they discuss both constraints and the City's development vision for the areas. These areas are discussed in this EIR in identifying potential unique environmental constraints and opportunities. See Figure 2-3 in the *Oakley 2020 General Plan* for a map of the Special Planning Areas.

- **Cypress Corridor Planning Area** encompasses approximately 2,371 acres of land located both north and south of Cypress Road and is bounded by the San Joaquin Delta on the north, Marsh Creek on the west, the BNSF Railroad on the southwest, Sellers Avenue and East Cypress Road on the southeast, and Jersey Island Road on the east. This Area includes approximately 1,519 acres located to the north of the Contra Costa Canal. This portion of the Area, generally referred to as Dutch Slough within this General Plan, is not proposed for urban development and is anticipated to remain as open space and possibly restored as marsh habitat.
- **Cypress Corridor Expansion Area** encompasses approximately 2,702 acres of land east of Jersey Island Road on both the north and south of East Cypress Road, and is bounded by the Contra Costa Canal on the southwest, and the San Joaquin River Delta on the north, and Sandmound Road on the east. The area is essentially undeveloped land, immediately east of the Cypress Corridor Area Special Planning Area and shares many of the same planning constraints, with the primary difference that this Area is located outside the 2002 incorporated limits of the City of Oakley, but within the Contra Costa County designated Urban Limit Line. The County's designation for this Area is the Off Island Bonus Area, a designation that would have allowed development upon this unincorporated land at densities up to three dwelling units per acre. This Area encompasses approximately 2,702 acres of land east of Jersey Island Road on both the north and south of East Cypress Road, and is bounded by the Contra Costa Canal on the southwest, and the San Joaquin River Delta on the north, and Sandmound Road on the east.
- **South Oakley Planning Area** encompasses approximately 1,776 acres of land located generally south of Laurel Road, east of Empire Avenue, west of Sellers Avenue, and north of Delta/Neroly Road. This Area has been in the process of urbanizing, but retains substantial agricultural lands, including orchards and vineyards. Among the most significant uses in this Area is Freedom High School, located on Neroly Road west of O'Hara Avenue. This Area establishes the boundary between Oakley and the adjoining City of Brentwood. The Draft Brentwood General Plan proposes a combination of primarily residential uses immediately south of Oakley and designates an industrial development in the area south of Delta Road and east of existing Highway 4.

- **Northwest Oakley Planning Area** encompasses approximately 972 acres of land located generally north of existing Oakley Road and generally bounded by Big Break Road to the east, Highway 160 to the west and the Delta along the north. This Area has historically been dominated by the former DuPont facility to the north and other uses of industrial character along Highway 4/Main Street. The BNSF Railroad bisects this Area. The Big Break Marina and the Lauritzen Marina are located, respectively, in the northeast corner and the northwest corner of this Area. The northern portion of the Area is dominated by the Delta and associated wetland areas.
- **Downtown Mixed-Use Special Planning Area** encompasses the essentially developed lands located generally near the Highway 4/Main Street and O'Hara Avenue intersection. This area is the historic core of Oakley and contains a mix of commercial and residential uses. A significant project affecting this area is the proposed realignment of existing Highway 4/Main Street.

Land Use Designations

The Land Use Element in the *Oakley 2020 General Plan* offers detailed descriptions of land use designations for the various uses throughout the City of Oakley. The land use designations were created with the intention of maintaining Oakley's rural, small-town environment as the community grows by defining residential, commercial, and industrial uses, along with the public and open-space lands. This EIR offers a brief description in order to provide a basis for many of the environmental constraints and solutions offered in the environmental analysis for this project.

Residential Land Use Designations

The residential land uses of the General Plan are divided into eight distinct designations. These classifications address the various residential uses within the City and include their character, applications, and potential for impacts. The purpose of these varied land use designations is to ensure the continued use of residential property in a manner that reflects current and historic practices and considers the future of residential growth in the City of Oakley.

1. (AL) Agriculture Limited –accommodates light agriculture, animal husbandry, and very low-density residential uses - reflections of the historic and continuing agrarian practices within the City of Oakley. The AL designation allows residential densities ranging from 0.1 to 1.0 dwelling unit (du) per gross acre, with a typical parcel size of 1.0 to 10.0 acres. Population density would typically range *between 1 to 3 persons per acre*. Primary land uses include single-family residences, secondary residential units, and limited agriculture and animal husbandry, subject to developmental and operational standards.
2. (SV) Single Family Residential, Very Low Density – is to provide for large-lot residential development, which maintains the rural character. These lots typify an estate lot, but are not associated with commercial agriculture or animal husbandry, with the exception of limited

numbers of horses. The SV designation is from 0.2 to 1.0 du per gross acre, with typical lot sizes between one and five acres in size. Population density would also range *between 1 to 3 persons per acre*. Primary land uses include detached single-family homes and accessory structures, which are consistent with the rural or estate lifestyle.

3. (SL) Single Family Residential, Low Density – is to accommodate traditional single-family residential development, which maintains the low density typical of a large-lot suburban development. The SL designation is from 0.8 to 2.3 du per gross acre. Sites generally range from approximately 14,000 square feet to 1 acre in size. Population density generally ranges *from 3 to 8 persons per acre*. Primary land uses typically include detached single-family homes and accessory structures.
4. (SM) Single Family Residential, Medium Density – is to accommodate moderate density, single-family residential development. These neighborhoods will more closely resemble a typical suburban development with spacious yards and little resemblance to a rural neighborhood. The SM designation is from 2.3 to 3.8 du per acre, with parcel sizes generally ranging from 8,600 to 14,000 square feet. Population density generally *ranges from 8 to 12 persons per acre*. Primary permitted land uses include detached single-family homes and accessory structures.
5. (SH) Single Family Residential, High Density – is to provide for moderately dense single-family residential development that is consistent with suburban uses. This designation will allow for a higher density suburban neighborhood with smaller lots than are commonly seen in traditional urban and suburban neighborhoods within Oakley. The SH designation is from 3.8 to 5.5 du per gross acre. Typical parcel sizes range from approximately 6,000 to 8,600 square feet. Population density would normally range *between 12 to 18 persons per acre*. Primary land uses may include detached single-family homes and accessory structures.
6. (ML) Multi-Family Residential, Low Density – is to provide a more affordable, small lot development and to increase the availability of rental or entry-level housing. The ML designation is from 5.5 to 9.6 du per gross acre. Population density would normally range *between 12 to 20 persons per acre*. Primary land uses considered may include single-family dwellings, attached single-family residences (such as duplexes and duets), multiple-family residences (such as condominiums, town houses, apartments), and accessory structures normally auxiliary to the primary uses.
7. (MH) Multi-Family Residential, High Density – is to provide affordable and rental residential units, and to maximize urban residential space. This designation allows for a typical apartment-style building or a condominium complex. The MH designation is from 9.6 to 16.7 du per gross acre. Expected population density would normally range *between 20 to 36 persons per acre*. Appropriate primary land uses include attached single-family residences (such as duplexes and duets), multiple-family residences (such as condominiums, town

houses, apartments, and mobile home parks), and accessory structures normally auxiliary to the primary uses.

8. (MO) Mobile Home – is to accommodate mobile home parks as a form of affordable and accessible housing. The MO designation allows from 5.5 to 9.6 mobile home units per gross acre. Population density ranges *from 18-31 persons per acre*. Primary land uses may include single-family residential dwellings within a mobile home park setting and auxiliary uses and facilities to serve residents of the park.

Commercial Land Use Designations

The commercial land uses of the General Plan are divided into four distinct designations. The provision for, and thoughtful placement of, commercial land use designations is critical for the long-term economic success of the City of Oakley. By providing the proper balance of commercial and other uses, the City will ensure the economic stability of local businesses while minimizing impacts on other uses.

1. (CO) Commercial – allows for a broader range of commercial uses typically found adjacent to residential neighborhoods and downtowns, including retail and service facilities, and limited office uses. Through sensitive design, commercial uses can be located near single-family residences with minimal disruption or impact. Typical uses include grocery and convenience stores, salons, professional offices, restaurants, drug stores, dry cleaners, post office facilities, banks, and other uses of similar character and impacts.
2. (CD) Commercial Downtown – provides an innovative mix of retail commercial and residential uses, often in the same structures. By linking the two uses, it is possible to create and sustain interest in the heart of the community. The CD designation is intended to provide flexibility to allow the reuse of existing structures and the construction of infill projects that may not conform to typical standards applicable in other areas of Oakley.
3. (CR) Commercial Recreation – allows for a broad range of commercial activities that cater to the recreational user. These uses may include marinas and boat facilities, outdoor equipment rental shops, yacht clubs, driving ranges and golf courses, etc.
4. (BP) Business Park – is intended to provide space for office uses in a larger campus-like setting. Research and development, corporate offices, professional and administrative offices, and select light industrial uses are encouraged, though heavy industrial uses are strictly prohibited. Development in this designation should be characterized by large-scale, attractive, park-like settings with common parking and consistent architectural themes. While this General Plan identifies a single Business park designation, the City's Zoning Ordinance will establish two distinct types of Business Parks: Business Park High Density and Business Park Low Density. These two designations will vary only in the maximum allowable floor area ratio (FAR).

Industrial Land Use Designations

The industrial land uses of the General Plan are divided into two designations. The land use designations of the General Plan consist of Light Industrial and Utility Energy. Uses that characterize an industrial designation shall require consideration of environmental and land use compatibility criteria to optimize their location. Industrial uses should be located to provide for proper truck, boat, and/ or rail access, and should be buffered from sensitive uses that would be impacted by industrial development.

1. (LI) Light Industrial – allows for uses such as processing, packaging, machinery, repair, fabricating, distribution, warehousing and storage, research and development, and similar uses which emit limited amounts of smoke, noise, light, or pollutants. These uses should, when possible, be combined in development projects that incorporate various uses to minimize travel and transport for goods and services related to and required to support the industrial use. This approach is also designed to help reduce regional commute traffic by providing employment opportunity for residents of Oakley within the City Limits.
2. (UE) Utility Energy – allows for power plant uses involved in the clean production of electricity utilizing the best available combustion turbine technology. The structures associated with this land use designation shall be aesthetically designed, including landscape buffers, and produce no significant adverse effects, including excess noise, dust, and glare on surrounding land uses.

Public Land Use Designations

Numerous public, semi-public and private facilities are required to serve the needs of the community. These uses support government, civic, cultural, health, education, and infrastructure aspects of the City.

1. (PS) Public and Semi-Public Facilities – includes properties owned by public agencies such as libraries, fire stations, public transportation corridors, and schools, as well as privately owned transportation and utility corridors such as railroads, and power transmission lines. The PS designation should be located in a manner that best serves the community's interests, allows for adequate access by bus, bicycle, or foot to minimize trip generation, and provides for access by all residents, where appropriate. A wide variety of public and private uses are allowed with this General Plan category. However, construction of private residences or private commercial uses, and the subdivision of land are not allowed.

Open Space/Recreation Land Use Designations

Open space and recreation lands are broken down into two categories. Various park and open space uses contribute to the quality of life in Oakley, including for visual buffers, natural open space and wildlife corridors, water recharge and detention/retention facilities, traditional parks,

hiking and biking trails, golf courses, and other landscaped areas. Some open space uses can be integrated into parkways along arterials to serve for buffering and aesthetic purposes.

1. (DR) Delta Recreation – encompasses the lowlands of the San Joaquin Delta along the City’s northern edge. Most of the land designated Delta Recreation is within the 100-year flood plain as mapped by FEMA, which means the area is subject to periodic flooding. Lands within this designation may also support valuable wildlife habitat and is an important component of the Pacific Flyway, a major waterfowl migration route in North America. Due to the proximity of the Delta, these lands have potential recreational value. However, agriculture and wildlife habitat are considered the most appropriate uses of these areas, with limited recreation uses allowed.
2. (PR) Parks and Recreation – includes publicly owned city, county, and regional parks facilities, as well as publicly or privately owned golf courses. Appropriate uses in this designation are passive and active recreation oriented activities, and ancillary commercial uses such as snack bars and restaurants.

Zoning

When the City of Oakley incorporated in 1999, it adopted the County Zoning Ordinance, which will remain in effect until the City of Oakley adopts its own zoning ordinance. The *Oakley 2020 General Plan Background Report* lists the zoning classifications that are currently used within the City of Oakley. These zones include:

- Two agriculture zones for general and heavy agriculture (A-2 and A-3);
- Eight single family residential zones that are distinguished by the minimum lot sizes (R-6, R-7, R-10, R-12, R-15, R-20, R-40, and R-100);
- Five multi-family residential zones also distinguished by minimum lot size (M-6, M-9, M-12, M-17, and M-29);
- A planned-unit development zone that includes residential, office, and mixed uses (P-1);
- Two business zones for retail and neighborhood uses (R-B and N-B);
- A controlled manufacturing zone (CM);
- An administrative office zone (AO);
- Two industrial zones for light and heavy uses (L-1 and H-1);
- Three zones for Delta Recreation (A-20, A-40, and A-80); and
- Public/quasi public classifications (All A District).

One of the most familiar methods of implementing General Plan land use policy and designations is through the Zoning Ordinance. Although separate from the General Plan, it is essential that the zoning districts be utilized to implement General Plan land use designations that are consistent with the intent of each General Plan designation. Table 2-5 in the *Oakley 2020 General Plan* compares General Plan designations with zoning categories. The City of Oakley plans to conduct a comprehensive revision of the City’s Zoning Ordinance within one year of

adoption of the General Plan, which will establish new zoning districts for the General Plan designations of Business Park, Utility Energy, and Agricultural limited. The Land Use Designation/Zoning Compatibility Table is provided in the *Oakley 2020 General Plan*.

Forces Driving Development – Bay Area and Central Contra Costa County Growth

The Bay Area, as a whole, has been developing at a tremendous rate, which drives the job market and the demand for housing in the area. Housing prices in the Bay Area have risen dramatically over the past decade as the demand for homes has risen and the availability of higher paying jobs, primarily computer jobs in the Tri Valley and Silicon Valley, has increased.

The cities in central Contra Costa County, including Concord, Antioch, and Pittsburg have also experienced accelerated growth rates in the past decade. As land closer to San Francisco builds out, the population of the area is forced to move outward to the outlying communities, including the City of Oakley.

Maximum Growth Within General Plan

The General Plan establishes general uses and densities of land within the City. From the Land Use Diagram, and the undeveloped acreages as presented in Table 3.1-1, it is possible to estimate the maximum number of new homes and population that could result from the General Plan within the Planning Area.

Table 2-4 in the *Oakley 2020 General Plan* shows the residential build-out potential. This table documents the maximum development potential for current, undeveloped land under this General Plan plus the presently developed lands in the Planning Area would result in a population of 68,453 persons. However, community design requirements, site-specific constraints, and market factors would almost certainly reduce the potential build-out to a level well below the theoretical calculations. It is significant to note that the calculated maximum development potential under the former Contra Costa County General Plan was 74,918 persons, nearly 6,500 persons greater than the maximum potential under this City of Oakley General Plan.

Table 2-5 in the *Oakley 2020 General Plan* shows the potential build-out for non-residential uses, such as commercial, office, business park, industrial, utility energy, and commercial recreation. The 1,379 acres (not including the 1,000 acres of Public/Semi-Public land) designated by the City in this General Plan in the Planning Area for uses with varying level of employment generating potential would generate 34,349 potential new employees.

Relationship to other Jurisdictions (County, Antioch and Brentwood)

Contra Costa County

Oakley is located in the eastern portion of Contra Costa County. The County stretches approximately 40 miles from west to east and 20 miles from north to south. The County covers a total of 805 square miles, of which approximately 732 square miles (468,480 acres) are land, with the remainder consisting of water areas. The County's population, according to the 2000 Census, is 948,816. Oakley contains less than 3% of the County's total population.

Bethel Island is located northeast of Oakley and covers roughly 3,500 flat acres, with access via one bridge. The island is surrounded by levees that maintain the low interior of the island as dry land. The 2000 census identified the population for Bethel Island at 2,312. The island is estimated to have approximately 982 full-time housing units. The rural/agricultural area located south and east of Oakley includes the community of Knightsen. The population of the Knightsen area in 1990 was estimated to be approximately 471 people. Knightsen is located outside of the Contra Costa County Urban Limits.

Antioch

The City of Antioch is located to the west of Oakley. The Oakley and Antioch Planning Areas are divided along State Highway 160, and further south along Neroly Road. The incorporated City limits of Antioch contain an area of approximately 18,000 acres (28 square miles). The population of Antioch, according to the 2000 Census, is 90,532. Refer to the Antioch General Plan for further information on Antioch.

Brentwood

The City of Brentwood is located adjacent to Oakley on the south. Neroly Road and Delta Road divide the Oakley and Brentwood Planning Areas. The Brentwood General Plan Planning Area encompasses approximately 34,500 acres in eastern Contra Costa County. The Planning Area contains the entire sphere of influence as well as additional land adjacent to the sphere. Brentwood was the state's third fastest growing city in 1999, as it was in 1998. Brentwood has been in the top ten in percent growth each year in the 1990's. The population of Brentwood, according to the 2000 Census, is 22,302. See the Brentwood General Plan for the City of Brentwood Land Use Plan.

3.1.2 THRESHOLDS OF SIGNIFICANCE

The CEQA Guidelines Appendix G suggest that a proposed project would result in significant land use and planning impacts if the proposed project:

- Disrupts or divides the physical arrangement of an established community.

- Proposes new land uses that would alter the existing character of the community.
- Is inconsistent with existing applicable land use plans and policies.
- Results in uses that are substantially incompatible with existing land uses.
- Results in the conversion of prime agricultural land to nonagricultural use or impairs the agricultural productivity of prime agricultural land.

Changes in land use are not, in and of themselves, environmental impacts. Land use changes are impacts only relative to the prior use of the site (i.e. conversion of open space, an irreplaceable resource) or the surrounding usage and character (i.e. compatibility between housing and a noise generator, or between different intensities of development).

3.1.3 ANALYSIS OF IMPACTS

The intent of the *Oakley 2020 General Plan* is to create a city in which land uses exist and function without imposing a nuisance, hazard, or unhealthy condition upon adjacent uses. Commercial, residential, and office uses are said to be compatible if building scale and character are consistent, pedestrian connections are provided, and auto-oriented uses are limited. Uses within areas designated for Mixed Use development are expected to be compatible with one another because General Plan policies establish requirements for compatible development, including buffering, screening, controls, and performance standards. Implementation of the General Plan will create specific regulatory standards and review procedures to ensure compatible land uses. As a result, the impact, “creation of land use incompatibilities between proposed development and existing neighborhoods,” does not occur and is therefore not analyzed further.

The *Oakley 2020 General Plan* will be the guiding development document in Oakley. Adopted policies, plans, programs, the zoning ordinance, and other implementing tools will be amended to conform to the adopted General Plan, and all discretionary development project approvals will include conditions of approval to ensure consistency with the General Plan. As a result, a significant impact would not occur because the significance criteria, “potential conflicts of the project with adopted policies, plans, and programs of the city,” will be avoided. This impact will not be analyzed any further.

Impact 3.1-A: *The proposed General Plan would physically divide an established community. (Less Than Significant)*

Discussion and Conclusion: As discussed in the *Oakley 2020 General Plan Initial Study* (April 2002), proposed General Plan policies are unlikely to physically divide an established community. While the proposed *Oakley 2020 General Plan* will result in changes in land use designations from the Contra Costa County General Plan, it is not anticipated that these changes will result in adverse environmental effects.

The Oakley 2020 General Plan contains Goals, Policies, and specific implementation Programs that are designed to ensure this impact will not be significant. A thorough list of all Oakley 2020 General Plan goals, policies, and implementation programs can be found in Appendix B.

The Oakley 2020 General Plan is designed to protect, preserve, and maintain the community character. The character was developed through extensive public outreach and is described in the Land Use Element of that document. Oakley staff has determined that in order to protect, preserve, and maintain the community character of the City of Oakley, it is recommended that Oakley should, where feasible:

- Pursue the extension of the historic grid pattern of roadways for new infill developments. This would be more consistent with the historic pattern of development in Oakley and would likely encourage pedestrian and bicycle traffic.
- Provide additional amenities to the roadways that would greatly improve the physical appearance and usability of the streets. These amenities include roundabouts, medians, and street trees; usable bicycle lanes of sufficient width; street trees between the roadway and the sidewalk; and planted medians where left turns are not permitted, or where turnouts are provided.
- Provide neighborhood-scaled commercial centers, schools, parks, and other facilities to reduce dependency on regional shopping centers and distribute small commercial centers in neighborhoods throughout the City.
- Define entries to the City and to major residential and commercial developments with Community Gateways Signs in order to enhance the sense of place within Oakley, provide visual interest, emphasize distinctions between neighborhoods and commercial districts, and create a visual cohesion throughout the City.

This design is apparent in many of the General Plan Elements. The General Plan has numerous Policies and Programs to coordinate the specifics necessary to implement this design. Policies and Programs that help maintain this effect at less-than-significant are:

- Avoid development that results in land use incompatibility. Specifically, avoid locating sensitive uses (residential) adjacent to existing potentially objectionable uses and avoid locating potentially objectionable uses adjacent to sensitive uses. – *Land Use Element (LUE) Policy #2.1.8*
- Promote the transition from higher density centers to lower densities at City boundaries. Where high density residential is directly adjacent to low density residential or agricultural uses, buffers should be provided. – *LUE Policy #2.2.5*
- When reviewing requests for commercial uses in residential neighborhoods, ensure that the integrity of the neighborhood is not compromised. – *LUE Policy #2.3.1*
- Avoid development which results in land use incompatibility. Specifically, avoid locating objectionable land uses within residential neighborhoods and protect areas designated for

existing and future industrial uses from encroachment by sensitive (residential) uses. – *LUE Policy #2.4.1*

- New development should continue the existing adjacent neighborhood concepts, including street pattern, street trees, setbacks, and scale, as appropriate. Gradual transition of uses shall be strongly encouraged. – *LUE Policy #2.8.8*
- Create a bicycle and pedestrian system that provides connections throughout Oakley and with neighboring areas, and serves both recreational and commuter users. – *Circulation Element (CE) Policy #3.2.3*
- Mitigate potential circulation conflicts between new roadways and existing rural roadways adjacent to new development. – *CE Policy #3.7.5*
-

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to do all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would avoid this impact.

Impact 3.1-B: *The proposed General Plan may induce growth and an increase in the number of housing units and jobs in the Planning Area. (Potentially Significant)*

Discussion and Conclusion: The 2020 General Plan contains many policies that apply to a variety of community character issues that relate to a finer (for example, neighborhood) scale. The policies are designed to maintain a high degree of harmony with the environmental setting of the City and the scale and character of existing development. However, several policies in the General Plan also call for intensification of development in Oakley that may result in the alteration of the character of the city. Through the Growth Management Element of the General Plan, the Oakley community has clearly established its commitment to managing new development in a manner that not only ensures adequate public facilities, but also protects the quality of life enjoyed by residents. As such, substantial treatment of growth management issues is provided in various elements of the General Plan, including Land Use, Circulation, Open Space and Conservation, Housing, and Economic Development.

The General Plan clearly defines principles throughout the Plan's Goals, Policies, and Programs that are designed to meet Oakley's vision and long-term goals described in Chapter 1 of this EIR. For example, the Growth Management Element defines its Goals as providing for "levels of growth & development ...while preserving the quality of life". This Element lists the components of preserving the quality of life as providing and promoting:

- Quality civic and community facilities;
- A high level of emergency preparedness;
- Traffic levels of services necessary to protect the public health, safety, and welfare;
- Adequate primary and secondary schools in optimal locations;
- Safe, efficient, and cost-effective removal of waste from residences, businesses, and industry;
- Potable water availability in quantities sufficient to serve existing and future residents;
- Sewer collection, treatment, and disposal facilities that are adequate to meet the current and projected needs; and
- Protection of persons and property from damaging impacts of flooding.

In addition, the General Plan contains many other Policies and Programs that mitigate this impact. These are:

- Promote a combination of employment and residential uses that provide both jobs and housing for Oakley's residents. – *Land Use Element (LUE) Policy #2.1.1;*
- Promote commercial and residential development that supports the small town character of Oakley. Key elements include scale of buildings, landscaped open areas within projects, and safe and accessible multi-use trails. – *LUE Policy #2.1.3;*
- Preserve open space areas, of varying scales and uses, both within development projects and at the City's boundary. – *LUE Policy #2.1.5;*
- Consider the cumulative effects of development on community facilities and services, such as transportation and schools, throughout the planning process. – *LUE Policy #2.1.9;*
- Neighborhood commercial centers should be central to the neighborhood area they serve. Adequate access, compatibility with surrounding uses, and consistent design with a community theme are necessary. These centers should maximize access for bicycles and pedestrians. – *LUE Policy #2.3.6;*
- Encourage the reuse of vacant underutilized commercial buildings for more economically productive purposes, including new businesses, housing, and mixed-use development. – *LUE Policy #2.3.11;*
- Consider, during the review of development projects, the financial impacts to the City of providing required public facilities and services and assure that each project properly compensates for the full cost of providing those facilities and services through fee and other programs. – *LUE Program #2.1.C;*
- Develop a procedure for reviewing development applications to ensure, prior to entitlement, compliance with all policies established in the General Plan. – *LUE Program #2.2.A;*

- Periodically review the industrial and commercial land use designations within the General Plan Land Use Diagram to ensure that there is an adequate mix of parcel sizes, zoning and infrastructure to accommodate new development. – *LUE Program #2.4.A*;
- Pursue a mix of both new housing and additional jobs in Oakley, as part of the overall strategy to balance jobs and housing in East County. – *Circulation Element (CE) Policy #3.7.7*;
- Maintain an adequate supply of appropriately zoned land with available or planned public services and infrastructure to accommodate the City’s projected housing needs for all income levels and for special needs groups. – *Housing Element (HE) Policy #10.1.1*;
- Provide consistent and predictable policy direction for residential project applicants in the development and design standards and decision-making process. – *HE Policy #10.3.3*;
- Consistent with the General Plan land use diagram, zone sufficient land to accommodate the City’s identified housing needs through 2006. Rezone these lands to designations appropriate for residential development shall occur no later than March 2003. – *HE Program #10.1.A*;
- Designate residential sites to provide consistency with the City’s identified housing needs, through the rezoning and annexation pre-zoning processes. – *HE Program #10.1.B*;
- Maintain an inventory that details the amount, type, and size of vacant and underutilized parcels to assist developers in identifying land suitable for residential development. – *HE Program #10.1.E*;

It is clear that the City of Oakley intends that new development would not be permitted unless it is consistent with the City’s performance standards. These standards would mitigate impacts as a result of traffic and population growth.

Mitigation Measures

No mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan policies would reduce this impact to a *less than significant* level.

Impact 3.1-C: *The proposed General Plan may result in land use conflicts and incompatibility between existing and proposed land uses. (Potentially Significant)*

Discussion and Conclusion: The City of Oakley is clearly concerned with the potential for land-use conflicts and has designed careful methods to prevent conflicts from occurring. The following are examples of Policies and Programs throughout the General Plan Elements that illustrate this concern:

- Protect existing residential areas from intrusion of incompatible land uses and disruptive traffic to the extent reasonably possible. – *Land Use Element (LUE) Policy #2.2.3*;

- Consider modified development standards for large-lot development that reflects the rural nature of the development. This may include reducing or eliminating the need for traditional sidewalks, street lighting, or other subdivision improvements. If the absence of such improvements will not result in conflicts with adjacent land uses and treats to the public health, safety, and welfare. – *LUE Policy #2.2.7*;
- Restrict or require increased setbacks for residential development proposed and adjacent to industrially or agriculturally designated or developed land to minimize conflicts. – *LUE Policy #2.2.13*;
- When reviewing requests for commercial uses in residential neighborhoods, the City shall ensure that the integrity of the neighborhood is not compromised. – *LUE Policy #2.3.1*;
- Incorporate design buffers between potentially incompatible land uses and avoid, to the extent feasible, new land uses that compromise existing businesses and operations. – *LUE Policy #2.4.3*;
- Reduce the negative impacts resulting from urban uses and neighboring agricultural uses in close proximity. *Open Space & Conservation Element (OSCE) Policy #6.1.2*;
- Incorporate parks, open space, and trails between urban and agricultural uses to provide buffer and transition between uses. – *OSCE Policy #6.1.4*
- Adopt land use controls that prevent incompatible uses for parcels adjacent to existing open space resources. – *OSCE Program #6.6.A*;
- Separate the activities (i.e., pedestrian, bicycle and equestrian) of multi-use trails, by providing easements on each side of major arterials, to provide safe resolution of potential conflicts between users, animals, and vehicles. *Parks & Recreation Element (PRE) Policy #7.5.7*;
- New development shall use the land use compatibility table shown in Figure 9.1 and the standards contained within Tables 9.1 and 9.3 for determining noise compatibility. – *Noise Element (NE) Policy #9.1.1*; and
- New development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected levels of noise from transportation noise sources which exceed the levels specified in Table 9-3, unless the project design includes effective mitigation measures to reduce exterior noise and noise levels in interior spaces to the levels specified in Table 9-3. – *NE Policy 9.2.1*.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to do all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan policies would reduce this impact to a *less than significant* level.

Impact 3.1-D: *The proposed General Plan may detract from the strength of Downtown Oakley as a focal point and destination within the City. (Potentially Significant)*

Discussion and Conclusion: The Downtown area of Oakley is the historical center of the City and contributes to the small town character and uniqueness of the City. The Downtown consists of a variety of land uses, including residential, commercial, office, civic uses, and public facilities. The proposed General Plan includes significant amounts of commercial, office, and business park development in other areas of the City, such as in the Northwest Oakley Special Planning Area. This concentration of development along State Highway 4/Main Street and the land north of the BNSF Railroad could potentially detract from the Downtown as a central destination within the City, which would reduce Oakley's unique character. As a mitigation measure, the proposed General Plan includes direction that will help to maintain the strength of the Downtown area of Oakley.

The following are examples of Policies and Programs throughout the General Plan Elements that support the preservation of Downtown Oakley as the Center of the City:

- Encourage higher density residential development at locations within convenient walking distance of Downtown, shopping centers, and bus routes. – *Land Use Element (LUE) Policy #2.2.6;*
- Encourage businesses that support and contribute to an economically vital and diverse downtown Oakley. – *LUE Policy #2.3.7;*
- Consider separate standards for individual commercial areas, including business parks, downtown, or other employment centers. The commercial areas may provide for a mix of residential and commercial uses as determined appropriate by the City. – *LUE Policy #2.3.8;*
- Ensure the provision of sufficient and adequately distributed parking with the Downtown area to help promote an economically viable Downtown business district. – *LUE Policy #2.3.12;*
- The City should place substantial emphasis on the improvement of the downtown area. – *LUE Policy #2.8.1;*
- The downtown area should be developed at a pedestrian scale, with adequate and safe sidewalks, street crossings, and pedestrian resources. – *LUE Policy #2.8.2;*
- Street trees should be incorporated in the downtown area to shade the sidewalks and to provide a physical separation between the street and the pedestrian sidewalks. In the downtown area, off-street parking should be discrete and in the rear setback, where possible. – *LUE Policy #2.8.3;*
- New construction in the downtown area should be designed at a scale and character that is consistent with the historic resources downtown. – *LUE Policy #2.8.4;*

- Sidewalks and bicycle lanes of sufficient width should be included in major street improvement programs wherever feasible. – *LUE Policy #2.8.5*;
- Commercial development should provide opportunities for interaction between patrons and pedestrians. Examples include storefront display windows, sidewalk cafes and exterior seating, and pedestrian-scale signage. – *LUE Policy #2.8.9*;
- Within five (5) years, prepare and adopt design guidelines for commercial structures and signage. The guidelines shall specifically address commercial shopping centers, business parks, the Downtown area, neighborhood commercial areas, and all other commercial uses. – *LUE Program #2.3.A*;
- Study the potential for centralized parking in the Downtown area and the possible establishment of a parking district. – *LUE Program #2.3.B*;
- Develop a process of review for all development applications involving the modification of historically significant structures. – *LUE Program #2.5.A*;
- The City will pursue grants and other public and private sources of funding to implement the redevelopment of the downtown area. – *LUE Program #2.8.B*;
- The City will develop a series of design guidelines, ordinances, or regulations to describe architectural expectations, permissible signage, and appropriate land uses in the downtown area. – *LUE Program #2.8.C*;
- Recruit businesses and land uses that are consistent with long-term economic development goals, including employment generation and businesses, which have the potential to generate increases to the City’s tax base. Uses that meet the intent of this include specialty commercial operations, including those fitting within the desired character of the Downtown and along Highway 4/Main Street. – *Economic Development Element (EDE) Program #5.1.C*;
- Continue to recognize the importance of making an adequate supply of land available for economic development. Specific properties and targeted land uses include Downtown and Main Street Realignment Properties. The City of Oakley Downtown Design and Development Plan will guide development activities within the Oakley downtown. Properties in the downtown area and along Highway 4/Main Street are envisioned for on-going economic development purposes, including specialty retail and commercial uses. Underutilized properties are recognized as providing substantial opportunity for redevelopment and intensification of commercial operations where appropriate site development standards are met and when the new or expanded uses can be shown to be compatible with adjoining residential uses. Streetscape improvements can be used to help achieve a unique and desired character for downtown development, perhaps with financial assistance provided by the City’s Redevelopment Agency. Development efforts in the downtown should individually and collectively reinforce the image of the downtown as a destination location for residents and visitors to the City. – *EDE Program #5.1.L*;
- Develop a program to increase the amount of private lending and investment in Oakley, particularly in the downtown and along the Highway 4/Main Street corridor, by banks and other financial institutions, public-private financing partnerships, and small business

assistance. This Program item will require close coordination with the Redevelopment Agency. – *EDE Program #5.4.A*;

- Promote the compatibility of new development located adjacent to existing structures of historic significance with the architecture and site development of the historic structure. – *Open Space and Conservation Element (OSCE) Policy #6.5.1*;
- Recognize the value of Oakley’s historic resources as an economic development tool. – *OSCE Policy #6.5.4*;
- Ensure that the integrity of historic structures and the parcels on which they are located are preserved through the implementation of applicable design, building, and fire codes. – *OSCE Policy #6.5.5*;
- Work with property owners to preserve historic features within the community. – *OSCE Policy #6.5.6*; and
- Partner with EBRPD and other stakeholders to plan and complete a comprehensive shoreline trail system with connections back into downtown Oakley. – *Parks & Recreation Element (PRE) Program #7.4.E*.

Consequently, even though other commercial areas are proposed in the Oakley Planning Area, the impacts to the viability of the Downtown are considered less than significant.

Mitigation Measures

No mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan policies would reduce this impact to a *less than significant* level.

Impact 3.1-E: *The proposed General Plan may result in a cumulative impact on land use and development, regional population growth, and jobs/housing balance. (Potentially Significant)*

Discussion and Conclusion: The General Plan Land Use Map assigns a land use designation to all properties within the Planning Area. If the entire Planning Area were to be developed as depicted on the Land Use Plan Map, the Planning Area would be considered built out. The basic projections developed during the General Plan process for the 20-year planning period (to the year 2020) – population, housing units, employment, and demands for land – clearly indicate that less than full build-out will occur by the Year 2020. Therefore, the EIR addresses the 20-year planning period as the project, and assumes the Plan build-out as the cumulative impact. These impacts are mitigated by the Plan’s Goals, Policies, and Programs. Therefore, this is a less than significant impact and no mitigation is required.

Mitigation Measures

No mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan policies would reduce this impact to a *less than significant* level.

3.2 AESTHETIC RESOURCES

For a more detailed environmental setting discussion regarding aesthetic resources, see the Oakley 2020 General Plan Background Report (September 2001) and the Oakley 2020 Draft General Plan (September 2002), available from the Oakley Community Development Department.

Aesthetic and visual resources are generally defined as those features of a landscape that attract viewer interest and promote a favorable impression. Each person has his/her own opinion as to what is aesthetic. Nevertheless, there are commonly accepted standards about what is considered visually pleasing and what is an “eyesore.” This section addresses those aesthetic features that might most readily be discerned by an Oakley resident or visitor and how the proposed General Plan may affect those features.

3.2.1 ENVIRONMENTAL SETTING SUMMARY

Scenic resources in Oakley include predominant natural landscape features such as the Delta, Dutch Slough, Marsh Creek, agricultural and other open space lands, as well as the views of Mount Diablo to the west. The City wants to protect and preserve these valuable scenic resources.

The City’s predominantly flat landscape is rich in scenic resources. Oakley’s scenic resources include the waterways of the Delta, Dutch Slough, Marsh Creek, habitat areas, and open space land. Other scenic resources include views of Mount Diablo west of the City. At the Issues Identification Workshop on February 5, 2001, Issue OS-5 (preserve scenic resources and view corridors within Oakley, i.e. Mt. Diablo, Delta, river, etc.) got a rank of 2.2, which categorized it as a Significant Issue.

Views of the Delta are primarily visible from the waterfront marinas. Mt. Diablo can be seen from almost anywhere in the City, but mostly from those streets running east and west. The rural small town character is evident throughout the City, both in the historic downtown area along Main Street and in the agricultural areas to the south. For scenic areas that are planned for some amount of development, the application review process shall consider the feasibility of preserving or protecting the scenic aspects of the site. Not only will the site be evaluated with regard to its appearance and its compatibility with surrounding land uses, but it will also be evaluated in regards to potential blocking of scenic views of neighboring land uses.

3.2.2 THRESHOLDS OF SIGNIFICANCE

The CEQA Guidelines suggest that a proposed project would result in significant aesthetic and visual impacts if the proposed project:

- Has a substantial adverse effect on scenic vistas and visual natural resources within the City of Oakley
- Has a substantial negative impact on the visual character of the built environment in the City of Oakley.

3.2.3 ANALYSIS OF IMPACTS

Impact 3.2-A: *Development associated with the proposed General Plan may impact scenic vistas and visual natural resources within the Planning Area. (Potentially Significant)*

Discussion and Conclusion: The *Oakley 2020 General Plan* contains Goals, Policies, and specific implementation Programs that are designed to ensure this impact will not be significant. A thorough list of all *Oakley 2020 General Plan* goals, policies, and implementation programs can be found in Appendix B.

The *Oakley 2020 General Plan* has a Goal of preserving the scenic qualities of the Delta Waterway, Marsh Creek, and views of Mount Diablo [*Open Space and Conservation Element (OSCE) Goal #6.7*]. This protection is demonstrated in the numerous Policies and Programs presented in the General Plan, e.g.:

- Preserve open space areas, of varying scales and uses, both within development projects and at the City's boundary. – *Land Use Element (LUE) Policy #2.1.5*;
- Ensure a strong physical connection to the Delta including convenient public access and recreational opportunities. – *LUE Policy #2.1.6*;
- Maintain a separation between the City of Oakley and the City of Brentwood in order to retain an individual character of Oakley. – *LUE Policy #2.1.9*;
- Preserve, enhance, and restore selected existing natural habitat areas, as feasible. – *LUE Policy #2.6.6*;
- Create new wildlife habitat areas in appropriate locations, which may serve multiple purposes of natural resource preservation and passive recreation, as feasible. – *LUE Policy #2.6.7*;
- Within five (5) years, develop design guidelines and performance standards for the development and operation of industrial uses in the City of Oakley. The design guidelines will consider building and site design, signage and other physical features of the project. The

performance standards will address noise, odor, visual and similar impacts and will provide a standard under which industrial uses in the City must operate. – *LUE Program #2.4.B;*

- Pursue opportunities, including grants to purchase rights of way, easements, or other instruments that would ensure access to the Delta, parkland, open space, or waterways. – *LUE Program #2.6.A;*
- Preserve and enhance the natural characteristics of the San Joaquin Delta and Dutch Slough. – *Open Space and Conservation Element (OSCE) Policy #6.3.4;*
- Preserve and enhance Delta wetlands, significant trees, natural vegetation, and wildlife populations. – *OSCE Policy #6.3.5;*
- Preserve and expand stream corridors in Oakley, restoring natural vegetation where feasible. – *OSCE Policy #6.3.7;*
- Establish buffers from adjoining land uses to protect the natural open space resources in the City. – *OSCE Policy #6.6.1;*
- Preserve and enhance the watershed, natural waterways, and areas important for the maintenance of natural vegetation and wildlife populations. – *OSCE Policy #6.6.2;*
- Encourage access and improvements along the City’s waterways, particularly the San Joaquin Delta, Marsh Creek and Dutch Slough. – *OSCE Policy #6.6.3;*
- Where feasible and desirable, major open space components shall be combined and linked to form a visual and physical system in the City. – *OSCE Policy #6.6.4;*
- Preserve and enhance views of the Delta and Mount Diablo to the extent possible. – *OSCE Policy #6.7.1;*
- New development and redevelopment along the Delta, adjacent to Marsh Creek and throughout the City should take advantage of view opportunities and visual impacts to the waterway and Mount Diablo, respectively. – *OSCE Policy #6.7.2;*
- Evaluate the feasibility of expanding drainage easements along waterways and modifying banks and/or levees to increase the width of stream corridors. – *OSCE Program #6.3.G;*
- Investigate and implement as appropriate City Zoning regulations requiring expanded setbacks, and land dedications along waterways to allow expansion and enhancement of waterways. – *OSCE Program #6.3.H;*
- Pursue opportunities for additional open space land in the form of parkland dedication, and public open space easements, leaseholds, land donations/dedications, and gift annuities. – *OSCE Program #6.6.B;*
- Develop guidelines, as funding becomes available, for development along scenic waterways to maintain the visual quality of these areas. – *OSCE Program #6.7.A;*
- Review development applications for discretionary actions to determine aesthetic impacts and visual compatibility with surrounding property. – *OSCE Program #6.7.B;*
- Focus on development of parks, not leftover residual space. Parks should not be used as buffers for surrounding developments nor used to separate buildings from the street. Views

from surrounding streets should be considered in location of the park site and individual park features. – *Parks and Recreation Element (PRE) Policy #7.3.5*;

- Manage shoreline and regional parks along Oakley’s waterfront such as the Big Break and Dutch Slough shoreline in a manner that provides for appropriate public access and enhances the natural environment. – *PRE Policy #7.4.3*;
- Connect special purpose facilities, shoreline, and regional parks, whenever possible, by trails and paths. Use of trails by pedestrians, joggers, bikers, or other non-motorized transportation, or equestrian activity shall be determined and posted as necessary. – *PRE Policy #7.4.10*;
- Protect the visual accessibility of waterways by avoiding future development that creates visual barriers adjacent to or along the water’s edge. – *PRE Policy #7.4.11*;
- Require proposed development, streets, and parks along the waterfront to maintain and enhance views of the Delta through the development review process. – *PRE Program #7.4.B*; and
- Pursue public and private partnerships needed to acquire necessary land and to improve a public or private/public commercial recreation area at Dutch Slough. – *PRE Program #7.4.C*;

It is clear that the City of Oakley intends that its scenic resources, which include the waterways of the Delta, Dutch Slough, Marsh Creek, habitat areas, open space land and views of Mount Diablo west of the City will be efficiently protected. The Plan’s Goals, Policies, and Programs mitigate any potential impacts on the aesthetic qualities inherent in the Planning Area. Therefore, this is a less than significant impact and no mitigation is required.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.2-B: *Development associated with the proposed General Plan may alter the existing visual character or quality and urban design of the Planning Area. (Potentially Significant)*

Discussion and Conclusion: The *Oakley 2020 General Plan* has a Goal of preserving the scenic and enduring qualities of the City of Oakley [Land Use Element (LUE) Goals #2.1, 2.7, 2.8, and 2.9]. This preservation is demonstrated in the numerous Policies and Programs presented in the General Plan, such as:

- Promote commercial and residential development that supports the small town character of Oakley. Key elements include scale of buildings, landscaped open areas within projects, and safe and accessible multi-use trails. – *Land Use Element (LUE) Policy #2.1.3*;
- Recognize Oakley’s predominantly single family residential character and distinctive qualities in planning and development decisions. – *LUE Policy #2.2.1*;

- Require that new development be generally consistent with the scale, appearance, and small town character of Oakley. – *LUE Policy #2.2.2*;
- The City shall promote renewal and retention of businesses and commercial districts within Oakley. – *LUE Policy #2.3.2*;
- Review all development proposals involving historic buildings to ensure that modifications are consistent with the overall historic architecture and authenticity of the building. – *LUE Policy #2.5.1*;
- Review infill development for consistency with architectural character in the surrounding neighborhood. – *LUE Policy #2.5.3*;
- In historic areas, promote land uses that are consistent with the historic nature of the area. – *LUE Policy #2.5.5*;
- Within five (5) years, develop design guidelines and performance standards for the development and operation of industrial uses in the City of Oakley. The design guidelines will consider building and site design, signage and other physical features of the project. The performance standards will address noise, odor, visual and similar impacts and will provide a standard under which industrial uses in the City must operate. – *LUE Program #2.4.B*;
- Develop a process of review for all development applications involving the modification of historically significant structures. – *LUE Program #2.5.A*;
- Improve the appearance of the City as a means of attracting new businesses to Oakley. – *Economic Development Element (EDE) Policy #5.3.2*;
- Prepare and adopt a Community Preservation and City Beautification Ordinance. Partial funding for Ordinance implementation within the Redevelopment Project Area shall be provided by the Oakley Redevelopment Agency. – *EDE Program #5.3.B*;
- Undertake amendments to the Zoning Ordinance and other sections of the Oakley Municipal Code in order to establish clear property maintenance standards, applicable to residential, commercial, office and industrial properties. The standards should focus on maintenance of appearance of all properties in Oakley. Further, disallow keeping of nonpermitted junk yards on all properties, require screening of all outdoor storage of materials and equipment from public streets and establish restrictions on the allowed height of outdoor storage. This action may also include amendments to the City’s Sign Code to encourage or require removal of old, obsolete signs that detract from the appearance of main City thoroughfares. – *EDE Program #5.3.C*;
- Identify blighted properties and structures in Oakley requiring beautification efforts. Seek property owner involvement with the City in improving the appearance of such properties. The City may pursue grants and other funding mechanisms (outside of use of General Funds) to help improve the appearance of these properties. – *EDE Program #5.3.E*;
- Promote the compatibility of new development located adjacent to existing structures of historic significance with the architecture and site development of the historic structure. – *Open Space and Conservation Element (OSCE) Policy #6.5.1*;

- Respect the character of the building and its setting during the remodeling and renovation of facades of historic buildings. – *OSCE Policy #6.5.2*;
- Recognize the value of Oakley’s historic resources as an economic development tool. – *OSCE Policy #6.5.4*;
- Work with property owners to preserve historic features within the community. – *OSCE Policy #6.5.6*; and
- Identify funding mechanisms, including funding from the City to the extent possible, to support programs to preserve, restore, and enhance unique historic sites. – *OSCE Program #6.5.B*.

It is clear that the City of Oakley intends that Oakley’s community character will be efficiently preserved. The Plan’s goals, policies, and programs mitigate any potential impacts on the visual character and quality inherent to Oakley. Therefore, this is a less than significant impact and no mitigation is required.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.2-C: *Development associated with the proposed General Plan may change the City character. (Potentially Significant)*

Discussion and Conclusion: See discussion on Impact 3.2.B.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

3.3 CIRCULATION/TRANSPORTATION

For a more detailed environmental setting discussion regarding transportation and circulation, see the Oakley 2020 General Plan Background Report (September 2001) and the Oakley 2020 General Plan (September 2002), available from the Oakley Community Development Department.

3.3.1 ENVIRONMENTAL SETTING SUMMARY

Build-out of the Oakley General Plan Preferred Alternative will result in an estimated population of 68,453 and employment of approximately 36,374, which represents a substantial amount of growth when compared to existing conditions. Other communities in eastern Contra Costa County are also expecting to experience substantial growth in the future. This growth in population and employment will cause significant increases in travel in and around the City, and additional transportation facilities will be needed to accommodate the increased demand.

Roadway System

Street System

Automobile indicates are the primary form of transportation in the City of Oakley. The *Circulation Element of the Oakley 2020 Draft General Plan* states that the proportion of Oakley residents who drive alone has remained quite constant over the past 10 years, at just over 77 percent of work trips. It also shows that carpooling remains the second most popular commute mode, although it has declined somewhat in the last 10 years relative to walking and other modes (including residents who work out of their homes).

The Oakley roadway system can be described as a hierarchy of streets, ranging from freeways to local streets. These are freeways¹(no freeway facilities within Oakley corporate limits); arterials²(Main Street, Neroly Road, Cypress Road [east of Main Street], Empire Avenue, and Laurel Road); and collectors³ (Cypress Road [west of Main Street], Vintage Parkway, O'Hara Avenue, Carpenter Road, Rose Avenue, Brown Avenue, and Live Oak Avenue).

The remainder of the Oakley street system consists of local streets⁴ and two-lane rural roads. The principal arterial in Oakley is Main Street (State Route 4), which connects with Brentwood to the south, and State Route 160 to the west. Empire Avenue is a major north/south divided arterial from Main Street to West Cypress Road, which carries traffic from Brentwood and many of Oakley's subdivisions to Main Street.

¹ *Freeways* are limited access, multi-lane facilities that accommodate regional travel. Access is limited to ramps that are grade-separated from the mainline, and direct access to adjacent properties is not permitted.

² *Arterials* carry traffic from the freeway to the surrounding street system, and carry traffic through the community and between Oakley and neighboring jurisdictions. Arterial streets provided limited access to adjacent land uses, with median islands and consolidation of driveways restricting the number of access points.

³ *Collectors* carry traffic from arterials to local streets, and generally provide extensive access to adjacent development.

⁴ *Local* streets have the primary purpose of providing direct access to fronting land uses, and are typically characterized by no more than two travel lanes and parking on one or both sides of the street.

While major intersections on Main Street are controlled with traffic signals, most of the intersections on Main Street and throughout the rest of Oakley are controlled with stop signs. Many of the unsignalized intersections on Main Street are located in Oakley's downtown area. It is difficult to turn left from any unsignalized intersection onto Main Street in the peak hours due to high Main Street volumes.

The Circulation Element shows six roadway segments in Oakley with a current Level of Service (LOS) worse than a LOS D⁵. All had a LOS of F⁶. These are:

1. Main St. west of Live Oak Rd.;
2. Main St. west of Vintage Pkwy.;
3. Main St. west of Rose Ave.;
4. Main St. south of Cypress Rd.;
5. Main St. south of Laurel Rd.; and
6. Brentwood Blvd. south of Delta Rd.

The analysis presented in the Circulation Element shows that about 70% of the roads analyzed are operating within capacity at LOS D or better. The remaining 30% of the analyzed road segments, all of them located along or adjacent to Main Street, are operating at LOS F. While level of service based on average daily traffic volumes is useful for determining the required number of lanes on a road, the primary constraint on road capacity is at intersections. Intersection operations constitute most of the delay experienced by drivers.

The Circulation Element also analyzed existing intersection levels of service for 30 intersections within Oakley and found:

- Two intersections currently operate over capacity at LOS F⁷ both in the morning and evening (Main St & Live Oak Ave and Delta Rd & Main St) and
- Two intersections currently operate over capacity at LOS E⁸ in the evening only (Oakley Rd & Neroly Rd and W Cypress Rd & Empire Ave)

Whereas this only represents about 13 percent of the intersections, it is important to note that all of these intersections are currently unsignalized.

⁵ The level at which performance standards have traditionally been established is LOS D, which is a common standard used in communities throughout Contra Costa County.

⁶ Roadway LOS F equates to congested stop-and-go operation with low speeds, substantial delay and long vehicle queues

⁷ Intersection LOS F equates to an average delay at intersection of greater than 50 seconds

⁸ Intersection LOS E equates to an average delay at intersection of less than 50 seconds but greater than 35 seconds

Bicycle and Pedestrian System

There are presently only limited bicycle facilities within Oakley. Bicycle lanes are provided on Cypress Road between Rose Avenue and Marsh Creek. Other streets with Class II bicycle lanes include Vintage Parkway from Main Street to Big Break Road and portions of Delta Road. The Contra Costa Countywide Transportation Plan designates Oakley Road/Empire Avenue/Cypress Road as a Regional Bicycle Route, providing a connection to the Marsh Creek Regional Trail. The Marsh Creek Regional Trail, along with the Delta de Anza Regional Trail (between Neroly Road and Cypress Road) are multi-use, paved trails for hikers, horses, and bicycles.

Sidewalks are provided in most of the newer Oakley subdivisions and on some City streets that have been improved relatively recently. Older, more rural facilities do not always have continuous sidewalks or pathways. Gaps in the sidewalk system currently exist on Main Street, Neroly Road/Bridgehead, Live Oak Avenue, Empire Avenue (south of Laurel), O'Hara Avenue (south of Laurel), Oakley Road, Laurel Road, and Brownstone Road.

Public Transportation

Two primary types of public transit serve Oakley: school transportation services and Tri-Delta Transit. Approximately 13 percent of the 2,200 students at Freedom High School arrive by school bus. Roughly 19 percent of Oakley elementary and middle school students (total of 4,400 students) arrive by school bus on five routes. Six special education buses are also provided.

Tri-Delta Transit, which provides public transit to Oakley, was formed in 1976 as a Joint Powers Agency (JPA) consisting of the cities of Antioch, Brentwood, Pittsburg, and the county of Contra Costa.

Oakley incorporated as a city and joined in 1999. There are four fixed route services within the City include:

- A peak hour only service at 30-minute intervals between Brentwood and the Pittsburg/Bay Point BART Station that carries approximately 230 passengers per day;
- A daily service line at hourly intervals between Oakley and the Hillcrest Park & Ride that provides the most extensive public transit routing on City of Oakley streets, and serves about 200 passengers per day;
- A daily service line at hourly intervals between Brentwood and the Pittsburg/Bay Point BART Station that serves 1,390 passengers per day; and
- A weekend service line at hourly intervals between Brentwood and the Pittsburg/Bay Point BART Station that serves 1,360 passengers per day.

It is important to note that only about six percent of the transit ridership occurs on the most extensive public transit routing on City of Oakley streets.

Paratransit (Dial-A-Ride) service is also provided by Tri-Delta Transit. The Dial-A-Ride service utilizes a computerized dispatch system to match van routing with passenger trip requests.

Rail, Aviation, and Trucks

Rail

The Burlington Northern/Santa Fe (BNSF) Railroad maintains an active freight line through Oakley, part of a route that connects Contra Costa County with Stockton and other destinations to the south and east. Freight service is handled by approximately 28 daily trains; an additional 8 to 10 trains are operated by Amtrak in passenger service, with the closest stop located in Antioch. There are no grade-separated rail crossings in Oakley. Commuter rail service is not provided within Oakley.

Aviation

The nearest commercial aviation facilities are Oakland International Airport and Sacramento Metropolitan Airport. Byron Airport, a general aviation airport, is located to the south of Oakley and operates as a charter and private aviation facility.

Trucks

Truck traffic represents a relatively small percentage of traffic on most Oakley streets. Main Street is the only designated truck route within the community.

Transportation Demand Management

Transportation Demand Management programs, commonly referred to by the acronym TDM, are intended to reduce the number of solo occupant vehicles through strategies such as carpools, vanpools, employer shuttles, staggered work hours, and telecommuting. Oakley TDM programs include the existing TRANSPLAN/TRANSPAC TDM Program, the Schoolpool Program, and the Countywide Carpool and Countywide Transit Incentive Programs.

In addition to efforts within East County, TDM programs throughout Contra Costa County are now coordinated under the auspices of the Contra Costa Commute Alternative Network. This program offers the Countywide Vanpool Program, the Countywide Guaranteed Ride Home Program, Employer-Based Trip Reduction Efforts, the Contra Costa Clean Fuel Vehicle Project, and the Transportation Information Kiosk Project.

Planned Improvements

Roadways

The primary roadways of the future circulation system in Oakley are described in the Circulation Element of the General Plan. This EIR will highlight these discussions for the purpose of determining environmental significance.

Analysis provided in the Circulation Element was designed to accommodate forecasts of traffic demand based on the land use projections contained in the Land Use Element, while continuing to achieve an LOS of D (common standard used in communities throughout Contra Costa County). Contra Costa County and cities in the County must adopt a Level of Service on basic roads pursuant to Measure C. A more detailed discussion of the implications of Measure C is provided below.

Figure 3-1 in the Circulation Element of the *Oakley 2020 General Plan*, presents the proposed circulation system for Oakley, showing the street classification and size needed to accommodate the growth in travel demand and the estimated daily traffic volumes on the major roads in the City, at build-out of the General Plan.

It must be noted that the alignment of future roadways as presented on the Circulation Diagram is schematic; precise alignments will be subject to further study before development. Further details about the methodologies used to determine circulation needs and the results of the analysis can be found in the *Long Range Circulation Plan*, Fehr & Peers Associates, August 2002.

Two major truck routes serve the Oakley area. At build-out of the General Plan, the SR 4 Bypass will provide the primary route for regional goods movement through the area. Main Street (existing SR 4) will continue to serve as the primary route for goods movement within Oakley, and will be connected to the SR 4 Bypass by Lone Tree Way in Brentwood and by Laurel Road in Oakley. Secondary truck routes include all the arterials in the City.

Bicycles and Pedestrian Circulation

Bicycles are a promising mode of transportation in eastern Contra Costa County, because of the relatively flat terrain and generally favorable climate. Development of a comprehensive bikeway system within Oakley would provide incentives for the use of bicycles as a regular mode of transportation, which is a goal of this General Plan. Another goal of the General Plan is to support pedestrian activity by providing pedestrian facilities within existing and new development areas, and to eliminate physical barriers that prevent pedestrians from walking between destinations.

To further the objectives of providing a safe and convenient bicycle and pedestrian circulation system, a Bicycle and Pedestrian Master Plan will be developed, including design standards for bicycle and pedestrian facilities, evaluation of current bicycle promotion programs, analysis of bicycle and pedestrian accidents, and a capital improvement program to ensure adequate maintenance of bicycle and pedestrian facilities. The City will also maintain an inventory of bicycle and pedestrian facilities, which will allow identification of gaps in the bicycle/pedestrian system and will contribute to the development of the Bicycle and Pedestrian Master Plan. A map of proposed bicycle lanes and bicycle/pedestrian trails is included as Figure 7-3 in the Parks and Recreation Element.

Transit

Future transit needs in Oakley include internal circulation and commute services. The City should continue to coordinate with Tri-Delta Transit to improve service within Oakley, and between Oakley and other East County destinations (such as the Pittsburg/Bay Point BART station). Improvements to longer-distance commute routes could include service between Oakley and major employment centers outside East County, such as the Tri-Valley and Santa Clara County. The City should work with regional transit agencies to coordinate this type of service, and should identify locations for additional park-and-ride facilities that could contribute to the success of commute-oriented transit services.

The City should continue to actively participate in studies and planning efforts related to the extension of commuter rail service to Oakley. The City is currently participating in the *State Route 4 East Corridor Transit Study*, led by the Contra Costa Transportation Authority and BART. This Study acknowledges that highway improvements alone cannot keep pace with the development expected in East County, and attempts to define short-term and long-term transit strategies for the SR 4 corridor. One of the potential commuter transit station locations identified in this Study is the area around the intersection of Empire Avenue and Neroly Road, which is shared between the jurisdictions of Oakley, Brentwood and Antioch.

The policies in the General Plan support the use and expansion of transit services in Oakley. Some policies call for the City to work with Tri-Delta Transit and major developers to ensure that new roads and development projects include appropriate facilities for transit service, such as bus stops and shelters. Others encourage land use patterns that minimize vehicle trips and support transit usage.

Related Plans and Programs

A number of plans and programs exist which directly relate to the goals of the Circulation Element. Enacted through state and local action, these plans and programs are administered by agencies with responsibility for their enforcement.

Congestion Management Program

The Contra Costa Transportation Authority (CCTA) serves as the Congestion Management Agency (CMA) for Contra Costa County. CCTA adopted the county's first Congestion Management Program (CMP) in October 1991. The most recent CMP, referred to as the 2001 CMP Update, represents the fifth biennial update that the Authority has prepared. The 2001 CMP contains several components, including:

- Traffic level-of-service standards that apply to a system that includes at least all State highways and principal arterials;
- A performance element that includes performance measures to evaluate current and future multi-modal system performance for the movement of people and goods;
- A seven-year capital improvement program that maintains or improves the performance of the multi-modal system for the movement of people and goods or mitigates regional transportation impacts identified in the land use evaluation program;
- A program to analyze the impacts of land use decisions made by local jurisdictions on regional transportation systems, including an estimate of the costs associated with mitigating those impacts; and
- A travel demand element that promotes transportation alternatives to the single-occupant vehicle.

These components, and the policies contained therein, apply only to State Route 4 (Main Street) in Oakley. CCTA, through cooperation with Contra Costa cities including Oakley, is responsible for collecting the travel data and conducting the technical analyses necessary to prepare the CMP. Signalized intersections along State Route 4 through Oakley have complied with the CMP performance element (based on a standard of LOS E) since the original CMP legislation was adopted.

Measure C—1988 Growth Management Program

In November 1988, the voters of Contra Costa County approved Measure C, thereby approving both Transportation Improvement and Growth Management Programs and authorizing a 0.5% sales tax to fund associated improvement projects. In order to receive local street maintenance and improvement funds under Measure C, the County and each city in the county is required to develop a Growth Management Element as part of their General Plan. The overall intent of the Measure C program is:

- To establish a long-range program matching the demand for public facilities to serve new development with plans, capital improvement programs, and development impact mitigation programs; and,
- To ensure that growth takes place in a manner that will ensure protection of health, safety and welfare of both existing and future residents of Contra Costa County.

In order to receive funding under Measure C, each land use agency within Contra Costa County must establish policies and standards for traffic levels of service (LOS) and set performance standards for fire, police, parks, sanitary facilities, water, and flood control to generally ensure that adopted standards for public facilities are maintained as the community grows.

Measure C gave the Contra Costa Transportation Authority (CCTA) the responsibility for carrying out a program of planning and growth management within Contra Costa County. The overall goal of the CCTA GMP called for in Measure C is to "achieve a cooperative process for Growth Management on a countywide basis, while maintaining local authority over land use decisions and the establishment of performance standards." Using a formula based on road miles and population, CCTA allocates 18 percent of the sales tax revenues it receives to local jurisdictions that comply with GMP requirements. Oakley participates in the Measure C program as a member of the TRANSPLAN subregional transportation planning committee, which consists of Antioch, Brentwood, Oakley, Pittsburg, and Contra Costa County. To receive these funds, each jurisdiction must:

- Adopt a growth management element, as part of its General Plan, that establishes level-of-service standards for roadways and performance standards for other public facilities;
- Adopt a development mitigation program that ensures that new development pays its fair share of the costs of additional facilities needed to support it;
- Participate in cooperative planning with other jurisdictions in Contra Costa;
- Develop a five-year capital improvement program to meet or maintain traffic service and performance standards;
- Adopt a transportation demand management resolution or ordinance; and
- Address the balance of jobs and housing within the jurisdiction.

As described earlier, each Contra Costa jurisdiction must adopt level of service standards for *Basic Routes* and implement actions and meet Transportation Service Objectives for *Routes of Regional Significance*. Oakley has adopted LOS D, or a volume-to-capacity (V/C) ratio of 0.89, as the threshold of acceptability for signalized intersections. Approval of a development proposal that would result in a violation of either set of LOS standards could result in a finding of non-compliance by CCTA, which would potentially jeopardize Oakley's annual allocation of return-to-source funding. The only Route of Regional Significance in Oakley, which is evaluated according to different criteria than Basic Routes, is Main Street (State Route 4).

One of the conditions for Oakley's compliance with the Growth Management Program is continuing implementation of actions included in the *East County Action Plan Final 2000 Update*. These actions include the following:

- Implementing regional transportation improvements, including the State Route 4 bypass and the widening of non-freeway State Route 4 through Oakley;
- Participating in a growth management and monitoring program;

- Participating in an East County regional economic development program and an East County subregional impact fee program;
- Installing traffic signals on State Route 4 at O'Hara and Norcross;
- Exploring commuter rail transit options;
- Pursuing additional Park and Ride lots along the State Route 4 corridor;
- Continuing to participate in Transportation Demand Management programs;
- Lobbying for increased transportation funding at the state and regional levels;
- Encouraging walking and bicycling;
- Expanding bus service;
- Pursuing a jobs/housing balance in East County; and
- Encouraging adequate maintenance of the transportation system.

The *East County Action Plan Final 2000 Update* specifies Transportation Service Objectives (TSOs) and actions for State Route 4 from State Route 160 to the San Joaquin County Line. The TSO for this segment of State Route 4 is LOS D or better at signalized intersections and LOS E or better at unsignalized intersections. Two unsignalized Oakley intersections do not currently meet this TSO: Main Street at Live Oak Avenue (LOS F) and Main Street at Delta Road (LOS F).

3.3.2 THRESHOLDS OF SIGNIFICANCE

The City of Oakley has established a level of service standard for signalized intersections, as required by Contra Costa County's Measure C. Accordingly, all signalized intersections must operate at LOS D or better, as evaluated by CCTA's LOS methodology. Oakley's standard is consistent with the standards set in the *Action Plan for Routes of Regional Significance* prepared by TRANSPLAN, which identified the intersection TSO for the regional routes in Oakley as LOS D with a v/c ratio of 0.89 or better. Significant traffic impacts at signalized intersections are defined to occur when the addition of project traffic causes:

- Intersection operations to deteriorate from an acceptable level (LOS D or better with a v/c ratio equal to or less than 0.89) to an unacceptable level (LOS D or worse with a v/c ratio greater than 0.89) or improve from an unacceptable level to an acceptable level; or
- Volume-to-capacity ratio at an intersection operating at an unacceptable level to increase by 0.01.

Other significance criteria used in this study for transportation impacts include:

- Conflicts with local or regional policies or programs supporting alternative transportation;
- Creating unsafe conditions for pedestrians or bicyclists;
- Causing a substantial delay to transit service, or increase demand for transit beyond existing capacities.

3.3.3 ANALYSIS OF IMPACTS

Impact 3.3-A: *New urban development associated with the proposed General Plan may result in increased traffic exceeding Level of Service (LOS) standards for roadway segments and signalized intersections. (Potentially Significant)*

Discussion and Conclusion: The City of Oakley, being responsible to the CMP (the most recent CMP referred to as the 2001 CMP Update) and the GMP (called for in Measure C-1988), must adopt level of service standards for *Basic Routes* and implement actions and meet Transportation Service Objectives for *Routes of Regional Significance*. Oakley has adopted LOS D, or a volume-to-capacity (V/C) ratio of 0.89, as the threshold of acceptability for signalized intersections. The only Route of Regional Significance in Oakley, which is evaluated according to different criteria than Basic Routes, is Main Street (State Route 4).

Oakley also must comply with the GMP by continuing implementation of actions included in the *East County Action Plan Final 2000 Update*, which specifies TSOs and actions for State Route 4 from State Route 160 to the San Joaquin County Line. As mentioned above, two unsignalized Oakley intersections do not currently meet this TSO: Main Street at Live Oak Avenue (LOS F) and Main Street at Delta Road (LOS F).

The City of Oakley has integrated traffic improvement standards primarily in the Circulation Element but also at other locations throughout the Policies and Programs of the General Plan. Examples of these Policies and Programs are:

- Strive to maintain Level of Service D as the minimum acceptable service standard for intersections during peak periods (except those facilities identified as Routes of Regional Significance). – *Circulation Element (CE) Policy #3.1.1;*
- For those facilities identified as Routes of Regional Significance, maintain the minimum acceptable service standards specified in the *East County Action Plan Final 2000 Update*, or future Action Plan updates as adopted. – *CE Policy #3.1.2;*
- Create and maintain fee and other programs adequate to assure sufficient financing and land to maintain and achieve prescribed Levels of Service. – *CE Policy #3.1.7;*
- Mitigate conflicts between new roadway improvements and existing rural roadways when the identified conflicts threaten public health, safety, and welfare. – *CE Policy #3.1.8;*
- Prior to approval of all projects, demonstrate that traffic levels of service and performance standards will be maintained, or that a funding mechanism and timeline has been established which will provide the infrastructure to meet the standards. Ensure that developers fund traffic impact studies that identify on-site and off-site effects and mitigations, and that they contribute appropriate funding for on-site and off-site improvements. – *CE Program #3.1.A;*
- If it cannot be demonstrated prior to project approval that levels of service will be met per Program 3.1.A, the City may consider the development but defer its approval until the standards can be met or assured. In the event that a signalized intersection exceeds the

applicable level of service standard, the City may approve projects if the City can establish appropriate mitigation measures, or determine that the intersection or portion of roadway is subject to a finding of special circumstances, or is a route of regional significance, consistent with those findings and/or action plans adopted by the Contra Costa Transportation Authority pursuant to Measure C-1998. Mitigation measures specified in the action plans shall be applied to all projects that would create significant impacts on such regional routes, as defined by the Authority in consultation with local agencies and as permitted by law. – *Program #3.1.B;*

- Monitor intersection Levels of Service on a biannual basis at key reporting intersections. – *CE Program #3.1.C;*
- Implement circulation improvements required to mitigate the effects of growth and to maintain the Level of Service standard. Prioritize roadway improvement projects based on traffic volume, traffic safety, availability of funding, and other measures of need as appropriate. – *CE Program #3.1.D;*
- New development shall not be approved in any areas of the City unless the applicant can demonstrate that traffic levels of service and performance standards outlined in the Circulation Element will be maintained, or that a funding mechanism and timeline has been established which will provide the infrastructure to meet the standards. – *Growth Management Element (GME) Policy #4.1.1;* and
- If it cannot be demonstrated prior to project approval that levels of service will be met per Policy 4.1.1, the City may consider the development but defer its approval until the standards can be met or assured. In the event that a signalized intersection exceeds the applicable level of service standard, the City may approve projects if the City can establish appropriate mitigation measures, or determine that the intersection or portion of roadway is subject to a finding of special circumstances, or is a route of regional significance, consistent with those findings and/or action plans adopted by the Contra Costa Transportation Authority pursuant to Measure C-1998. Mitigation measures specified in the action plans shall be applied to all projects which would create significant impacts on such regional routes, as defined by the Authority in consultation with local agencies and as permitted by law. – *GME Policy #4.1.2.*

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate an effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant level*.

Impact 3.3-B: *New urban development and intensification of use of developed areas in the Plan Area may result in increased needs for transit services not available through existing transit services and facilities. (Potentially Significant)*

Discussion and Conclusion: The 2001 CMP Update requires the City of Oakley to establish a seven-year capital improvement program that maintains or improves the performance of the multi-modal system for the movement of people and goods or mitigates regional transportation impacts identified in the land use evaluation program; a program to analyze the impacts of land use decisions made by local jurisdictions on regional transportation systems, including an estimate of the costs associated with mitigating those impacts; and a travel demand element that promotes transportation alternatives to the single occupant vehicle.

The City of Oakley has integrated transit improvement standards primarily in the Circulation Element but also at other locations throughout the Policies and Programs of the General Plan. Examples of these Policies and Programs are:

- Design new roadways and facilities to accommodate public transit. – *Circulation Element (CE) Policy #3.3.1;*
- Ensure that new public and private development supports public transit. – *CE Policy #3.3.2;*
- Encourage transit providers to improve transit routes, frequency, and level of service to adequately serve the mobility needs of Oakley residents, including those dependent on public transit. – *CE Policy #3.3.3;*
- Ensure that the density and mixture of future land uses (both public and private) encourage transit usage, walking, and bicycling. – *CE Policy #3.7.2;*
- During the planning and development review processes for new development and new roadways, incorporate provisions for bicycle, pedestrian, and public transit modes, where appropriate. – *CE Program #3.1.G;*
- When reviewing development proposals, coordinate with Tri-Delta Transit on appropriate standards for bus bays, bus turnouts, bus shelters, and other public transit amenities in new roadway design. – *CE Program #3.3.A;*
- During the development review process, require provisions in site plans for public transit vehicle stops and turning maneuvers, where appropriate. – *CE Program #3.3.C;*
- Pursue opportunities to provide additional funding for public transit service within Oakley, and between Oakley and surrounding communities. – *CE Program #3.3.D;*
- Participate in the development of the Tri-Delta Transit Short Range Transit Plan to ensure that adequate fixed route transit service is provided within Oakley, and between Oakley and surrounding communities, and that the public transit system provides convenient transfers between transit services and other modes of travel. – *CE Program #3.3.E;*
- Explore potential locations for Park-and-Ride facilities within Oakley. – *CE Program #3.3.F;*

- Coordinate with the Bay Area Rapid Transit District (BART) and the Contra Costa Transportation Authority regarding potential opportunities for BART or light rail service to Oakley. – *CE Program #3.3.G*;
- During the development review process, size streets and intersections to accommodate planned land uses consistent with the Level of Service standard, to the extent feasible. Consider the effects of pedestrian- and transit-oriented land uses when determining appropriate infrastructure size and configuration. – *CE Program #3.7.B*;
- Encourage transportation modes that minimize contaminant emissions from motor vehicle use. – *Open Space and Conservation Element (OSCE) Policy #6.2.2*;
- Minimize impacts of new development by reviewing development proposals for potential impacts pursuant to CEQA and the BAAQMD Air Quality Handbook. Apply land use and transportation planning techniques including incorporation of public transit stops. – *OSCE Program #6.2.A*;
- Promote development of affordable housing located in close proximity to services, shopping, and public transportation. – *Housing Element (HE) Policy #10.1.2*;
- Optimize multifamily opportunities on sites meeting a criterion that includes proximity to public transit or bus service. Apply this and other criteria to evaluate rezoning proposals involving multifamily development. – *HE Program #10.1.G*; and
- Support high-density residential development along corridors where regular transit service either exists or is anticipated. *HE Program #10.1.H*.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate an effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.3-C: *New urban development associated with the proposed General Plan may create additional demand for pedestrian and bicycle connections and facilities. (Potentially Significant)*

Discussion and Conclusion: The 2001 CMP Update requires the City of Oakley to establish a seven-year capital improvement program that maintains or improves the performance of the multi-modal system for the movement of people and goods or mitigates regional transportation impacts identified in the land use evaluation program; a program to analyze the impacts of land

use decisions made by local jurisdictions on regional transportation systems, including an estimate of the costs associated with mitigating those impacts; and a travel demand element that promotes transportation alternatives to the single-occupant vehicle.

The City of Oakley has integrated pedestrian and bicycle improvement standards primarily in the Land Use and Circulation Element but also at other locations throughout the Policies and Programs of the General Plan. Examples of these Policies and Programs are:

- Neighborhood commercial centers should be central to the neighborhood area they serve. Adequate access, compatibility with surrounding uses, and consistent design with a community theme are necessary. These centers should maximize access for bicycles and pedestrians. – *Land Use Element (LUE) Policy #2.3.6;*
- Ensure that, to the extent feasible, business areas are provided with adequate pedestrian, bicycle, and parking facilities. – *LUE Policy #2.3.9;*
- The downtown area should be developed at a pedestrian scale, with adequate and safe sidewalks, street crossings, and pedestrian resources. – *LUE Policy #2.8.2;*
- Street trees should be incorporated in the downtown area to shade the sidewalks and to provide a physical separation between the street and the pedestrian sidewalks. In the downtown area, off-street parking should be discrete and in the rear setback, where possible. – *LUE Policy #2.8.3;*
- Sidewalks and bicycle lanes of sufficient width should be included in major street improvement programs wherever feasible. – *LUE Policy #2.8.5;*
- Commercial development should provide opportunities for interaction between patrons and pedestrians. Examples include storefront display windows, sidewalk cafes and exterior seating, and pedestrian-scale signage. – *LUE Policy #2.8.9;*
- The City will develop standards for accessible sidewalks, street trees, and bicycle lanes for new streets or significant improvement of existing streets. – *LUE Program #2.8.D;*
- Provide maximum opportunities for bicycle and pedestrian circulation on existing and new roadway facilities. – *Circulation Element (CE) Policy #3.2.1;*
- Enhance opportunities for bicycle and pedestrian activity in new public and private development projects. – *CE Policy #3.2.2;*
- Create a bicycle and pedestrian system that provides connections throughout Oakley and with neighboring areas, and serves both recreational and commuter users. – *CE Policy #3.2.3;*
- Design new roadway facilities to accommodate bicycle and pedestrian traffic. Include Class I, II, or III bicycle facilities as appropriate. Provide sidewalks on all roads, except in cases where very low pedestrian volumes and/or safety considerations preclude sidewalks. – *CE Policy #3.2.4;*
- Ensure that the density and mixture of future land uses (both public and private) encourage transit usage, walking, and bicycling. – *CE Policy #3.7.2;*

- Provide sufficient parking, while considering the effect of parking supply on the use of alternate modes. – *CE Policy #3.7.3;*
- Maintain a pavement management program, and identify and prioritize projects in the City’s Capital Improvement Program to maintain the quality and integrity of the City’s roadway system. Street maintenance should include regular cleaning and upkeep of bicycle routes to remove debris and alleviate poor pavement conditions that discourage bicycle riding. – *CE Program #3.1.E;*
- During the planning and development review processes for new development and new roadways, incorporate provisions for bicycle, pedestrian, and public transit modes, where appropriate. – *CE Program #3.1.G;*
- During the site plan review process; require new development to incorporate design features that support bicycling and walking, particularly in those areas that could provide access to and between major destinations. This could include: bicycle racks, lockers, showers, and other support facilities; continuous sidewalks; an internal pedestrian circulation plan; and at least one major entrance adjacent to a sidewalk, wherever possible. – *CE Program #3.2.A;*
- Develop a comprehensive Bicycle and Pedestrian Master Plan, including design standards for bicycle and pedestrian facilities, evaluation of current bicycle promotion programs, analysis of bicycle and pedestrian accidents, and a capital improvement program to ensure adequate maintenance of bicycle and pedestrian facilities. Develop a strategic approach to pursuing state and federal funding for bicycle and pedestrian improvement projects, working closely with neighboring jurisdictions. – *CE Program #3.2.B;*
- Coordinate with the Antioch Unified School District, Liberty Union High School District, and Oakley Union Elementary School District to create well-designed Routes to Schools maps for bicyclists and pedestrians, and to provide adequate facilities to store bicycles. – *CE Program #3.2.C;*
- Actively participate in the adoption and implementation of the Contra Costa Countywide Bicycle Plan. – *CE Program #3.2.D;*
- As part of the Capital Improvement Program, identify and prioritize projects that enhance and improve vehicular, bicycle, and pedestrian safety. – *CE Program #3.5.B;*
- During the development review process, size streets and intersections to accommodate planned land uses consistent with the Level of Service standard, to the extent feasible. Consider the effects of pedestrian- and transit-oriented land uses when determining appropriate infrastructure size and configuration. – *CE Program #3.7.B;*
- Develop parking requirements that are consistent with the goals for increased use of alternative transportation modes, and that acknowledge opportunities for shared parking. During the development review process, ensure that development plans are consistent with the parking requirements in the Oakley zoning code. – *CE Program #3.7.D;*
- Review site plans and area plans to encourage mixed uses, thereby decreasing the number of vehicle trips required between uses. Promote land use patterns that maximize trip-linking opportunities. Locate mixed uses within walking or bicycling distance, and ensure that there are not physical barriers to walking and bicycling. – *CE Program #3.7.G;*

- Encourage transportation modes that minimize contaminant emissions from motor vehicle use. – *Open Space and Conservation Element (OSCE) Policy #6.2.2;*
- Minimize impacts of new development by reviewing development proposals for potential impacts pursuant to CEQA and the BAAQMD Air Quality Handbook. Apply land use and transportation planning techniques including pedestrian and bicycle linkage to commercial centers, employment centers, schools, and parks. – *OSCE Program #6.2.A;*
- Locate neighborhood parks no more than ¼ mile walking distance for most residents. Avoid major street crossing for most residents to access a neighborhood park. – *Parks and Recreation Element (PRE) Policy #7.3.8;*
- Connect special purpose facilities, shoreline, and regional parks, whenever possible, by trails and paths. Use of trails by pedestrians, joggers, bikers, or other non-motorized transportation, or equestrian activity shall be determined and posted as necessary. – *PRE Policy #7.4.10;*
- Construct trails, whenever possible, for multiple uses (i.e., pedestrian, bicycle and equestrian). – *PR Policy #7.5.6;*
- Separate the activities (i.e., pedestrian, bicycle and equestrian) of multi-use trails, by providing easements on each side of major arterials, to provide safe resolution of potential conflicts between users, animals, and vehicles. – *PR Policy #7.5.7;*
- Construct pedestrian trails to have a surfaced width of 6-8 feet (emergency and service vehicle accessible) providing sufficient space for two people to walk abreast. *PR Policy #7.5.10;*
- Construct Class 1 bicycle trails to have a surfaced width of 8 feet with shoulders of 2 feet to allow riders to pass safely. – *PR Policy #7.5.11;*
- Provide clearance over trails of not less than 7 feet for pedestrian and bike trails, and not less than 9 feet for equestrian trails. – *PR Policy #7.5.12;* and
- Provide adequate access (pedestrians, bicycle and equestrian) to detention basin park sites to encourage diverse uses. *PR Policy #7.6.2.*

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate an effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.3-D: *New urban development associated with the proposed General Plan may result in a cumulative effect on traffic, transit, or pedestrian and bicycle facilities. (Potentially Significant)*

Discussion and Conclusion: See discussion of Impacts 3.3-A, 3.3-B, and 3.3-C above.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

3.4 AIR QUALITY

For a more detailed environmental setting discussion regarding air quality, see the Oakley 2020 General Plan Background Report (September 2001) and the Oakley 2020 Draft General Plan (September 2002), available from the Oakley Community Development Department.

This section examines the climatic influences that affect the air quality of the Oakley Planning Area and describes available data on measured contaminant levels near the study area. Where appropriate, mitigation measures are suggested that would minimize or eliminate potential significant air quality impacts.

3.4.1 ENVIRONMENTAL SETTING SUMMARY

Ambient air quality is influenced by climatological conditions, topography, and the quantity and type of pollutants released in an area. This section describes pertinent characteristics of the San Francisco Bay Area air basin and provides an overview of the physical conditions that affect pollutant buildup and dispersion in the Oakley Planning Area.

3.4.1.1 Climate and Meteorology

Oakley is located on the south side of the San Joaquin River delta, east of the Carquinez Straits. Its location between the greater Bay Area and the Central Valley has great influence on the climate and air quality of the area. It is located at the eastern boundary of the 9-county San Francisco Bay Area Air Basin. Oakley is a few miles west of San Joaquin County, which is part of the 8-county San Joaquin Valley Air Basin.

Oakley has a relatively low potential for air pollution given the persistent and strong winds typical of the area. Wind records from the closest wind-measuring sites show a strong predominance of westerly winds. Average wind speed is relatively high and the frequency of

calm winds is quite low.⁹ These winds dilute pollutants and transport them away from the area, so that emissions released in the Planning Area have more influence on air quality in the Sacramento and San Joaquin valleys than they do locally. There are, however, several major stationary sources in upwind cities that can influence local air quality and the project's location downwind of the greater Bay Area also means that pollutants from other areas are transported to the Oakley Planning Area.

3.4.1.2 Existing Air Quality

Criteria Air Pollutants

Both the U. S. Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for common pollutants. These ambient air quality standards are levels of contaminants that represent safe levels that avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called “criteria” pollutants because the health and other effects of each pollutant are described in criteria documents. Table 3.4-1-1 identifies the major criteria pollutants, characteristics, health effects, and typical sources.

The federal and California state ambient air quality standards are summarized in Table 3.4-1-2 for important pollutants. The federal and state ambient standards were developed independently with differing purposes and methods, although both processes attempted to avoid health-related effects. As a result, the federal and state standards differ in some cases. In general, the California state standards are more stringent. This is particularly true for ozone and respirable particulate matter less than 10 microns in diameter, referred to as PM₁₀.

The U.S. Environmental Protection Agency in 1997 adopted new national air quality standards for ground-level ozone and for respirable particulate matter. The existing 1-hour ozone standard of 0.12 Parts Per Million (ppm) will be phased out and replaced by an 8-hour standard of 0.08 ppm. New national standards for respirable particulate matter (diameter 2.5 microns or less) have also been established for 24-hour and annual averaging periods. The current PM₁₀ standards were retained, but the method and form for determining compliance with the standards were revised.

⁹ California Department of Water Resources, Wind in California, Bulletin No. 185, January 1978.

**Table 3.4-I-I
Major Criteria Pollutants**

Pollutant	Characteristics	Health Effects	Major Sources
Ozone (O ₃)	A highly reactive photochemical pollutant created by the action of sunshine on ozone precursors (primarily reactive hydrocarbons and oxides of nitrogen. Often called photochemical smog.	<ul style="list-style-type: none"> • Eye Irritation • Respiratory function impairment. 	The major sources ozone precursors are combustion sources such as factories and automobiles, and evaporation of solvents and fuels.
Carbon Monoxide (CO)	Carbon monoxide is an odorless, colorless gas that is highly toxic. It is formed by the incomplete combustion of fuels.	<ul style="list-style-type: none"> • Impairment of oxygen transport in the bloodstream. • Aggravation of cardiovascular disease. • Fatigue, headache, confusion, dizziness. • Can be fatal in the case of very high concentrations. 	Automobile exhaust, combustion of fuels, combustion of wood in woodstoves and fireplaces.
Nitrogen Dioxide (NO ₂)	Reddish-brown gas that discolors the air, formed during combustion.	<ul style="list-style-type: none"> • Increased risk of acute and chronic respiratory disease. 	Automobile and diesel truck exhaust, industrial processes, fossil-fueled power plants.
Sulfur Dioxide (SO ₂)	Sulfur dioxide is a colorless gas with a pungent, irritating odor.	<ul style="list-style-type: none"> • Aggravation of chronic obstruction lung disease. • Increased risk of acute and chronic respiratory disease 	Diesel vehicle exhaust, oil-powered power plants, industrial processes.
Particulate Matter (PM ₁₀)	Solid and liquid particles of dust, soot, aerosols, and other matter that are small enough to remain suspended in the air for a long period.	<ul style="list-style-type: none"> • Aggravation of chronic disease and heart/lung disease symptoms. 	Combustion, automobiles, field burning, factories, and unpaved roads. Also a result of photochemical processes.

**Table 3.4-I-2
Federal and State Ambient Air Quality Standards**

Pollutant ¹⁰	Averaging Time	NAAQS ¹¹	CAAQS ¹²
Ozone	1-Hour	0.12 ppm	0.09 ppm
	8-Hour ¹³	0.08 ppm	–
Carbon Monoxide	8-Hour	9.0 ppm	9.0 ppm
	1-Hour	35.0 ppm	20.0 ppm
Nitrogen Dioxide	Annual	0.05 ppm	–
	1-Hour	– ¹⁴	0.25 ppm
Sulfur Dioxide	Annual	0.03 ppm	–
	24-Hour	0.14 ppm	0.05 ppm
	1-Hour	–	0.5 ppm
PM ₁₀	Annual	50 µg/m ³	30 µg/m ³
	24-Hour	150 µg/m ³	50 µg/m ³
	24-Hour	65 µg/m ³	–
Lead	30-Day Avg.	–	1.5 µg/m ³
	Month Avg.	1.5 µg/m ³	–

Air Pollutants of Concern in the Bay Area

The state and national ambient air quality standards cover a wide variety of pollutants. Only a few of these pollutants are problems in the Bay Area either due to the strength of the emission or the climate of the region.

Ozone: Ground level ozone, often referred to as smog, is not emitted directly, but is formed in the atmosphere through complex chemical reactions between nitrogen oxides (NO_x) and reactive organic gases (ROG) in the presence of sunlight. The principal sources of NO_x and ROG, often termed ozone precursors, are combustion processes (including automobiles) and evaporation of solvents, paints, and fuels. Motor vehicles are the single largest source of ozone precursors emissions in the Bay Area. Exposure to ozone can cause eye irritation, aggravate respiratory diseases and damage lung tissue, as well as damage vegetation and reduce visibility.

¹⁰ Standards are expressed in units in which they were promulgated. (ppm = parts per million and µg/m³ = micrograms per cubic meter)

¹¹ National standards (other than ozone, PM, and those based on annual averages or annual arithmetic means) are not to be exceeded more than once per year.

¹² California standards for ozone, CO, SO₂ (1-hour averaging period), NO₂, and PM₁₀ are not to be exceeded. All others are not to be equaled or exceeded.

¹³ This is included for informational purposes. EPA has not yet designated areas for the 8-hour standard. For detailed information on the 8-hour standard, see (www.epa.gov/airlinks/ozpminfo.html).

¹⁴ No health standard has been set.

Carbon Monoxide: Carbon monoxide (CO) is an odorless, colorless gas that is formed by the incomplete combustion of fuels. Motor vehicles are by far the single largest source of CO in the Bay Area. At high concentrations, CO reduces the oxygen-carrying capacity of blood and can cause headaches, dizziness, unconsciousness, and even death.

CO is currently a minor concern in the Bay Area. While violations of the ambient air quality standards were recorded in all years prior to 1991, concentrations of this pollutant have been steadily declining, and the entire Bay Area region, which includes the Oakley Planning Area, has been designated an attainment area for both the state and federal ambient air quality standards.

Particulate Matter: Respirable particulate matter (PM₁₀) includes a wide range of solid or liquid particles, including smoke, dust, aerosols, and metallic oxides. There are many sources of PM₁₀ emissions, including combustion, industrial processes, grading and construction, and motor vehicles. Of the PM₁₀ emissions associated with motor vehicle use, some are tailpipe and tire-wear emissions, but greater quantities are generated by re-suspended road dust. Consequently, improvements in motor vehicle engines and fuels have not reduced PM₁₀ emissions as significantly as they have reduced emissions of other pollutants. Reductions in motor vehicle use are needed to significantly reduce PM₁₀ emissions from re-suspended road dust. Wood burning in fireplaces and stoves is a significant source of PM₁₀, particularly during episodes when PM₁₀ levels are highest.

Respirable particulate matter is a concern because it can bypass the body's natural filtration system more easily than larger particles, and can lodge deep in the lungs. Health effects of PM₁₀ vary depending on a number of factors, including the type and size of particle. Research has shown a correlation between high PM₁₀ concentrations and increased mortality rates. Elevated levels can also aggravate chronic respiratory illness such as bronchitis and asthma.

Toxic Air Contaminants: In addition to the criteria pollutants discussed above, toxic air contaminants (TACs) are another group of pollutants of concern in the Bay Area. Unlike criteria pollutants, no safe levels of exposure to TACs can be established. There are many different types of TACs, with varying degrees of toxicity. Sources of TAC's include industrial processes such as petroleum refining and chrome plating operations, commercial operations such as gasoline stations and dry cleaners, and motor vehicle exhaust. Public exposure to TACs can result from emissions from normal operations, as well as accidental releases of hazardous materials during upset conditions. The health effects of TACs include cancer, birth defects, neurological damage, and death.

Diesel exhaust is a TAC of growing concern in the Bay Area. The California Air Resources Board in 1998 identified diesel engine particulate matter as a TAC. The exhaust from diesel engines contains hundreds of different gaseous and particulate components, many of which are toxic. Many of these compounds adhere to the particles, and because diesel particles are so small, they penetrate deep into the lungs. Diesel engine particulate has been identified as a human carcinogen. Mobile sources, such as trucks, buses, automobiles, trains, ships, and farm

equipment are by far the largest source of diesel emissions. Studies show that diesel particulate matter concentrations are much higher near heavily traveled highways and intersections.

Other Air Quality Issues: Other air quality issues of concern in the Bay Area include nuisance impacts of odors and dust. Objectionable odors may be associated with a variety of pollutants. Common sources of odors include wastewater treatment plants, landfills, composting facilities, refineries, and chemical plants. Similarly, nuisance dust may be generated by a variety of sources including quarries, agriculture, grading, and construction. Odors rarely have direct health impacts, but they can be very unpleasant and can lead to anger and concern over possible health effects among the public. Dust emissions can contribute to increased ambient concentrations of PM₁₀, particularly when dust settles on roadways where it can be pulverized and re-suspended by traffic. Dust emissions also contribute to reduced visibility and soiling of exposed surfaces.

Ambient Air Quality

The nearest sites that monitor the ambient air quality in the Planning Area are a multi-pollutant monitoring site in nearby Bethel Island and a site at 583 W. 10th Street in Pittsburg. Both are operated by the Bay Area Air Quality Management District (BAAQMD). The Bethel Island Monitoring Station is 4 miles east-northeast of the City of Oakley (see Figure 3.4-1) and the Pittsburg site is 9 miles west northwest (see Figure 3.4-2). These stations represent air quality upwind and downwind of the City of Oakley. Table 3.4-1-3 shows historical occurrences of pollutant levels for the three-year period 1998-2000.

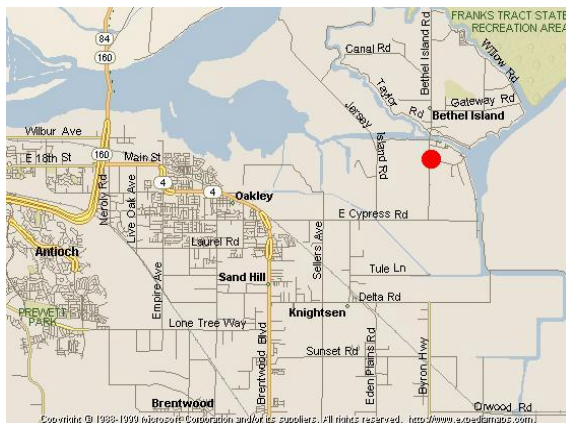


Figure 3.4-1 ambient air monitoring station south of Bethel Island

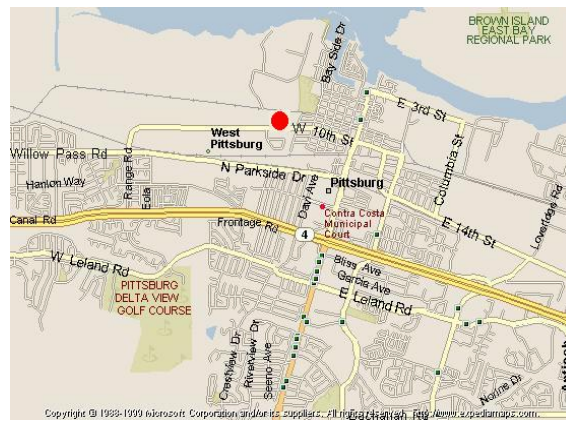


Figure 3.4-2 Ambient air monitoring station in Pittsburg

Table 3.4-1-3 shows that the 1-hour federal ambient air quality standard for ozone was only exceeded on one day at either station. Since NAAQS standards allow for one exceedance per year before a violation occurs, the national standards are met in the Oakley area. However, the state ambient standards of ozone and PM₁₀ are regularly exceeded.

**Table 3.4-I-3
Ambient Air Quality Data at Bethel Island and Pittsburg, 1998-2000**

Pollutant	Avg. Time	Category		Bethel Island			Pittsburg		
				Monitored Year			Monitored Year		
				1998	1999	2000	1998	1999	2000
O ₃	1-hr	Maximum		0.123	0.128	0.115	0.097	0.098	0.107
		days over	State	10	5	1	4	2	1
			Federal	0	1	0	0	0	0
	8-hr ¹⁵	Maximum		0.096	0.099	0.085	0.089	0.087	0.080
days over		Federal	5	5	1	1	1	0	
PM ₁₀	24-hr	Maximum		66.8	100.6	62.0	N/M ¹⁶	72.0	55.5
		days over ¹⁷	State	7	36	6	N/M	12	6
			Federal	0	0	0	N/M	0	0
CO	8-hr	Maximum		1.57	1.40	1.53	2.65	3.27	2.68
		days over	State	0	0	0	0	0	0
			Federal	0	0	0	0	0	0

Source: California Air Resources Board, ADAM

Sensitive Receptors and Pollution Sources

The Bay Area Air Quality Management District defines sensitive receptors as facilities where sensitive receptor population groups (children, the elderly, the acutely ill and the chronically ill) are likely to be located. These land uses include schools, retirement homes, convalescent homes, hospitals, and medical clinics. The major sensitive receptors in Oakley are schools and residences.

The BAAQMD maintains inventories of stationary sources of both criteria pollutants and TACs. The BAAQMD inventory lists only one major emitting facility for criteria pollutants in Oakley, a petroleum products storage facility.

Existing Sources of Emissions

Air pollution sources can be grouped into three categories, mobile sources, area-wide sources, and stationary sources. Mobile sources include all on-road vehicles as well as off-road mobile equipment, aircraft, and trains. Area-wide sources are stationary sources that are small, individually, but amount to a concern by their sheer numbers. These sources include use of consumer products, like fertilizers, paints, and sprays, and fuel combustion at residences.

¹⁵ This is included for informational purposes. EPA has not yet designated areas for the 8-hour standard. For detailed information on the 8-hour standard, see (www.epa.gov/airlinks/ozpminfo.html).

¹⁶ N/M = not measured

¹⁷ Represents calculated days over standard. Measurements are not made daily.

Stationary sources include industrial sources and facilities. Additional emissions are generated by natural sources such as wildfires. The inventory of emissions for each of the state's air basins is maintained by the CARB and the local air district (e.g., the BAAQMD).

The 2000 and 2010 emission inventory for Contra Costa County, and the entire Bay Area, is shown in Table 3.4-1-4.

Table 3.4-1-4
Estimated Annual Emissions By Source Category
(Tons/Day – Annual Average)

	2001 Base Year				2010 Forecast			
	ROG ¹⁸	NO _x	CO	PM ₁₀	ROG	NO _x	CO	P M ₁₀
CONTRA COSTA COUNTY								
On-Road Motor Vehicles Emissions ¹⁹	33.2	45.4	319.9	10.9	17.9	26.0	168.7	12.7
<i>Total Emissions (All Sources)</i>	<i>89.2</i>	<i>124.5</i>	<i>422.0</i>	<i>27.7</i>	<i>69.4</i>	<i>98.1</i>	<i>262.3</i>	<i>30.1</i>
BAY AREA AIR BASIN								
On-Road Motor Vehicles Emissions	227.7	337.0	2,138.5	73.1	11.1	198.5	1,124.9	32.0
<i>Total Emissions (All Sources)</i>	<i>536.2</i>	<i>625.1</i>	<i>2,809.8</i>	<i>186.7</i>	<i>395.8</i>	<i>442.8</i>	<i>1,726.8</i>	<i>202.7</i>

Source: California Air Resources Board, Emissions Inventory Branch, Emissions by Category.

County projections for 2020 have not been developed yet. Exhaust emissions from on-road motor vehicles are the primary source of reactive organic gases, nitrogen oxides, and carbon monoxide in the San Francisco Bay Area, and road dust sent airborne by traveling vehicles is a primary source of particulate matter.

Area-wide and stationary sources make up the remainder of the emission inventory in the region. A number of industrial and commercial facilities exist in and around the Planning Area. These facilities can be a source of criteria pollutants, TACs, and, less commonly, odors. The existing industrial sources located in Brentwood do not cause substantial emissions of air contaminants. Few major sources are located within city limits, and no major facilities emitting TACs are currently located in the City.

The BAAQMD also maintains inventories of sources of toxic air contaminants.²⁰ The current inventory identifies three dry cleaners, Tonka Energy Inc. and the Ironhouse Sanitary District as

¹⁸ Reactive organic gases (excludes emissions from natural vegetation)

¹⁹ On-Road Motor Vehicle Emissions category in this table includes paved and unpaved road dust from traffic.

²⁰ Bay Area Air Quality Management District, Toxic Air Contaminant Control Program Annual Report 1998, 1998.

sources of TACs in Oakley. The sanitary district facility would also be a potential source of odors.

Highway 4/Main Street is also an obvious source of pollution in Oakley.

3.4.1.3 Regulatory Framework for Air Quality

Efforts to combat air pollution began in the Bay Area in 1955 with the formation of the Bay Area Air Pollution Control District (currently the Bay Area Air Quality Management District). The earliest rules and regulations controlled agricultural burning and household incinerators.

Federal Air Quality Programs

Air pollution control and planning began in earnest in 1967 with the passage of the Federal Clean Air Act. In 1970, the National Ambient Air Quality Standards (NAAQS) were established for six pollutants. These pollutants are commonly referred to as “criteria” pollutants because criteria documents, which establish the relationship between exposure and effects on human health, have been prepared for each contaminant. The Act required states exceeding the NAAQS to prepare air quality plans showing how the standards were to be met by 1987. The Act was amended in 1977 and in 1990 to extend the deadline for compliance. Failure to submit and implement an acceptable plan meant a state could be denied federal highway funding.

The Bay Area was initially classified as a federal nonattainment area (standards are not attained) for carbon monoxide and ozone. Ambient levels of carbon monoxide have been steadily declining in the Bay Area since the 1970's, and in 1998, the entire Bay Area was re-designated as an attainment area for this pollutant.

Ozone levels also have been declining since the 1970's, but in a less consistent manner. Based on monitoring data from 1990 to 1992, the Bay Area was re-designated as a federal attainment area for ozone in 1995. However, violations of the ozone standard in 1995 and 1996 lead the U.S. Environmental Protection Agency to re-designate the Bay Area back to nonattainment status, requiring preparation of an updated air quality plan. The Bay Area is considered to have attained all the NAAQS with the exception of the standard for ozone.

State Air Quality Programs

The State of California has its own air quality standards and air pollution planning programs. While both processes attempted to avoid health-related effects, the federal and state ambient standards were developed independently with differing purposes and methods. As a result, the federal and state standards differ in some cases. In general, the California state standards are more stringent. This is particularly true for ozone and PM₁₀.

In 1988, the California legislature passed the California Clean Air Act, which required air districts to develop air quality plans for the state standards. In general, the California Clean Air Act required the reduction of air pollutants by five percent or more per year or the implementation of “all feasible measures” to meet the state air quality standards as expeditiously as possible.²¹

The Bay Area was initially determined to be a state nonattainment area for carbon monoxide, ozone, and PM₁₀. The Bay Area was reclassified as attainment for carbon monoxide, but remains an ozone nonattainment area. The California Legislature, when it passed the California Clean Air Act in 1988, recognized the relative intractability of the PM₁₀ problem with respect to the state ambient standard and excluded it from the basic planning requirements of the Act. The Act did require the CARB to prepare a report to the Legislature regarding the prospect of achieving the State ambient air quality standard for PM₁₀. This report recommended a menu of actions, but did not recommend imposing a planning process similar to that for ozone or other pollutants for achievement of the standard within a certain period.

3.4.1.4 Emerging Air Quality Issues

The following is a discussion of emerging air quality issues that would not normally have been addressed by general plan policies and programs.

Diesel Exhaust/Land Use Issues

In 1998, after a 10-year scientific assessment process, the Air Resources Board identified particulate matter from diesel-fueled engines as a toxic air contaminant (TAC). Unlike criteria pollutants like carbon monoxide, TACs do not have ambient air quality standards. Since no safe levels of TACs can be determined, there are no air quality standards for TACs. Instead, TAC impacts are evaluated by calculating the health risks associated with a given exposure. Two types of risk are usually assessed: chronic non-cancer risk and acute non-cancer risk. Diesel particulate has been identified as a carcinogenic material, but is not considered to have acute non-cancer risks. The state of California has begun a program of identifying and reducing risks associated with particulate matter emissions from diesel-fueled vehicles. The plan consists of new regulatory standards for all new on road, off-road and stationary diesel-fueled engines and vehicles, new retrofit requirements for existing on-road, off-road and stationary diesel-fueled engines and vehicles, and new diesel fuel regulations to reduce the sulfur content of diesel fuel as required by advanced diesel emission control systems.²²

²¹ Bay Area Air Quality Management District, Bay Area 2000 Clean Air Plan, 2000

²² California Air Resources Board, Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles, October 2000.

Diesel exhaust has been found to be the most dangerous and ubiquitous TAC in the Bay Area. BAAQMD CEQA guidance²³ provides:

Particular attention should be paid to projects that might result in sensitive receptors being exposed to high levels of diesel exhaust. This applies both to situations where a new or modified source of emissions is proposed near existing receptors and to new receptors locating near an existing source. Facilities that may have substantial diesel exhaust emissions include:

- Truck stop
- Warehouse/distribution center
- High volume transit center
- School with high volume of bus traffic
- High volume highway
- High volume arterial/highway with high level of diesel traffic

Wood Smoke

Wood smoke has long been identified as a significant source of pollutants in urban and suburban areas. Wood smoke contributes to particulate matter and carbon monoxide concentrations, reduces visibility, and contains numerous Toxic Air Contaminants. Present controls on this source include the adoption of emission standards for wood stoves and fireplace inserts.

Interest in wood smoke is likely to increase with the recent adoption of a PM_{2.5} (particulate matter less than 2.5 microns in diameter) national standard. The monitoring of this pollutant and determination of the attainment status of the region are several years off due to the lack of a monitoring system.

“Smart” Growth

The Bay Area Air Quality Management District (together with five other regional agencies) has recently embarked on a program to encourage compact, in-fill development near public transit. The program promotes high-density development with transit orientation, considered “smart growth” as a means of combating the increasing use of automobiles in the region.

3.4.2 THRESHOLDS OF SIGNIFICANCE

According to CEQA Guidelines Appendix G, a significant impact would occur with full implementation of the proposed Oakley General Plan if it would:

²³ Bay Area Air Quality Management District, BAAQMD CEQA Guidelines: Assessing the Air Quality Impact of Projects and Plans, 1996 (Revised 1999).

- Conflict with or obstruct implementation of the applicable air quality plan;
- Violate any air quality standard;
- Contribute substantially to an existing or projected air quality violation;
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment;
- Expose sensitive receptors to substantial pollutant concentrations; or
- Create objectionable odors affecting a substantial number of people.

3.4.3 ANALYSIS OF IMPACTS

Impact 3.4-A: *New stationary and mobile sources of air pollutants caused by build-out of the proposed General Plan Land Use Map may cause emissions of ROG, NO_x, and PM₁₀. (Potentially significant)*

Discussion and Conclusion: Upon General Plan build-out, operation of the new uses related to the proposed General Plan would cause emissions by generating new motor vehicle trips and by causing energy use and operation of other stationary sources. Workers, residents, occupants, and visitors driving to new land uses in the Planning Area would cause approximately 544,000 average daily trips by the time of build-out. New residential and commercial land uses associated with the proposed General Plan would also result in new emissions from the use of electricity and natural gas for site heating, cooling, ventilation, and lighting. These are stationary- and area-source emissions that would be produced either directly in the Planning Area or indirectly through increased use of utilities located elsewhere. Motor vehicle trips, energy use, and other stationary sources would cause emissions of ROG, NO_x, and PM₁₀ that would contribute to existing violations of either the state-level or federal ambient air quality standards.

The City of Oakley is firmly committed to participating as much as feasible in the partnership that is necessary to clean the air in the Planning Area. The City recognizes the importance of the local jurisdictions, especially in their land-use processes, as key to providing the overall air pollution solution. The process of a General Plan gives many opportunities to incorporate policies and programs that will affect the individual's automobile usage, which is the primary source of the air pollution problems in the Bay Area. In addition, other citizen effects can be directed to reduce the additional sources from additional population. The City also recognizes and is ready to participate with significant partners in the pollution solution, the governmental agencies assigned that responsibility.

The City has included many Policies and Programs that set and implement standards and actions that attempt to achieve this goal. These are throughout the Policies and Programs of the General Plan. Included by reference are all the Policies and Programs presented in the Discussions and Conclusions on the impacts presented in the Circulation/Transportation Section of this EIR (Section 3.3). Other examples of Policies and Programs for improving air quality are:

- Promote a combination of employment and residential uses that provide both jobs and housing for Oakley’s residents. – *Land Use Element (LUE) Policy #2.1.1;*
- Promote the transition from higher density centers to lower densities at City boundaries. Where high density residential is directly adjacent to low density residential or agricultural uses, buffers should be provided. – *LUE Policy #2.2.5;*
- Encourage higher density residential development at locations within convenient walking distance of Downtown, shopping centers, and bus routes. – *LUE Policy #2.2.6;*
- Prohibit the development of “gated” communities in Oakley, unless overriding public safety considerations exist. – *LUE Policy #2.2.12;*
- Promote the location of commercial centers to allow for easy access to arterial streets that serve the City. The centers should be located in centralized areas capable of serving the greatest number of households with the least travel, and providing the best access to alternate modes of transportation and highways. – *LUE Policy #2.3.3;*
- Neighborhood commercial centers should be central to the neighborhood area they serve. Adequate access, compatibility with surrounding uses, and consistent design with a community theme are necessary. These centers should maximize access for bicycles and pedestrians. – *LUE Policy #2.3.6;*
- Encourage the reuse of vacant underutilized commercial buildings for more economically productive purposes, including new businesses, housing, and mixed-use development. – *LUE Policy #2.3.11;*
- Residential neighborhoods and adjoining land uses should be connected by streets and multiuse trails, as appropriate. Fragmentation of neighborhoods is strongly discouraged. – *LUE Policy #2.8.7;*
- New development should continue the existing adjacent neighborhood concepts, including street pattern, street trees, setbacks, and scale, as appropriate. Gradual transition of uses shall be strongly encouraged. – *LUE Policy #2.8.8;*
- Commercial areas should be clustered so as to provide a destination for shoppers and to limit vehicular trips. – *LUE Policy #2.8.10;*
- Ensure that the density and mixture of future land uses (both public and private) encourage transit usage, walking, and bicycling. – *Circulation Element (CE) Policy #3.7.2;*
- Encourage site planning that promotes all modes of transportation, and that minimizes vehicular trips between different land uses. – *CE Policy #3.7.6;*
- Develop parking requirements that are consistent with the goals for increased use of alternative transportation modes, and that acknowledge opportunities for shared parking. During the development review process, ensure that development plans are consistent with the parking requirements in the Oakley zoning code. – *CE Program #3.7.D;*
- Review site plans and area plans to encourage mixed uses, thereby decreasing the number of vehicle trips required between uses. Promote land use patterns that maximize trip-linking opportunities. Locate mixed uses within walking or bicycling distance, and ensure that there are not physical barriers to walking and bicycling. – *CE Program #3.7.G;*

- Support the principles of reducing air pollutants through land use, transportation, and energy use planning. – *Open Space and Conservation Element (OSCE) Policy #6.2.1;*
- Encourage transportation modes that minimize contaminant emissions from motor vehicle use. – *OSCE Policy #6.2.2;*
- Interpret and implement the General Plan to be consistent with the regional Bay Area Air Quality Management Plan (AQMP), as periodically updated. – *OSCE Policy #6.2.3;*
- Ensure location and design of development projects so as to conserve air quality and minimize direct and indirect emissions of air contaminants. – *OSCE Policy #6.2.4;*
- Encourage air quality improvement through educational outreach programs; such as Spare the Air Day. – *OSCE Policy #6.2.5;*
- Minimize impacts of new development by reviewing development proposals for potential impacts pursuant to CEQA and the BAAQMD Air Quality Handbook. Apply land use and transportation planning techniques such as: incorporation of public transit stops; pedestrian and bicycle linkage to commercial centers, employment centers, schools, and parks; preferential parking for car pools; traffic flow improvements; and employer trip reduction programs. – *OSCE Program #6.2.A;*
- Work with the Bay Area Air Quality management District (BAAQMD) and the Association of Bay Area Governments (ABAG) and, to the extent feasible, meet federal and State air quality standards for all pollutants. To ensure that new measures can be practically enforced in the region, participate in future amendments and updates of the AQMP. – *OSCE Program #6.2.C;*
- Investigate and implement as appropriate a tree-planting program. Consider similar existing programs such as the Sacramento Tree Foundation. – *OSCE Program #6.3.C;*
- Hazardous waste releases from both private companies and public agencies shall be identified and eliminated. – *Health and Safety Element (HSE) Policy #8.3.1;*
- Storage of hazardous materials and wastes shall be strictly regulated. – *HSE Policy #8.3.2;*
- Secondary contaminant and periodic examination shall be required for all storage of toxic materials. – *HSE Policy #8.3.3;*
- Industrial facilities shall be constructed and operated in accordance with up-to-date safety and environmental protection standards. – *HSE Policy #8.3.4;*
- Industries which store and process hazardous materials shall provide a buffer zone between the installation and the property boundaries sufficient to protect public safety. The adequacy of the buffer zone shall be determined by the Community Development Department. – *HSE Policy #8.3.5;*
- Promote development of affordable housing located in close proximity to services, shopping, and public transportation. – *Housing Element (HE) Policy #10.1.2;*
- Optimize multifamily opportunities on sites meeting the criteria including proximity to public transit or bus service and proximity to commercial and social services. Apply these criteria to evaluate rezoning proposals involving multifamily development. – *HE Program #10.1.G;* and

- Support high-density residential development along corridors where regular transit service either exists or is anticipated. – *HE Program #10.1.H.*

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate an effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.4-B: *Construction activities associated with development under the proposed General Plan may cause emissions of dust or contaminants from construction equipment exhaust that may substantially contribute to existing air quality violations or expose sensitive receptors to substantial pollutant concentrations. (Potentially Significant)*

Discussion and Conclusion: Construction activity often produces high levels of fugitive dust, including PM₁₀ particulate matter. Construction-related fugitive dust is generated primarily by grading activities and heavy equipment travel over temporary roads on-site. Fugitive dust emissions at a given construction site would vary daily depending on the level and type of activity, silt content of the soil, and the weather. However, such matter is highly susceptible to airborne movement by wind, and may affect air quality levels in adjacent sites (particularly PM₁₀ concentrations).

The BAAQMD has developed an analytical approach that obviates the need to quantitatively estimate construction emissions. Demolition activities that could have the potential to encounter asbestos-containing material would be required to comply with BAAQMD Regulation 11, Rule 2 for control of emissions. Emissions of carbon monoxide and ozone precursors (ROG and NO_x) from exhaust and other construction activities are included by the BAAQMD in the emission inventory that is the basis for regional air quality planning, and the BAAQMD does not consider these emissions to impede attainment or maintenance of ambient air quality standards. These regulatory programs minimize the potential effects related to asbestos handling and emissions from equipment exhaust.

The City has included Policies and Programs that set and implement standards and actions that attempt to achieve this goal. These are throughout the Policies and Programs of the General Plan. Examples of Policies and Programs for improving air quality around construction sites are:

- Promote, in areas where different land uses abut one another, land use compatibility by utilizing buffering techniques such as landscaping, setbacks, screening and, where necessary, construction of sound walls. – *Land Use Element (LUE) Policy #2.2.4*;
- Within the five (5) years following the adoption of the General Plan, develop and adopt standards for the construction of multiple family housing. – *LUE Program #2.2.C*;
- To the extent feasible, protect existing and future land uses from the noise, visual, and other impacts of major roadway construction projects. – *Circulation Element (CE) Policy #3.7.1*;
- Work with public and private agencies to minimize the effect of major roadway construction projects, such as the State Route 4 Bypass, on nearby land uses. – *CE Program #3.7.A*;
- Support the principles of reducing air pollutants through land use, transportation, and energy use planning. – *Open Space and Conservation Element (OSCE) Policy #6.2.1*;
- Interpret and implement the General Plan to be consistent with the regional Bay Area Air Quality Management Plan (AQMP), as periodically updated. – *OSCE Policy #6.2.3*;
- Ensure location and design of development projects so as to conserve air quality and minimize direct and indirect emissions of air contaminants. – *OSCE Policy #6.2.4*;
- Control dust and particulate matter by implementing the AQMD's fugitive dust control measures, including: restricting outdoor storage of fine particulate matter; requiring liners for truck beds and covering of loads; controlling construction activities and emissions from unpaved areas; and paving areas used for vehicle maneuvering. – *OSCE Program #6.2.B*; and
- Work with the Bay Area Air Quality management District (BAAQMD) and the Association of Bay Area Governments (ABAG) and, to the extent feasible, meet federal and State air quality standards for all pollutants. To ensure that new measures can be practically enforced in the region, participate in future amendments and updates of the AQMP. – *OSCE Program #6.2.C*.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate an effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.4-C: *The population projections used in the proposed General Plan may be inconsistent with those of the 2000 Clean Air Plan. (Potentially Significant)*

Discussion and Conclusion: According to the BAAQMD CEQA Guidelines, a quantitative analysis of future emissions caused by motor vehicle trips and energy use associated with

implementation of the General Plan is not necessary in order to determine significance of the plan-level emissions in the regional context. The proposed General Plan must satisfy an analysis of consistency with regional air quality plans and policies in order to claim a less-than-significant impact on air quality. The evaluation of consistency relies on 1) a comparison of plan-related population growth, and 2) a review of travel growth and transportation control with the projections and policies used in the most recently adopted regional Clean Air Plan (CAP) (*Proposed Final 2000 Clean Air Plan, December 6, 2000*).

Population Growth

Implementation of the proposed General Plan would cause a decrease in future population compared to the future population that could be accommodated under the City-adopted County General Plan. The proposed General Plan anticipates a City population of approximately 68,453 in 2020. Under the City-adopted County General Plan, the future population of the Plan Area at build-out was anticipated to be 74,917. This means that the future potential population in Oakley would be reduced by implementation of the proposed General Plan. Consequently, when compared to the results of not implementing the Proposed Project, attainment of the state-level ambient air quality standards would not be delayed, therefore there is a less than significant air quality impact.

Travel Growth and Transportation Control

Compared to travel demand that would be expected to occur with new development under the implementation of the proposed General Plan would reduce new motor vehicle travel by incorporating policies to minimize creation of new project-related trips. The proposed General Plan includes land use policies promoting pedestrian-scaled design, circulation policies promoting use of transit and pedestrian travel, and growth management policies encouraging implementation of development principles that would be consistent with the “Smart Growth” principles suggested by the BAAQMD and job development to balance expected future residential growth. Each of these features would contribute to reducing vehicular emissions because they would contribute to either reducing the number of new vehicle trips or reducing the length of trips.

In order to determine consistency of the proposed General Plan with the BAAQMD 2000 Clean Air Plan, this analysis assesses whether transportation control measures (TCMs) of the Clean Air Plan are being implemented. The City of Oakley has jurisdiction to operate as an implementing agency for some of the TCMs. The policies of the proposed General Plan partially or entirely implement some of the TCMs in the Clean Air Plan. TCM 15, related to implementing beneficial policies and programs regarding local development and reducing the number and length of motor vehicle trips, and TCM 19, promoting pedestrian travel through pedestrian-friendly design standards and pedestrian improvements, would each be substantially implemented by the proposed General Plan. TCM 9, improving bicycle access and facilities, would be partially implemented. Other TCMs related to promoting ridesharing (TCM 1), improving arterial traffic

management for buses and air quality benefits (TCM 12), conducting demonstration projects (TCM 17), and promoting traffic calming measures in design standards (TCM 20) are not substantially addressed by the proposed General Plan.

General Plan Policies and Programs mentioned in the Discussion and Conclusion section for Impacts 3.3-A, 3.3-B, 3.3-C, 3.3-4, and 3.4-A demonstrate the inclusion of all feasible TCMs. The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate an effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional feasible mitigation measures have been identified.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.4-D: *Build-out of the proposed General Plan may cause increased localized carbon monoxide concentrations at congested intersections. (Less Than Significant)*

Discussion and Conclusion: Carbon monoxide (CO) is directly emitted by internal combustion engines and therefore occurs at elevated concentrations near roadways. At heavily used or congested intersections, CO levels may exceed state and federal standards. Future development may result in increased CO emissions from increased project-generated motor vehicle trips. Counteracting this effect are emission control programs that are in place at the state and federal level to reduce CO emissions from new motor vehicles. Largely because of these control programs, CO concentrations in the San Francisco Bay Area Air Basin have not violated the ambient air quality standards since 1991. If project-related localized CO concentrations do not exceed the standards, the region wide effects of project-related CO emissions would not be significant.

CO emissions at congested intersections, where motor vehicles slow down and idle, can under certain conditions exceed the 20-ppm 1-hour ambient air quality standard or 9-ppm 8-hour ambient air quality standard. Intersections operating at level of service (LOS) D or better are not normally expected to cause substantial CO buildup, because at these less congested intersections, CO concentrations are better able to dissipate. At intersections operating at LOS E or F, CO buildup is more likely, yet still uncommon. The proposed General Plan would not cause any intersections in Oakley under the 2020 conditions to operate at LOS E or F. Certain intersections of routes of regional significance outside Oakley could operate at LOS F (see Circulation Element). These are intersections that would operate unacceptably under No Project conditions, and the potential for increased CO at these locations would not be substantially affected by the project. Because study intersections in Oakley would operate at LOS D or better with the

project, no localized violations of the ambient air quality standards for CO would be expected to occur. The impact would be less than significant. Therefore, no mitigation measures are necessary.

Mitigation Measures

Mitigation measures would not be required.

Significance after Implementation: Implementation of the proposed General Plan would ensure the effect remains at a *less than significant* level.

Impact 3.4-E: *Implementation of the Proposed General Plan could result in placement of sensitive land uses near potential sources of objectionable odors, dust, or toxic air contaminants. (Potentially Significant)*

Discussion and Conclusion: Odors, dust, or toxic air contaminants can be emitted by stationary or area sources throughout the Planning Area. The occurrence and severity of potential odor impacts depend on numerous factors. The nature, frequency, and intensity of the source, the wind speeds and direction, and the sensitivity of the receiving location each contribute to the intensity of the impact.

While offensive odors rarely cause any physical harm, they can be unpleasant and cause distress among the public and generate citizen complaints. Managing sources of odors is accomplished by regulatory requirements and appropriate land use planning. Sources that generate odors, which travel into adjacent properties, are regulated by the provisions of BAAQMD Regulation 7, Odorous Substances.

Dust can be a common byproduct of agricultural activities. As with odors, potential impacts from agricultural dust depend on the frequency and intensity of the source, wind speeds and directions, and the sensitivity of the receiving location. In order to minimize distress among the public and citizen complaints, land use planning strategies should aim to protect residents from sources of agricultural dust. BAAQMD Regulation 6 addresses control of visible emissions.

Trace quantities of toxic air contaminants would be expected to occur with natural gas combustion related to build-out as per the proposed Land Use Map. Additionally, diesel particulate emissions, a known TAC, could be emitted during operation of motor vehicles. To address these emissions, statewide programs and regulations are presently being developed by the CARB that will lead to reduced risks from diesel exhaust. In light of the available information, the effects of the toxic emissions from existing and future vehicle operations in the Planning Area are not expected to be substantial.

The City has included Policies and Programs that set and implement standards and actions that attempt to separate potential sources of odors and toxics and the potential sensitive receptors.

These are throughout the Policies and Programs of the General Plan. Examples of Policies and Programs are:

- Protect existing residential areas from intrusion of incompatible land uses and disruptive traffic to the extent reasonably possible. – *Land Use Element (LUE) Policy #2.2.3*;
- Promote, in areas where different land uses abut one another, land use compatibility by utilizing buffering techniques such as landscaping, setbacks, screening and, where necessary, construction of sound walls. – *LUE Policy #2.2.4*;
- Promote the transition from higher density centers to lower densities at City boundaries. Where high density residential is directly adjacent to low density residential or agricultural uses, buffers should be provided. – *LUE Policy #2.2.5*;
- Restrict or require increased setbacks for residential development proposed and adjacent to industrially or agriculturally designated or developed land to minimize conflicts. – *LUE Policy #2.2.13*;
- Assure the development of waste transfer, processing, and disposal facilities that satisfy the highest established environmental standards and regulations. – *Growth Management Element (GME) Policy #4.7.3*;
- Minimize the potential impacts of waste collection, transportation, processing, and disposal facilities upon residential land uses. – *GME Policy #4.7.4*;
- Locate new waste disposal facilities to minimize potential impacts to existing and future residents. Waste disposal and processing facilities shall be designed, developed, and operated in a manner that is compatible with surrounding land uses. – *GME Policy #4.7.7*;
- Review, and amend if necessary, the Zoning Ordinance and other code sections to ensure that waste disposal facilities are regulated to preclude all nuisance and unsightly conditions. – *GME Program #4.7.E*;
- Reduce the negative impacts resulting from urban uses and neighboring agricultural uses in close proximity. – *Open Space and Conservation Element (OSCE) Policy #6.1.2*;
- Ensure location and design of development projects to conserve air quality and minimize direct and indirect emissions of air contaminants. – *OSCE Policy #6.2.4*;
- Modify the agricultural zoning classifications and allowed use provisions and development standards to reflect current agricultural uses and land use compatibility. – *OSCE Program #6.1.C*;
- Require adequate setbacks for any non-agricultural structures adjacent to cultivated agriculture. – *OSCE Program #6.1.D*; and
- Adopt land use controls that prevent incompatible uses for parcels adjacent to existing open space resources. – *OSCE Program #6.6.A*.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate an effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Mitigation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.4-F: *New stationary and mobile sources of air pollutants caused by build-out of the proposed General Plan would cause emissions of ROG, NO_x, and PM₁₀ that would be cumulatively considerable. (Potentially Significant)*

Discussion and Conclusion: The State CEQA Guidelines indicate that a project would have a significant cumulative impact if its contribution would be “cumulatively considerable.” Further, the BAAQMD CEQA Guidelines recommend that lead agencies conclude that a significant cumulative impact would result if the proposed project would individually have a significant air quality impact.

See Discussion and Conclusion for Impact 3.4-A.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

3.5 PARKS, OPEN SPACE, AND AGRICULTURE

For a more detailed environmental setting discussion regarding parks, open space, and agriculture, see the Oakley 2020 General Plan Background Report (September 2001) and Oakley 2020 Draft General Plan (September 2002), available from the Oakley Community Development Department.

The environmental effects of the proposed General Plan on parks, open space, and agriculture are examined in this section of the EIR. Relevant regulatory and planning agencies and programs are discussed, and mitigation measures are suggested that would minimize or eliminate identified potentially significant impacts.

3.5.1 ENVIRONMENTAL SETTING SUMMARY

Parks and Recreation

Park facilities and the opportunity for varied forms of recreation are a key component to the quality of life within Oakley. The Parks and Recreation Element in the *Oakley 2020 General Plan* provides the policy level foundation for providing these important facilities and programs within the community. A subsequent *Parks and Recreation Master Plan*, anticipated to be adopted by the City in early 2003, will provide detailed and specific standards for achieving the park and recreation vision established in this element.

As noted, parks and recreation is a fundamental component of creating a desirable community. Within Oakley, recreational opportunities range from traditional active recreation, such as organized softball and soccer, to strictly passive recreation of nature observation and bird watching. Between these two extremes falls a range of activities enjoyed by many residents, including play and picnics within parks, walking, bicycle, and equestrian trails throughout the community, and boating and fishing activities upon the Delta.

Public comments received through workshops and questionnaires reflect the consensus that the existing recreation facilities and programs are insufficient, and that there is a clear need for more parks and recreation programs as well as improvements on current recreation facilities. Due to the high percentage of parks that do not comply with the Americans with Disabilities Act (ADA) Oakley inherited from the County, it is crucial to include ADA and Consumer Product Safety Commission (CPSC) funding in every fiscal year budget.

The provision of recreational opportunities at all levels is recognized as a goal of the City of Oakley. Such programs will be pursued through various strategies and supported by funding sources ranging from developer dedications, local, state and federal grants, and, to some extent, by revenues generated by the City and its residents.

City Parks and Recreation

Existing Park Facilities

Parks in the Oakley area are mostly located on school properties, flood control properties, or other joint-use sites. Over the years, sites have been developed and maintained under school/park joint use agreements with the Oakley Union Elementary School District or Contra Costa County with maintenance funded by the Parks Landscape and Lighting Assessment District. These joint use agreements normally detail how all aspects of the joint use will be funded, developed, and maintained.

There are two basic park types in Oakley – neighborhood and community parks. Neighborhood parks generally abut residential areas and have amenities such as play areas, picnic areas,

gathering areas, and open turf. These parks have turf areas suitable for informal play, practices, and scrimmages, but not formal games. Community parks are designed to serve the needs of several neighborhoods up to the whole community. These parks are intended to host organized, formal recreation leagues, and tournaments to meet adult recreation opportunities, which would require larger fields and therefore larger sites. The community parks sit on arterials, and if they abut residential areas, those uses common to neighborhood parks would be used as buffers.

The City currently has eleven parks that are developed and operational, either as a City's park or a park/recreational facility developed and operated under joint use agreement (a more complete description of amenities is in the Oakley 2020 General Plan):

- **Crockett Neighborhood Park:** Neighborhood Park of 4.66 acres, located between Empire Avenue and Richard Way.
- **Main Street Park:** Small passive park site of 17,685 square feet, located at the corner of Main Street and Gardenia Avenue.
- **Claremont Bay Park:** - Neighborhood mini-park of 10,789 square feet, located at Bayside Way.
- **Marsh Street Glenn Park:** - Neighborhood Park of 2.4 acres, fronting on the south side of the extension of Hill Avenue.
- **Heather Park:** Neighborhood mini-park of 6,968 square feet, located at the corner of Canterbury Lane and Claremont Lane.
- **Laurel Ballfields Park:** Playfield and neighborhood park of 13.63 acres, located north of Laurel Road.
- **Oakley Elementary School:** School and community joint use playfields and park area of 4 acres, located at corner of Norcross Lane & West Ruby Street.
- **Gehring Elementary School:** School and community joint use playfields and park area of 4.2 acres, located at the northwest corner of the school site off Highway 4 at West Bolton Road.
- **O'Hara Park Middle School:** School and community joint use playfields and park area located at the corner of O'Hara Avenue & Cypress Road.
- **Vintage Parkway Elementary School:** School and community joint use playfields and park area located along Rutherford Lane.
- **Oakley Fire District:** A mini-park consisting of approximately 1/5 of an acre at Oakley Fire Station #93 at the southwest corner of Second and Acme Streets.
- **Freedom High School:** Library attached to High School offers opportunity for joint interests. The Environmental Sciences curriculum may be able to benefit the parks program and the community (i.e. wetlands).

Recreational resources have been in very short supply in the community of Oakley. As there is no prior tax base, funding source available or any provisions in the City's budget for recreational programming and services, the community has had to look to other sources for programs to meet their recreation and leisure needs. While the existing recreation facility inventory indicates a strong need for more green spaces in Oakley, the existing recreation resources here suggests the rising need for partnerships and benefits-based programs to help support recreation resources for

the community. Both recreation resources and facilities not only contribute to Oakley's social infrastructure by promoting community bonding, but also contribute to the city's long-term growth.

It is apparent that recreation resources in Oakley are seriously deficient. In light of current growth and development trends, the City needs to identify and develop more spaces and facilities to meet the community's changing needs. It should be noted again that with the strong need for more recreation resources comes the important need for more non-profit organizations to support groups that promote philanthropy and raise funds for the community to support more recreation resources.

Trails

Regional trails in the area are currently 39 miles in length with an additional 6 miles planned for the Big Break shoreline. The EBRPD is responsible for operation and maintenance of regional trail facilities in the far eastern part of Contra Costa County. Work has been completed or is moving forward on three District regional trail projects; that will be an asset to the City of Oakley, since when fully developed as planned, they will provide a basic framework of 12.3 miles of paved multi-use trails for the community's trail system. Improved portions of these trails are already used by the community for recreation and alternative transportation purposes, linking natural recreational opportunities with schools, parks, neighborhoods, transportation hubs, and other community facilities. These trails are:

- **Delta de Anza Trail:** Running from the Marsh Creek Trail along the Contra Costa Water District main canal through the City of Oakley and the EBMUD pipeline corridor to the west is a paved multi-use hiking, bicycling and equestrian trail. The trail, when completed as planned, will extend 25 miles linking the cities of Oakley, Antioch, Pittsburg, Bay Point, and Concord.
- **Marsh Creek Regional Trail:** A multi-use paved hiking, bicycling, and equestrian trail running along the Marsh Creek corridor. When completed as planned, the trail will extend about 14 miles from the mouth of the creek at Big Break at the north through the cities of Oakley and Brentwood south to Round Valley Regional Preserve and the Morgan Territory Regional Preserve; with future connection to the Diablo Trail and the Mt. Diablo trail system.
- **Big Break to Antioch Pier:** A multi-use paved hiking, bicycling, and equestrian trail running along the Delta shoreline in the Big Break area. When completed as planned, this trail will extend about 5 miles from the Marsh Creek Trail at the east end and run along the shoreline to the west linking with the Vintage Parkway Elementary School/Park, the proposed Delta Environmental Science Center, and the Big Break Marina.

Open Space Resources

Overview of Open Space Setting

Open space is an important community amenity. Oakley's open space resources include public and private open space and recreation facilities, lands, waterways, habitat areas, and agricultural lands. In addition to providing opportunities for recreation and leisure, open space and parkland enhance aesthetics and community character. This section describes the City's existing open space resources and strategy to maintain and enhance such resources. Refer to the Park and Recreation Element and the biological and scenic resources sections of the Open Space and Conservation Element for additional goals, policies, and programs affecting the City's open space resources.

Designated Open Space

Open space lands in the City of Oakley are included in several General Plan land use designations as listed below. For more detailed information regarding these land use designations, refer to the Land Use Element and corresponding land use map.

- **Agriculture Limited.** This designation includes agriculture and low-density (rural) residential land use.
- **Delta Recreation.** This land use designation encompasses the lowlands of the San Joaquin Delta at the City's northwestern edge, most of which is located within the 100-year flood plain.
- **Parks and Recreation.** This designation includes publicly owned city, county, and regional parks facilities, as well as publicly or privately owned golf courses.
- **Waterways.** Waterways through Oakley include the Contra Costa Canal, Marsh Creek, and the Dutch Slough.

San Joaquin Delta

The predominant physical feature in Oakley is the San Joaquin Delta. This waterway serves as an open space area, sensitive plant and wildlife habitat, and recreational opportunity for the City. At the General Plan Vision Workshop, the Cypress Corridor Charrette, and the Issues Identification Workshop, the public expressed the desire to ensure that open space and natural landscapes remain a major component of lands near the Delta and that public access to the Delta water front be increased. Additionally, participants requested a focus on recreational development of the Delta to provide a center for tourism and a base for recreational activity.

In addition, a variety of state agencies exert influence over recreational opportunities and constraints in the Delta, Eastern Contra Costa County and, therefore, Oakley. The closest state-operated recreation area is Frank's Tract State Park, located northeast of Bethel Island, covering 3,310 acres. Brannon Island State Recreation Area is about 8 miles north of the Antioch Bridge

on Highway 160, and Mt. Diablo State Park, a 20,000-acre state park surrounding Mt. Diablo services the area.

The East Bay Regional Park District (EBRPD) also manages regional parks and recreation facilities within the City of Oakley and the far eastern Contra Costa County region. EBRPD manages over 12,000 acres including under water or tidal marshlands, shoreline and areas around Mt. Diablo and the hills south of Antioch and Pittsburg.

Dutch Slough

The Dutch Slough is an extension of the San Joaquin River Delta that extends along the northern boundary of Oakley. Within the Oakley General Plan, the area referred to as Dutch Slough includes a contiguous block of agricultural lands, ruderal lands, and Delta frontage generally north of the Contra Costa Canal and between Marsh Creek and the Jersey Island Road. This area provides riparian habitat, foraging, and shelter opportunities for several resident and migratory wildlife species. For purposes of this General Plan, the term Dutch Slough refers not only to the Slough, but also the surrounding lands that are situated north of the Contra Costa Canal.

Agriculture

Contra Costa County Agricultural History

Agriculture has been a predominant industry in Contra Costa County for decades. Agricultural lands and corresponding production have decreased due to declining agricultural profit, disease, soil condition, lack of water, and urbanization since 1940. Both rangelands and field crops have been reduced by more than half since that time. Conversion of agricultural lands occurred mostly on the outskirts of incorporated cities, such as Walnut Creek and Concord. However, new tree crops were planted on irrigated lands in the East County (including the City of Oakley, the Expansion Areas, and other unincorporated areas to the east and south of the Planning Area). While fruit, vegetable, and nut crops have all decreased over the years, increases in agricultural productivity have offset the loss of agricultural acreage.

The new suburban environment in the County has created demand for nursery products, which is now the largest income producing agricultural operation in Contra Costa County. In the eastern portion of the County, which includes the Planning Area, vegetable row crop farms (tomato, asparagus, sweet corn, squash, and beans) produce significant annual sales. The East County has the largest concentration of small and medium-sized orchards, with apricot, apple, and walnut crops.

Agriculture in Oakley

The City of Oakley is on very flat land that gently slopes north to the Delta. There are no significant hillsides or ridges. Oakley is comprised primarily of lowland soil associations, with

some tidal flat-delta-marsh lowland along the northern boundary of the City. The lowland soil associations are slowly to very slowly permeable, highly expansive, and corrosive with slight erosion hazards. The tidal flat-delta-marsh lowland soils are highly expansive, very highly corrosive, and moderately to slowly permeable. Most of Oakley is composed of Class II Delhi sand, described by the U.S. Natural Resources Conservation Service as “excessively drained soils” where runoff is slow or very slow. Delhi sand is used to grow irrigated almonds, vineyards and other fruit crops, and some walnuts.

While there are remnant orchards and vineyards within Oakley, such uses are constrained by a patchwork of urban uses. Based upon public comments by landowners and farmers within Oakley, the viability of commercial agriculture within Oakley has been compromised by the lack of large contiguous blocks of agriculture and urban encroachment.

Agricultural lands in the City of Oakley are planned for and accommodated in two General Plan land use designations as described below.

- **Agricultural Limited.** The purpose of this designation is to provide locations for limited agricultural and very low density residential uses.
- **Delta Recreation.** This land use designation encompasses the lowlands of the San Joaquin Delta at the City’s northern edge, most of which is located within the 100-year flood plain. The most appropriate land uses in this designation include agriculture, low intensity recreation, and wildlife habitat.

The City encourages the preservation of prime agricultural lands and lands with viable agricultural production. Prime agricultural lands are lands with prime soil classifications (Class I or II) as determined in the Natural Resources Conservation Service Land Use Capability Classifications. While the City of Oakley does not contain any lands with Class I or II soil classifications, the proposed Expansion Areas, and land outside the Urban Limit Line (ULL) to the east of the City contain prime agricultural lands, most of which are under active cultivation of intensive row crops.

3.5.2 THRESHOLDS OF SIGNIFICANCE

Appendix G of the CEQA Guidelines indicates that a project will have a significant impact on the environment if it would:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered parks, need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives.
- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

- Require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.
- Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios or other performance objectives for Open Space.
- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.
- Conflict with existing zoning for agricultural use, or a Williamson Act contract.
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.

3.5.3 ANALYSIS OF IMPACTS

Impact #3.5-A: *New growth associated with the proposed General Plan may put increasing pressure on parks and recreational facilities, which may create demand for new and expanded recreational facilities and/or a shortage of park facilities accessible to all residents. (Potentially Significant)*

Discussion and Conclusion: New growth in accordance with the General Plan could put increasing pressure on existing parklands and recreational facilities creating the need for new and/or expanded park and recreation facilities.

The City of Oakley currently has over 65 acres of improved parks and over 114 acres of potential, unimproved park sites for a total of over 182 acres of parkland available for their citizens. These numbers include the population-weighted portions of local regional parks. With the City's current park standard of 3.27 acres of park per 1,000 persons, the 2020 build-out of the Proposed Project (68,435 persons) would require an additional 42 acres. The proposed general Plan and the proposed Park and Recreation Master Plan will call for the City to increase the standard to 5 acres per 1,000 persons. Assuming growth to 68,453 at Year 2020 build-out, an additional 160 acres will be need to achieve the new standard of 5 acres per 1,000 persons.

The General Plan discussed the availability of recreational activities for Oakley residents. Sports fields used for soccer and football are highly impacted in the area. As growth continues in the area demand for recreational programs and facilities for practice and games will increase within the City of Oakley and neighboring communities.

No prior tax base or funding sources exist in the City's budget to provide recreational programming and services.

The City has placed a high importance on this issue; as indicated by its choice to include an optional Parks and Recreation Element in the General Plan, which will provide policy level

foundation for providing these important facilities and programs within the community. In addition, a subsequent Parks and Recreation Master Plan, anticipated to be adopted by the City in early 2003, will provide detailed and specific standards for achieving the park and recreation vision established in this element. In addition to the Parks and Recreation Element (which contains 7 Goals, 75 Policies, and 41 Implementation Programs), the General Plan includes other Policies and Programs to enhance the goal of providing an efficient and enjoyable parks system for the citizens of Oakley. These are:

- Encourage the development of quality childcare and pre-school facilities in appropriate locations, especially in conjunction with park and private common areas, schools, and church facilities. – *Growth Management Element (GME) Policy #4.3.5;*
- To the extent possible, the development of school facilities should be sited in conjunction with and adjacent to local parks and trails. – *GME Policy #4.6.9;*
- Detention basins should be designed for multiple uses such as parks and playing fields when not used for holding water, where possible. – *GME Policy #4.10.8;*
- Incorporate parks, open space, and trails between urban and agricultural uses to provide buffer and transition between uses. – *Open Space and Recreation Element (OSRE) Policy #6.1.4;*
- Encourage consolidated development; with appropriate land use buffers of parks open space and trails, for proposed major subdivisions of prime agricultural lands. – *OSRE Program #6.1.B;*
- Minimize impacts of new development by reviewing development proposals for potential impacts pursuant to CEQA and the BAAQMD Air Quality Handbook. Apply land use and transportation planning techniques including pedestrian and bicycle linkage to commercial centers, employment centers, schools, and parks. – *OSRE Program #6.2.A;* and
- Pursue opportunities for additional open space land in the form of parkland dedication, and public open space easements, leaseholds, land donations/dedications, and gift annuities. – *OSRE Program #6.6.B.*

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact #3.5-B: *Growth and development associated with the proposed General Plan may result in the loss of open space that may increase pressures to develop open space lands. (Potentially Significant)*

Discussion and Conclusion: Open space resources in Oakley consist of designated parkland, natural and recreational open space areas, and waterways (Delta and creeks). Generally, open space land is unimproved land (and water) used for preservation, recreation, public safety, and/or managed production of resources. The City's open space resources are addressed in other elements of the *Oakley 2020 General Plan*, including the Open Space and Conservation Element and the Parks and Recreation Element. For example, additional goals, policies, and programs for parklands and recreational open space are discussed in the Park and Recreation Element. Similarly, natural habitat areas are discussed in the biological resource section of the Open Space and Conservation Element and agricultural lands are discussed in the Land Use Element and agricultural resource section of the Open Space and Conservation Element. Goals, Policies, and Programs listed below address the City's desire to preserve, enhance, and expand open space resources to maintain the natural physical and visual quality of Oakley.

Dutch Slough is located within an area identified by the City-adopted Contra Costa County General Plan as the M-8 Mixed Use planning area. The City has not retained the M-8 designation, but a development agreement established between the property owners and the County that allows approximately 4,000 residential dwellings on this land remains in effect. The area designated by the County as M-8 is bisected by the Contra Costa Canal and is located east of Marsh Creek, west of Jersey Island Road and includes a portion of the land located between Cypress Avenue and the Contra Costa Canal.

The owners of the M-8 area properties have made an application to CALFED for funding to sell their properties north of the Canal to another public agency and to establish a substantial wetland restoration area within the Dutch Slough area. Based upon this application and presentations by the property owners' representative, the City has removed the urban land use designations from lands located north of the Contra Costa Canal within the Dutch Slough area. This land has been designated as Delta Recreation by the City, a designation intended to preserve open space within the area, while providing the opportunity for enhancement of biological resources and development of passive and active recreational activities.

In order to preserve and enhance the City's open space resources, the City will continue to implement existing tree preservation ordinances, implement the Parks and Recreation Master Plan, expand recreation trails and access to the Delta, and establish restoration programs for areas such as Dutch Slough. The City will also support the joint-venture use of open space areas to reduce City maintenance costs, and participate/cooperate with other jurisdictions in the region to enhance regional open space resources.

The City has placed much importance to maintaining, preserving, and enhancing the quality of open spaces within the Planning Area. The General Plan includes Policies and Programs throughout to help satisfy this goal. Some of these are:

- Preserve open space areas, of varying scales and uses, both within development projects and at the City's boundary. – *Land Use Element (LUE) Policy #2.1.5;*
- The City will promote a comprehensive trail program throughout the Oakley community and give preference to developments that incorporate the design of the trails and associated open space into their design. – *LUE Policy #2.7.1;*
- Pursue opportunities, including grants to purchase rights of way, easements, or other instruments that would ensure access to the Delta, parkland, open space, or waterways. – *LUE Program #2.6.A;*
- Require the provision of fire fighting equipment access to open space areas in accordance with the Fire Protection Code and to all future development in accordance with Fire Access Standards. – *Growth Management Element (GME) Policy #4.4.6;*
- Solid waste disposal sites shall be designed and operated to provide useful sites after completion of disposal operations. Re-use of sites for outdoor recreation and open space, where feasible, shall be encouraged. – *GME Policy #4.7.8;*
- Incorporate parks, open space, and trails between urban and agricultural uses to provide buffer and transition between uses. – *Open Space and Conservation Element (OSCE) Policy #6.1.4;*
- Preserve important ecological and biological resources as open space. – *OSCE Policy #6.3.1;*
- Develop open space uses in an ecologically sensitive manner. – *OSCE Policy #6.3.2;*
- Establish buffers from adjoining land uses to protect the natural open space resources in the City. *OSCE Policy #6.6.1;*
- Where feasible and desirable, major open space components shall be combined and linked to form a visual and physical system in the City. – *OSCE Policy #6.6.4;*
- Encourage consolidated development; with appropriate land use buffers of parks open space and trails, for proposed major subdivisions of prime agricultural lands. – *OSCE Program #6.1.B;*
- Participate with regional, state, and federal agencies and organizations to establish and preserve open space that provides habitat for locally present wildlife. – *OSCE Program #6.3.B;*
- Adopt land use controls that prevent incompatible uses for parcels adjacent to existing open space resources. – *OSCE Program #6.6.A;*
- Pursue opportunities for additional open space land in the form of parkland dedication, and public open space easements, leaseholds, land donations/dedications, and gift annuities. – *OSCE Program #6.6.B;*

- Participate with regional, state and federal entities and agencies to establish open space areas that include wildlife habitat and provide passive recreational opportunities. – *OSCE Program #6.6.C*;
- Consider multiple uses for open space land (i.e. land use buffer zones and green-ways for trails and linear parks, flood control basins for basin and park joint use, and school sites for neighborhood/community park joint use). – *Parks and Recreation Element (PRE) Policy #7.1.10*;
- Distribute public parks in Oakley to provide adequate community-wide facilities while emphasizing neighborhood recreation within walking distance of most residents. Different kinds of public parks and recreation facilities are required to serve a range of needs. Greenways and trails also constitute important ways in which residents use open space. – *PRE Policy #7.1.11*;
- Focus on development of parks, not leftover residual space. Parks should not be used as buffers for surrounding developments nor used to separate buildings from the street. Views from surrounding streets should be considered in location of the park site and individual park features. – *PRE Policy #7.3.5*;
- Front at least 50% of a park’s frontage onto a public street. For perimeters not bound by a street, woodlands, creeks, agricultural uses or other significant open space features are desired over backyard fences. Where backyard fences are unavoidable, they should be screened using trees and shrubs. Surrounding buildings should have windows and entries onto the park. – *PRE Policy #7.3.6*;
- Restrict or prohibit public access to certain open space and shoreline areas as needed for preservation purposes. – *PRE Policy #7.4.6*;
- In achieving a ratio of 5 acres of park per 1,000 residents projected to reside in Oakley, the City shall include the following in their guidelines; parkland shall be provided as 2 acres of community parks, 2 acres of neighborhood parks, and 1 acre of open space and greenbelt per thousand population. – *PRE Program #7.1.A*; and
- Determine the size standards for each park classification. These standards are the minimum acreage needed for facilities supporting the activity menus for each park classification and represent not only the acreage requirements, but also reflect sufficient acreage in passive and undeveloped open space for quality park and recreation area design. – *PRE Program #7.7.B*.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact #3.5-C: *The proposed General Plan may convert prime farmland, unique farmland, or farmland of statewide importance or conflict with existing zoning for agricultural use or a Williamson Act contract within the Planning Area. (Potentially Significant)*

Discussion and Conclusion: Agriculture has been a significant industry in all of Contra Costa County for decades. Agricultural lands and corresponding production have decreased due to declining agricultural profit, disease, soil condition, lack of water, and urbanization since 1940. Both rangelands and field crops have been reduced by more than half since that time. Converted lands occurred mostly on the outskirts of incorporated cities, such as Walnut Creek and Concord. However, new tree crops were planted on irrigated lands in the East County (including the Planning Area and other unincorporated areas to the east and south of the Planning Area).

Oakley has historically been an agricultural community, with a wide variety of agricultural crops. While much of the land used for agriculture has been developed into urban uses, there are remaining private parcels that continue in agricultural production. These agricultural areas help to preserve the traditional rural character of the community, maintain open space, and reduce congestion within the City. While the City recognizes the historic role of agriculture within the Oakley community and supports continued agriculture, the transition from agriculture to urban uses limits the potential for large-scale commercial agriculture within Oakley.

In order to address the increasing concern over the loss of prime agricultural lands, Contra Costa County adopted a program to allow for the transfer or purchase of development credits (TDR/PDR). Other strategies for the continued viability of agricultural pursuits included preservation agreements with the County, granting conservation easements, direct purchase, leasebacks, tax benefits for agriculture open space land, purchase or transfer of development rights, clustering development, establishment of an agricultural soils trust fund, and agricultural mitigation fees or land dedication (in-lieu-fee). In response to the proliferation of 5-acre “ranchettes”, the County adopted a Resolution establishing rural residential development of ranchettes as an inappropriate use of prime agricultural land. Finally, the Contra Costa County General Plan incorporates an Urban Limit Line (ULL) and has established a minimum 40-acre lot size for prime agricultural lands outside the Urban Limit Line. The entire Oakley Planning Area is located inside the County ULL and was, therefore, determined generally for urban development.

In an effort to preserve the agricultural and rural character of the community, Oakley allows keeping of horses within several of the City’s land use classifications. As described in the Land Use Element, appropriate uses in the Agricultural Limited land use designation include modified agricultural practices that minimize impacts on adjacent land uses, along with equestrian and livestock uses, subject to limits.

The City has placed much importance on preserving the agricultural heritage of the Planning Area. The General Plan includes Policies and Programs throughout to help satisfy this goal. Some of these are:

- Promote the transition from higher density centers to lower densities at City boundaries. Where high density residential is directly adjacent to low density residential or agricultural uses, buffers should be provided. – *Land Use Element (LUE) Policy #2.2.5;*
- Restrict or require increased setbacks for residential development proposed and adjacent to industrially or agriculturally designated or developed land to minimize conflicts. – *LUE Policy #2.2.13;*
- Dock and marina projects may if determined appropriate by the City, be allowed within Delta Recreation areas based upon the criteria that should not conflict with adjacent agricultural uses. – *LUE Policy #2.6.5;*
- Encourage beneficial uses of treated wastewater, including marsh enhancement and agricultural irrigation. Such wastewater reclamation concepts shall be incorporated into resource management programs and land use planning. – *Growth Management Element (GME) Policy #4.9.3;*
- Identify and develop opportunities, in cooperation with sewer service and water service agencies, for using reclaimed wastewater. – *GME Program #4.9.E;*
- Participate in regional programs that promote the long-term viability of agricultural operations within the City. – *Open Space and Conservation Element (OSCE) Policy #6.1.1;*
- Reduce the negative impacts resulting from urban uses and neighboring agricultural uses in close proximity. – *OSCE Policy #6.1.2;*
- Encourage the promotion and marketing of locally grown agricultural products. – *OSCE Policy #6.1.3;*
- Incorporate parks, open space, and trails between urban and agricultural uses to provide buffer and transition between uses. – *OSCE Policy #6.1.4;*
- Identify and map those properties that include prime productive agricultural soils (Class I and II capability according to the U.S. Soil Conservation Service) for use in the review of development applications. – *OSCE Program #6.1.A;*
- Encourage consolidated development; with appropriate land use buffers of parks open space and trails, for proposed major subdivisions of prime agricultural lands. – *OSCE Program #6.1.B;*
- Modify the agricultural zoning classifications and allowed use provisions and development standards to reflect current agricultural uses and land use compatibility. – *OSCE Program #6.1.C;*
- Require adequate setbacks for any non-agricultural structures adjacent to cultivated agriculture. – *OSCE Program #6.1.D;*
- Continue to implement (and refine as necessary) the Right to Farm Ordinance, which protects ranchers and farmers within an agricultural district from nuisance complaints and

unreasonable restrictions and regulations on farm structures or farming practices. – *OSCE Program #6.1.E*;

- Encourage agricultural landowners to work closely with the U.S. Soil Conservation Service and local Resource Conservation Districts to reduce soil erosion and to encourage soil restoration. – *OSCE Program #6.1.F*;
- At least 50% of a park’s frontage should front onto a public street. For perimeters not bound by a street, woodlands, creeks, agricultural uses or other significant open space features are desired over backyard fences. Where backyard fences are unavoidable, they should be screened through the use of trees and shrubs. Surrounding buildings should have windows and entries onto the park. – *Parks and Recreation Element (PRE) Policy #7.3.6*;
- Support housing opportunities for agricultural workers, homeless, seniors, female-headed households, large families, and persons with disabilities. – *Housing Element (HE) Policy #10.2.8*;
- Amend the Zoning Ordinance and establish guidelines to establish clear locational and development standards and to establish streamlined review and approval procedures for affordable multifamily housing, emergency shelters, and transitional housing projects satisfying the adopted standards. – *HE Program #10.3.A*; and
- Review the appropriateness of reducing, waiving, and/or deferring impact and/or processing fees for units affordable to very low and low income households, including senior housing, and apartment units, and housing for special needs groups, including agricultural employees, emergency /transitional housing, and housing for persons with disabilities to make the development of such units more financially feasible. – *HE Program #10.3.B*.

Whereas the General Plan Policies and Programs presented here and proposed to be implemented, do preserve a buffer between urban development and agricultural land, the Oakley General Plan is primarily completing the urbanization of this area as originally intended by the County. Sixty-five percent of the County is protected as undeveloped. The Oakley Planning Area falls in the thirty-five percent that is designated for development. In addition, currently agricultural resources are fragmented and commercial agriculture is substantially compromised. The proposed General Plan accommodates agriculture, while providing for balanced needs of the City. The incremental environmental effect of the Proposed General Plan on agriculture is determined to be less than significant upon implementation of the previously mentioned Policies and Programs.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

3.6 PUBLIC SERVICES

For a more detailed environmental setting discussion regarding public services, see the Oakley 2020 General Plan Background Report (September 2001) and the Oakley 2020 Draft General Plan (September 2002), available from the Oakley Community Development Department.

This section describes the status and adequacy of existing government services, fire protection services, law enforcement services, public schools, and solid waste and recycling services within the Planning Area.

3.6.1 ENVIRONMENTAL SETTING SUMMARY

Governmental Services

City Offices

The Administrative City Office, Community Development Department and Police Department are located in downtown Oakley. The City government offices are divided into six departments: City Administration, Finance, City Clerk, Police, Community Development, and Redevelopment Agency/Economic Development.

County Offices

Contra Costa County offices are located in the City of Martinez and offer services to the City of Oakley including County Assessor, County Clerk/Recorder, and Treasurer/Tax Collector.

Courts

There are seven Superior Courts of California in Contra Costa County, four located in Martinez, and others located in Richmond, Pittsburg, and Walnut Creek. There are seven State, County, and Municipal Courts in Contra Costa County, two are Justice courts, and five are Municipal courts. There are also four small claims courts in the County, which are located in Concord, Pittsburg, Richmond, and Walnut Creek. There are no courts in the City of Oakley.

Libraries

Oakley has a county branch library located in Freedom High School at 1050 Neroly Road. The Oakley Branch Library is open Tuesday through Saturday and offers the following programs; toddler time, picture book time, pajama story time, book buddy, and other special programs. Other libraries in close proximity to Oakley are the Antioch Library and the Brentwood Branch Library.

Fire Protection and Emergency Services

Oakley-Knightsen Fire Protection District: Currently, the Oakley-Knightsen Fire Protection District is located in the eastern portion of Contra Costa County and serves a population of approximately 32,000 residents in an area of 32 square miles. The District currently has two fire stations; Station 93 serves the City of Oakley and Station 94 serves the community of Knightsen. The Fire District is a dependent district under authority of the Contra Costa County Board of Supervisors, which is considering future unification.

On April 23, 2002, management of the Bethel Island, Oakley-Knightsen, and East Diablo fire districts was put under one chief, maximizing resources and reducing administrative costs. On May 14, 2002, the Contra Costa Board of Supervisors realized that this unification would require further planning, so they assembled a transition team to begin developing unified training programs; a master plan for facilities and equipment; a multi-year fiscal model; a minimum baseline service model of two-person engine crews; and a combination staffing model of full-time and paid-on-call firefighters. The ultimate structure of the new district will be determined after consolidation approval by the Local Agency Formation Commission, which is expected in September 2002.

Fire District Services: The Oakley-Knightsen Fire Protection District provides service to structural, wildland, vehicle, and miscellaneous exterior fires; vehicle accidents involving disentanglement and extrication; medical emergencies and hazardous materials incidents.

The Contra Costa County Fire Protection District provides dispatching services for the Oakley-Knightsen Fire Protection District. Formed through an agreement, this computerized center provides dispatching for fire, rescue, and medical emergencies. The Contra Costa County Fire Protection District also conducts inspections of buildings and properties to ensure fire safety; reviews new construction plans for fire code compliance; investigates suspected arson; develops and delivers fire safety and burn prevention programs to school children, senior citizens, community groups, businesses and industry.

Fire District Operations: The Oakley-Knightsen Fire Protection District currently has two stations located in the Oakley-Knightsen area and one proposed station. Both stations 93 and 94 provide mutual aid to Bethel Island, Brentwood, and Antioch. The Oakley-Knightsen Fire Protection District currently covers all of Oakley and the area to the east of Oakley north of Delta Road, west of Byron Highway, and south of the San Joaquin River channel.

Law Enforcement Services

The Oakley Police Department is currently located at 210 O'Hara Ave., and works in conjunction with the Contra Costa Sheriff's Office to provide law enforcement to the City of Oakley. A new civic center is being planned that would include a police facility. The Contra Costa County Sheriff's Office provides personnel, dispatch, records, and basic equipment

services to the City of Oakley Police Department. The City is responsible for the police facility, fleet, and support personnel. Separate agreements are maintained for laboratory services. Some expanded services are currently in the planning stages. These include a volunteer program, a Chaplaincy program, the ability to provide copies of reports to the public, and the ability to take Live-scan fingerprints for application and booking purposes.

Public Schools

For elementary schools, the City of Oakley is primarily served by the Oakley Union Elementary School District. The portion of the City west of Empire Avenue is located within the Antioch School District. The Oakley Union Elementary School District has two middle schools with 1,486 students currently enrolled and a design capacity of 1,600. The District also has four elementary schools with 2,828 students currently enrolled and a design capacity of 2,400. The District is operating at about 93 percent capacity in their middle schools and almost 120 percent of capacity in their elementary schools.

High schools in the area are within the Liberty Union High School District. Oakley residents attend Freedom High School, or LaPaloma High School, a continuation high school. Enrollment in the Liberty Union High School District is under capacity. Enrollment projections show that the schools won't exceed capacity until the school year 2003-2004.

The Antioch Unified School District contains seventeen schools, 5 of which enroll Oakley students. Antioch District covers the western portion of Oakley from the border with Antioch to Empire Rd. and Big Break Rd. There are two elementary schools that are at 98 percent of capacity, which includes 205 Oakley students (15.6% of total); one middle school that is at 111 percent of capacity and includes 80 students (5.8% of total) from Oakley; and two high schools that are operating at 110 percent capacity and includes 79 Oakley students (1.5% of total).

Solid Waste and Recycling Services

Oakley Disposal Inc. and Mt. Diablo Recycling: Currently, Oakley Disposal Inc. provides residential and commercial solid waste collection and curbside recycling service to the City of Oakley. The solid waste collected by Oakley Disposal in the city limits of Oakley is hauled to the Recycling Center and Transfer Station in Pittsburg, which is operated by Contra Costa Waste Service. After processing, residual material is hauled in transfer trailers to Potrero Hills Landfill (PHLF) located in Fairfield. It is anticipated that Oakley Disposal will collect solid waste in the entire Plan Area even at build-out.

The PHLF is located on State Route 12 approximately two miles southeast of Suisun City. PHLF is permitted to accept waste through 2015, with the potential expansion of fifty additional years.

Contra Costa Waste Service and Mt. Diablo Recycling are affiliates of Oakley Disposal Service and provide recycling services and waste diversion programs. The curbside material is

transported to the Concord Facility (Mt. Diablo Recycling) where the recyclables are sorted by material type then transported to the appropriate markets.

Commercial recycling service is provided to those customers requesting the service. Bins (2 cubic yards capacity) are provided for cardboard pick up. Ninety-six gallon totes are provided separately for paper products, glass bottles, and aluminum cans.

3.6.2 THRESHOLDS OF SIGNIFICANCE

Appendix G of the CEQA Guidelines indicates that a project will have a significant impact on the environment it would:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:
 - Fire protection
 - Police protection
 - Schools
 - Parks
 - Other public facilities
- Be served by a landfill that does not have sufficient permitted capacity to accommodate the project's solid waste disposal needs
- Not comply with federal, state, and local statutes and regulations related to solid waste.

3.6.3 ANALYSIS OF IMPACTS

Impact 3.6-A: *Growth and development associated with the proposed General Plan may strain government services and create demand for expanded services and facilities. (Potentially Significant)*

Discussion and Conclusion: New development under the General Plan will increase the need for various government services. The City and/or County offices may require additional staffing or facility space in order to meet these needs.

The General Plan includes Policies and Programs to ensure that the public will not be significantly impacted by the growing pains of the City. Some of these are:

- Consider the fiscal impacts of development in order to ensure the City has adequate financial resources to fund community projects and programs. – *Land Use Element (LUE) Policy #2.1.2;*

- Consider the cumulative effects of development on community facilities and services, such as transportation and schools, throughout the planning process. – *LUE Policy #2.2.9*;
- Require the establishment of lighting and landscaping districts, as appropriate, for new residential developments. – *LUE Policy #2.2.10*;
- All residential development should be required to construct and dedicate to the City and pay impact and other fees that represent their respective fair share of necessary public services and facilities. – *LUE Policy #2.2.14*;
- Require that all commercial developments construct, and dedicate land to the City, and pay impact and other fees that represent their respective fair shares of necessary public services and facilities. – *LUE Policy #2.3.13*;
- Consider, during the review of development projects, the financial impacts to the City of providing required public facilities and services and assure that each project properly compensates for the full cost of providing those facilities and services through fee and other programs. – *LUE Program #2.1.C*;
- Consider and adopt as determined appropriate, guidelines for the fiscal analysis of development proposals. – *LUE Program #2.1.D*;
- Prepare and adopt fee and other programs that assure that the need of residents for services and facilities is adequately served. – *LUE Program #2.1.E*;
- When possible, the City shall pursue State and Federal funds for activities and infrastructure improvements that will promote economic growth. – *LUE Program #2.4.C*;
- The City will pursue grants and other public and private sources of funding to implement the redevelopment of the downtown area. *LUE Program #2.8.B*;
- Ensure that Oakley obtains its fair share of regional improvements (such as the State Route 4 Bypass) that are funded from impact fees collected within Oakley. – *Circulation Element (CE) Policy #3.6.4*;
- Pursue opportunities to provide additional funding for public transit service within Oakley, and between Oakley and surrounding communities. – *CE Program #3.3.D*;
- Ensure that adequate funding is available to maintain roadway marking, signs, and striping in optimal condition. – *CE Program #3.5.D*;
- Collect development impact and other fees and require any necessary roadway improvements and properly dedications to ensure that each development project contributes its fair share toward necessary transportation improvement projects. – *CE Program #3.7.E*;
- New development shall not be approved in any areas of the City unless the applicant can demonstrate that traffic levels of service and performance standards outlined in the Circulation Element will be maintained, or that a funding mechanism and timeline has been established which will provide the infrastructure to meet the standards. – *Growth Management Element (GME) Policy #4.1.1*;
- If it cannot be demonstrated prior to project approval that levels of service will be met per Policy 4.1.1, the City may consider the development but defer its approval until the standards can be met or assured. In the event that a signalized intersection exceeds the applicable level

of service standard, the City may approve projects if the City can establish appropriate mitigation measures, or determine that the intersection or portion of roadway is subject to a finding of special circumstances, or is a route of regional significance, consistent with those findings and/or action plans adopted by the Contra Costa Transportation Authority pursuant to Measure C-1998. Mitigation measures specified in the action plans shall be applied to all projects which would create significant impacts on such regional routes, as defined by the Authority in consultation with local agencies and as permitted by law. – *GME Policy #4.1.2*;

- Require from all new development, including major modifications to existing development, the construction of all necessary on- or off-site infrastructure and public services needed to serve the project in accordance with City standards. – *GME Policy #4.1.4*;
- Permit development only when financing mechanisms are in place or committed which assure that adopted performance standards for public facilities will be met. – *GME Policy #4.2.1*;
- Ensure that all future development projects provide public infrastructure and public services that fully serve the needs of the project and address any impacts created by such projects. – *GME Policy #4.2.2*;
- Ensure that new development does not adversely affect public facilities or services. – *GME Policy #4.2.3*;
- Ensure that future development projects are included in special districts (i.e., lighting, landscaping, etc.), when applicable. – *GME Policy #4.2.4*;
- Require new development to pay its fair share of the cost of all existing public facilities and services it utilizes, based upon the demand for these facilities and services that can be attributed to new development. – *GME Policy #4.2.5*;
- Require new development to pay all costs of upgrading existing public facilities, constructing new facilities or expanding services that are needed to serve new development. – *GME Policy #4.2.6*;
- Financial impacts of new development on public facilities and services should generally be determined during the project review process and may be based on the analysis contemplated under the growth management program (Land Use Element) or otherwise. As part of the project approval, specific findings shall be adopted which relate to the demand for public facilities and services and how the demand affects the service standards included in the growth management program. – *GME Policy #4.2.7*;
- Review and update a Capital Improvement Program, which forecasts and prioritizes specific improvements to public facilities that will be built in the City. – *GME Policy #4.2.8*;
- Include a compressive financing plan, which assures that needed public facilities and services are adequately financed, in all new specific plans adopted by the City. – *GME Policy #4.2.9*;
- Recover all costs for administrative and technical services provided in the development review process through the use of fees and charges. – *GME Policy #4.2.10*;
- Apply for State, federal, and regional funding sources that have been set aside to finance infrastructure costs. – *GME Policy #4.2.11*;

- If the City requires developments to install off-site facilities in excess of their fair-share, the City shall establish a funding mechanism to reimburse the developer for the excess amount, from further developments that benefit from such improvements. Reimbursements shall not be made from the City's General Fund. – *GME Policy #4.2.12;*
- Evaluate the need for public assembly and meeting space. The availability of public space shall be assured through coordinated actions of existing service providers. – *GME Policy #4.3.1;*
- Pursue a balance between social, cultural, and recreational needs of the community when developing new general-purpose public facilities. – *GME Policy #4.3.2;*
- Encourage the development of facilities and services to serve the needs of the elderly within the community. – *GME Policy #4.3.3;*
- Ensure that high quality library services are maintained for the residents of Oakley. – *GME Policy #4.3.4;*
- Encourage the development of quality childcare and pre-school facilities in appropriate locations, especially in conjunction with park and private common areas, schools, and church facilities. – *GME Policy #4.3.5;*
- Require that new development pay its fair share of costs for new fire protection facilities and services. – *GME Policy #4.4.2;*
- The City shall strive to provide sufficient personnel and capital facilities to ensure adequate police protection and appropriate response times. – *GME Policy #4.5.4;*
- Encourage school districts to seek and receive their fair share of state and/or federal funds for school facilities. – *GME Policy #4.6.2;*
- To the extent possible, new residential development, General Plan Amendments, or Rezoning shall, in the absence of the Planning Agency's satisfaction that there are overriding considerations (i.e., provision of low or moderate cost housing), be required to adequately mitigate impacts on primary and secondary school facilities, – *GME Policy #4.6.3;*
- Support the development of quality schools, to the extent possible, by coordinating development review with local school districts including such activities as designating school sites, obtaining dedications of school sites, and supporting appropriate local fees, special taxes, and bond issues intended for school construction. – *GME Policy #4.6.4;*
- Ensure that school facility impact fees are collected and shall work with developers and school districts to establish mitigation measures to ensure the availability of adequate school facilities. – *GME Policy #4.6.5;*
- Work with the school districts to consider alternative funding programs for school facility construction and provision of educational programs. – *GME Policy #4.6.6;*
- The hearing body reviewing residential projects shall consider the availability of educational facilities and impact on school capacities. – *GME Policy #4.6.7;*
- School site donation by developers may be encouraged through the use of density transfer or other appropriate land use alternatives. – *GME Policy #4.6.8;*

- Adequate provision of schools shall be assisted by coordinating review of new development with school districts and other service providers through the project review process, the environmental review process, and through joint planning with local school districts. – *GME Policy #4.6.10;*
- Pursue responsible and adequate financing for implementation of the Drainage Plan. – *GME Policy #4.10.4;*
- Review the Transportation Area of Benefit Fee Ordinance to assure consistency with AB-1600. Future ordinance amendments should assure that new developments fund a fair share of transportation improvements that are required to serve new development. – *GME Program #4.2.A;*
- Regularly update the Capital Improvement Program to fund the capital improvements planned for construction over a five-year period, including cost estimates, the phasing of specific improvements and associated costs, and methods with which specific improvements will be financed. – *GME Program #4.2.B;*
- Amend the development review and plan preparation process to include consideration of project impacts upon public facilities and services, and proposed financing methods. Where negative fiscal impacts are indicated, include specific mitigation measures as conditions of project approval, or carefully consider the appropriateness of approval, consistent with the standards established in this Growth Management Element. – *GME Program #4.2.D;*
- Pursue a full range of methods to finance needed public facilities. – *GME Program #4.3.B;*
- Continue to collect a childcare fee from residential development projects and qualifying commercial projects. – *GME Program #4.3.D;*
- Continue to levy fire facility fees for new development in accordance with five-year plan. – *GME Program #4.4.F;*
- Consider establishment of benefit assessment districts or other funding mechanisms for fire protection purposes. In areas where operating shortfalls will result from increased service requirements related to new growth or the new service standards, the City shall establish and/or increase fees generated from the benefit assessment districts. – *GME Program #4.4.G;*
- Seek additional State and Federal funding to augment Oakley law enforcement services. – *GME Program #4.5.D;*
- Lobby for State financing of new schools within the City. – *GME Program #4.6.A;*
- Work with the interested school districts to ensure that new development contributes, to the extent allowable under State law, its fair and full share of the cost of additional facilities when necessary. – *GME Program #4.6.B;*
- All Specific Plan applicants must consult with affected school districts to address Proposed Schools and Specific Plans shall designate specific properties for school facilities locations. – *GME Program #4.6.F;*
- All predominantly residential development proposals involving more than 200 acres of land must analyze the need for and designate as appropriate school facility sites based upon identified Proposed School Sites. The City must determine that appropriate consultation has

occurred between the developer and the affected school district(s) and that adequate provisions have been made to accommodate designated Proposed Schools. – *GME Program #4.6.G*;

- Require new development to pay its fair share of the cost of on- and off-site infrastructure. This shall include installation of necessary public facilities, payment of impact fees, and participation in a Capital Improvement Program. – *GME Program #4.9.A*;
- Adopt and update, as necessary, development fees for drainage improvements for all new development in the City. – *GME Program #4.10.E*;
- Pursue funding from public agencies and other grant sources to plan, design, and implement flood control improvements. – *GME Program #4.10.F*;
- Identify funding mechanisms, including funding from the City to the extent possible, to support programs to preserve, restore, and enhance unique historic sites. *Open Space and Conservation Element (OSCE) Policy #6.5.B*;
- Pursue a variety of financing mechanisms for the acquisition, development, long-term operations and maintenance of the parks, trails, and recreation system. – *Parks and Recreation Element (PRE) Policy #7.1.12*;
- Require all development to dedicate parkland and pay in lieu and/or impact fees sufficient to meet the added demand for parkland facilities. – *PRE Policy #7.1.19*;
- All new residential subdivisions shall provide for 2 acres of developed community park per 1,000 residents either through land dedication or in-lieu fees. – *PRE Policy #7.2.1*;
- To achieve a ratio of 5 acres of park per 1,000 residents projected to reside in Oakley when the Parks and Recreation Master Plan is developed, apply guidelines that include requiring all development to satisfy its obligation to provide a fair share of parkland and related improvements as required by state and local law; requiring the dedication and full improvement of required parkland by the property owner and/or developer (applicant) as a condition of the subdivision's project approvals including, without limitation, development agreements; requiring the payment of applicable park impact fees in the amounts and at the time set forth in City's Park Impact Fee structure; and assign the lead role in acquiring and improving parks in the subdivision area to the developer applicant, as is typically done with the construction of other project-related improvements such as streets, sidewalks, storm drainage, water distribution and sewer collection facilities. – *PRE Program #7.1.A*;
- The City may prefer to develop some portions of the required park acquisition and improvements on property that is not part of the subdivision. This would generally occur when the project is not large enough to dedicate and improve a meaningful amount of park land, or when the City plans to meet part of the 5 acres per 1,000 residents requirement through community-wide facilities that are not to be located within the development project. When fees are paid in lieu of park site dedication and improvement, they will be determined, assessed, and collected in a manner consistent with State law and the City's currently adopted Parkland Deduction Ordinance (Quimby Act) and restricted solely for parkland acquisition and improvement; used for parkland and improvements that directly serve the subdivision project area unless a finding is made that the area is already served by existing

neighborhood facilities. Fees may then be used for acquisition and development of community-wide facilities; and used as a credit against, but may not eliminate, the obligation to pay Park Impact Fees. – *PRE Program #7.1.B;*

- When park dedication and improvements are to be made by the developer (applicant), establish phasing in the subdivision’s development agreement between the City and applicant or the conditions of approval for the project. While this will be clarified on a case-by-case basis, phasing should generally be as follows: 1) dedicate land at Final Map; 2) complete all improvements by the time two-thirds of the units are available for occupancy; and 3) assume all maintenance costs for completed park projects for a minimum period of six months and until the Landscape and Lighting Assessment District zone specific for the subdivision is funded. – *PRE Program #7.1.D;*
- Monitor the Landscaping and Lighting assessment, the Park Land Dedication In-Lieu fees, and the Park Impact Fees to ensure that they remain consistent with the actual cost of acquiring, developing, and maintaining recreational parkland. The fee structure should be reviewed annually to maintain consistency with costs. – *PRE Program #7.1.G;*
- Annually review and adjust, as appropriate, all costs assessments including Park Land Dedication In-Lieu fees and Park Impact fees. – *PRE Program #7.1.H;*
- Consider a local bond measure to provide capital for the acquisition and phased development of community park facilities through a community-wide election. – *PRE Program #7.1.I;*
- Establish collaborative efforts, working relationships and partnerships with other public agencies, nonprofit organizations, and the private sector to maximize development of park and recreation resources. – *PRE Program #7.1.O;*
- Collect Park Dedication In-Lieu fees for subdivision of parcels where dedication of land would not be desirable or consistent with the provisions of the Parks and Recreation Master Plan. Park Impact fees should be collected for all residential subdivisions subject to the fee. – *PRE Program #7.3.A;*
- Provide one (1) acre of special recreation facilities, shoreline, and trails per 1,000 residents either through Land Dedication In-Lieu fees and/or Park Impact fees for all new residential subdivisions. – *PRE Program #7.4.A;*
- Guide future decisions regarding financing mechanisms using the following principles: A) Equitably distribute costs based on benefit received. Costs for new infrastructure and public amenities should be borne by developers, property owners, and where appropriate, by the public; B) Consider sources of both capital and on-going maintenance revenue as a part of any financing strategy to ensure that all improvements can be maintained without placing an undue burden on either adjacent property owners or the City of Oakley; C) Structure development fees and assessments so that they distribute costs equitably among various land uses, and do not serve as a disincentive to uses desired by the City; and D) Continue a diversified program of funding for park acquisition and maintenance and recreation programming. Incorporate a variety of funding mechanisms including but not limited to: Park Facilities Impact Funds, Park Land Dedication/In-Lieu Fees, Landscape and Park Assessment Districts, grants, federal funding, cooperative agreements with the school

districts and flood control districts, creation of local trusts, Mello-Roos Community Facilities District, corporate sponsorship and bonds. – *PRE Program #7.7.I;*

- Implement a park facilities impact fee that would be collected at time of building permit issuance by doing the following: A) Adopt an implementing ordinance and resolution; B) Maintain an updated master plan indicating park standards and the types of facilities anticipated to accommodate growth; C) Maintain an annual Capital Improvement Program budget to indicate where fees are being expended to accommodate growth; D) Provide an appropriate credit at time of building permit issuance for lots that are part of any subdivision that previously dedicated parkland or paid an in-lieu fee with credits calculated and granted separately for land dedication and park improvements, and no commingling of credits unless agreed to by the City; E) Comply with the annual and five-year reporting requirements of Government Code 66000 et seq.; and F) Identify appropriate inflation indexes in the fee ordinance and allow an automatic inflation adjustment to the fee annually. – *PRE Program #7.7.J;*
- Assign Redevelopment Funds, to the extent financially feasible, and pursue CDBG/HOME funds and other affordable housing subsidies for housing projects affordable to very low and low-income households. – *Housing Element (HE) Program #10.2.F;*
- Pursue sources of predevelopment financing through available federal, state, local, and private sources, including the HOME and CDBG programs, to assist affordable or special needs housing development being carried out by qualified nonprofit housing corporations. – *HE Program #10.2.G;*
- Issue Notice of Funding Availability (NOFA) and create streamlined development assistance programs in order to provide public, competitive funding processes for affordable housing funding resources available through the City. – *HE Program #10.2.H;*
- Adopt a program of regulatory and financial incentives for affordable housing. In the development of housing units affordable to lower-income households, regulatory and financial incentives are requested by developers to reduce the cost of construction which in turn lowers the rent to tenants. By offering incentives to developers, the City can require the units to be affordable to lower-income households. The City, at its discretion, may offer public subsidies, density bonuses, expedited or preferential permit processing, interior finishes reductions, fee waivers or deferrals, and public works modifications to allow cost savings to developers of affordable housing units. The City may assist developers in applying for available financing and may provide these affordable units a priority for fee waivers and other incentives. To the extent that an applicable Specific Plan establishes target average density and/or multiple housing type policies, projects shall generally be required to comply with applicable target average density and/or multiple housing type requirements at the subdivision level to assure a variety of housing opportunities within each subdivision. – *HE Program #10.2.I;*
- Continue participation in the CDBG and HOME programs, through the Urban County and HOME Consortium, in order to procure funding sources (e.g., CDBG, HOME) to help finance the City's fair share of homeless and other special needs housing and services. – *HE Program #10.2.T;* and

- Continue to require a community childcare fee for all single family and multiple family dwelling units. – *HE Program #10.5.E.*

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.6-B: *Growth and development associated with the proposed General Plan may strain fire protection and emergency services and create demand for expanded services and facilities. (Potentially Significant)*

Discussion and Conclusion: The impacts of how the potential unification of the three fire districts in Eastern Contra Costa County will affect fire protection services are unknown at this time, so the analysis presented here is based on current data available.

The location of Station 93 (Oakley) is well situated for meeting the service needs of the City of Oakley until the year 2004. Due to projected growth demands over the next seven years (2001 to 2008), the Chief of the Oakley-Knightsen Fire Protection District has determined that an additional fire station will have to be constructed, staffed, and outfitted with equipment and supplies. The new station, Station 92, is proposed to be located on Live Oak Avenue and Laurel Road, and constructed within the next five years.

Station 92 is currently being evaluated to determine if there is a location better suited to meeting the needs of the Planning Area and to avoid the extreme overlap of coverage. One of the alternate locations being reviewed is the vicinity of the O'Hara Avenue/Carpenter Road area. This site would provide fire protection coverage in the southwest areas of Oakley. It would also provide coverage to the western area of Knightsen. It is anticipated that the construction of the third station may be necessary to service the future expansion of the entire Planning Area.

The Oakley-Knightsen Fire Protection District has a response time goal of five minutes for 80% of the District's area and a current average response time of 6 minutes and 30 seconds. When multiple units are dispatched, all units should arrive within 10 minutes.

The City is concerned that future growth in the Planning Area will make adequate coverage of the citizens' fire protection needs and has therefore included in the General Plan Policies and

Programs to enhance the goal of providing an efficient fire protection system for the citizens of Oakley. These are:

- Coordinate with Oakley-Knightsen Fire Protection District and law enforcement agencies on emergency response routes and plans. – *Circulation Element (CE) Program #3.5.F;*
- Support and encourage the high service level of fire protection services within Oakley. – *Growth Management Element (GME) Policy #4.4.1;*
- Require that new development pay its fair share of costs for new fire protection facilities and services. – *GME Policy #4.4.2;*
- Identify needed upgrades to fire facilities and equipment during project environmental review and planning activities. – *GME Policy #4.4.3;*
- Incorporate analysis of optimum fire and emergency service access into circulation system design to maximize the effectiveness of existing and proposed fire protection facilities. – *GME Policy #4.4.4;*
- Require special fire protection measures in high-risk uses (i.e., mid-rise buildings, and those developments where hazardous materials are used and/or stored) as conditions of approval. – *GME Policy #4.4.5;*
- Require the provision of fire fighting equipment access to open space areas in accordance with the Fire Protection Code and to all future development in accordance with Fire Access Standards. – *GME Policy #4.4.6;*
- Request the Fire District to update its five-year plan to maintain consistency with the Oakley General Plan. – *GME Program #4.4.C;*
- Afford fire protection agencies the opportunity to review development projects and submit conditions of approval for consideration to determine whether: 1) there is adequate water supply for fire fighting; 2) road widths, road grades, and turnaround radii are adequate for emergency equipment; and 3) structures are built to the standards of the Uniform Building Code, the Uniform Fire Code, other State regulations, and local ordinances regarding the use of fire-retardant materials and detection, warning, and extinguishment devices. – *GME Program #4.4.D;*
- The Community Development Department shall submit building and development plans for all new construction, including remodeling, to the fire agency to assure that fire safety and control features are included that meet the adopted codes and ordinances of that agency. – *GME Program #4.4.E;*
- Continue to levy fire facility fees for new development in accordance with five-year plan. – *GME Program #4.4.F;*
- Consider establishment of benefit assessment districts or other funding mechanisms for fire protection purposes. In areas where operating shortfalls will result from increased service requirements related to new growth or the new service standards, the City shall establish and/or increase fees generated from the benefit assessment districts. – *GME Program #4.4.G;*

- Design and construct all buildings greater than two-stories to provide for the evacuation of occupants and/or for the creation of a safe environment in case of a substantial disaster, such as a severe earthquake or fire. – *Health and Safety Element (HSE) Policy #8.4.4;*
- All new habitable structures shall be constructed with fire-resistant roofing materials. – *HSE Policy #8.4.5;* and
- Major developments will not be approved if fire-fighting services are not available or are not adequate for the area. – *HSE Program #8.4.B.*

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.6-C: *Growth and development associated with the proposed General Plan may strain law enforcement and create demand for expanded services and facilities. (Potentially Significant)*

Discussion and Conclusion: The Police Department’s authorized personnel include one Chief, two Sergeants, two Detectives, one DARE Officer, one School Resource Officer, twelve Patrol Officers, and one clerk (the position is currently being filled by two part-time employees). Vacancies include one School Resource Officer and one detective position. In addition, the Police Department has four Reserve Officers that donate their time for patrol efforts and for special events in the city.

The *Oakley 2020 General Plan Background Report* Table 5.3 shows that the Contra Costa County Sheriff’s office determined that Oakley had a ratio of officers to population of 0.74 officers per 1,000 residents (19 sworn staff divided by 25,625 persons). Presented as a comparison is two neighboring cities; Antioch, with a ratio of 1.24 (105 sworn staff divided by 84,500 persons) and Pittsburg, with a ratio of 1.36 (74 Sworn staff divided by 54,400 persons).

The Police Department’s fleet consists of twelve vehicles; eight patrol vehicles and four administrative vehicles. Of the twelve vehicles, two are 2000 model vehicles and ten are older vehicles, ranging from 1992 to 1995 models.

The Police Department has limited ability to fund expanded services due to a limited budget. Oakley is taking steps to secure dedicated future funding for police services. However, it is anticipated that the necessary revenue building may take several years. The City Manager and Police Chief continue to seek grants and other types of funding.

The City is concerned that future growth in the Planning Area will make adequate coverage of the citizen's police protection needs more difficult and has therefore included in the General Plan Policies and Programs to enhance the goal of providing an efficient law enforcement protection system for the citizens of Oakley. These are:

- Dock and marina projects may if determined appropriate by the City, be allowed within Delta Recreation areas based upon the following criteria that includes adequate access for emergency response vehicles. – *Land Use Element (LUE) Policy #2.6.5*;
- Provide consistent, comprehensive traffic safety law enforcement throughout Oakley. – *Circulation Element (CE) Policy #3.5.1*;
- Allocate adequate resources for traffic enforcement activities. – *CE Program #3.5.A*;
- Coordinate with Oakley-Knightsen Fire Protection District and law enforcement agencies on emergency response routes and plans. – *CE Program #3.5.F*;
- Police patrol beats shall be configured to assure minimum response times and efficient use of resources. – *Growth Management Element (GME) Policy #4.5.1*;
- Incorporate police protection standards and requirements into the land use planning process. – *GME Policy #4.5.2*;
- Encourage public participation in crime prevention activities. – *GME Policy #4.5.3*;
- The City shall strive to provide sufficient personnel and capital facilities to ensure adequate police protection and appropriate response times. – *GME Policy #4.5.4*;
- Require that the Community Development Department refer, as appropriate, development proposals to the Police Department for review and comments. – *GME Policy #4.5.5*;
- Support citizen participation within programs such as Neighborhood Watch and Community Oriented Policing and Problem Solving (COPPS). – *GME Program #4.5.A*;
- Consider the use of community service officers to provide law enforcement outreach programs to schools and other institutions. – *GME Program #4.5.B*;
- Consider and recommend, as determined appropriate, guidelines for defensible space design of buildings and major subdivision projects. Such guidelines would address the review of development projects to assure that crime-inviting features are reduced or eliminated. – *GME Program #4.5.C*; and
- Seek additional State and Federal funding to augment Oakley law enforcement services. – *GME Program #4.5.D*.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to do all feasible measures to

mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.6-D: *Growth and development associated with the proposed General Plan may strain schools and create demand for expanded services and facilities. (Potentially Significant)*

Discussion and Conclusion: The four elementary schools in the Oakley Union Elementary School District are over capacity limits and the two middle schools are currently serving over 90 percent of their capacity. In addition, future growth will further impact these schools. One reason the middle schools are less affected is because the Delta Vista Middle School was recently opened in August of 2001 and dramatically increased the middle school capacities to acceptable levels.

Although the City is not responsible for providing schools, it is responsible for planning future residential and other development. The City has as a goal in the General Plan to ensure the provision of adequate primary and secondary schools in optimal locations to serve planned growth, to the extent feasible. The City shows its concern by including many provisions for schools in the General Plan's Policies and Programs. The City expects the General Plan to assist in the goal of providing an efficient and complete educational system for the citizens of Oakley. Some of these are:

- Consider the cumulative effects of development on community facilities and services, such as transportation and schools, throughout the planning process. – *Land Use Element (LUE) Policy #2.2.9;*
- Coordinate with the Antioch Unified School District, Liberty Union High School District, and Oakley Union Elementary School District to create well-designed Routes to Schools maps for bicyclists and pedestrians, and to provide adequate facilities to store bicycles. – *Circulation Element (CE) Program #3.2.C;*
- Encourage the development of quality childcare and pre-school facilities in appropriate locations, especially in conjunction with park and private common areas, schools, and church facilities. – *Growth Management Element (GME) Policy #4.3.5;*
- Encourage the efficient multi-purpose uses of school facilities. – *GME Policy #4.6.1;*
- Encourage school districts to seek and receive their fair share of state and/or federal funds for school facilities. – *GME Policy #4.6.2;*

- To the extent possible, new residential development, General Plan Amendments, or Rezoning shall, in the absence of the Planning Agency's satisfaction that there are overriding considerations (i.e., provision of low or moderate cost housing), be required to adequately mitigate impacts on primary and secondary school facilities. – *GME Policy #4.6.3;*
- Support the development of quality schools, to the extent possible, by coordinating development review with local school districts including such activities as designating school sites, obtaining dedications of school sites, and supporting appropriate local fees, special taxes, and bond issues intended for school construction. – *GME Policy #4.6.4;*
- Ensure that school facility impact fees are collected and shall work with developers and school districts to establish mitigation measures to ensure the availability of adequate school facilities. – *GME Policy #4.6.5;*
- Work with the school districts to consider alternative funding programs for school facility construction and provision of educational programs. – *GME Policy #4.6.6;*
- The hearing body reviewing residential projects shall consider the availability of educational facilities and impact on school capacities. – *GME Policy #4.6.7;*
- School site donation by developers may be encouraged through the use of density transfer or other appropriate land use alternatives. – *GME Policy #4.6.8;*
- To the extent possible, the development of school facilities should be sited in conjunction with and adjacent to local parks and trails. – *GME Policy #4.6.9;*
- Adequate provision of schools shall be assisted by coordinating review of new development with school districts and other service providers through the project review process, the environmental review process, and through joint planning with local school districts. – *GME Policy #4.6.10;*
- Ensure that adequate land is available for acquisition of school sites within one mile of Proposed School Locations as identified on Figure 4-1, Public Facilities and Services. – *GME Policy #4.6.11;*
- Consider the use of community service officers to provide law enforcement outreach programs to schools and other institutions. – *GME Program #4.5.B;*
- Lobby for State financing of new schools within the City. – *GME Program #4.6.A;*
- Work with the interested school districts to ensure that new development contributes, to the extent allowable under State law, its fair and full share of the cost of additional facilities when necessary. – *GME Program #4.6.B;*
- Prepare an education facilities plan, in consultation with the school districts, by year 2005 recommending locations for future school facilities. – *GME Program #4.6.C;*
- During the review of General Plan Amendments, Rezones, Tentative Maps, and Specific Plans within one mile of the Proposed School Sites shown in Figure 4-1, the City shall analyze the potential for reserving real property for the appropriate Proposed School Site. Specific sites for schools in undeveloped portions of the Oakley Planning Area, such as the Cypress Corridor Area and the Cypress Corridor Expansion Area, should be identified by the appropriate school district and designated Public/Semi Public in the General Plan by

amendment prior to development of 50 percent of the land within a one-mile radius of each designated Proposed School Site. – *GME Program #4.6.D*;

- Amend the General Plan to designate future school site properties to Public/Semi Public once local school districts acquire properties for future school sites. – *GME Program #4.6.E*;
- All Specific Plan applicants must consult with affected school districts to address Proposed Schools and Specific Plans shall designate specific properties for school facilities locations. – *GME Program #4.6.F*;
- All predominantly residential development proposals involving more than 200 acres of land must analyze the need for and designate as appropriate school facility sites based upon identified Proposed School Sites. The City must determine that appropriate consultation has occurred between the developer and the affected school district(s) and that adequate provisions have been made to accommodate designated Proposed Schools. – *GME Program #4.6.G*;
- Encourage and promote school and community programs that promote recycling. – *GME Program #4.7.A*;
- Consider multiple uses for open space land (i.e. land use buffer zones and green-ways for trails and linear parks, flood control basins for basin and park joint use, and school sites for neighborhood/community park joint use). – *Parks and Recreation Element (PRE) Policy #7.1.10*;
- Update all city and school district playgrounds for conformance to U.S. Consumer Product Safety Commission guidelines. – *PRE Policy #7.1.17*;
- Place detention basin parks within close proximity to complementary uses such as residential development, schools, natural areas, and public resource facilities. – *PRE Policy #7.6.3*;
- Coordinate planning and development efforts with local school districts and the county flood control district. Participate with them, whenever feasible, in the construction, maintenance, and operation of joint use facilities. – *PRE Program #7.1.L*;
- Inspect all existing playgrounds as required by Title 24 of the CA State Code for public facilities, and Title 22 for conformance to U.S. Consumer Product Safety Commission (CPSC) guidelines for potential safety hazards. – *PRE Program #7.1.N*;
- Meet the demand for athletic playfields by the following actions that include assisting in the development of facilities on land owned by partnering entities – flood control, schools, and the County and partnering with the Oakley Union Elementary School District, the Liberty Union High School District, and other joint-use partners to provide athletic playfields and gymnasiums, with the City to assist in funding development when appropriate. The City will help provide funding for renovation and maintenance of existing fields to ensure they are in safe playable condition. – *PRE Program #7.2.B*;
- Place new basins adjacent to schools and parks for dual usage. – *PRE Program #7.6.A*; and
- Guide future decisions regarding financing mechanisms using principles that include continuing a diversified program of funding for park acquisition and maintenance and recreation programming. Incorporating a variety of funding mechanisms including but not

limited to: Park Facilities Impact Funds, Park Land Dedication/In-Lieu Fees, Landscape and Park Assessment Districts, grants, federal funding, cooperative agreements with the school districts and flood control districts, creation of local trusts, Mello-Roos Community Facilities District, corporate sponsorship and bonds. – *PRE Program #7.7.I*

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.6-E: *Growth and development associated with the proposed General Plan may strain solid waste and recycling services and create demand for expanded services and facilities. (Potentially Significant)*

Discussion and Conclusion: Increased population growth in the Oakley service area would necessitate adding additional personnel and equipment to provide solid waste and recycling services. The pool of drivers and trucks at the Concord and Pittsburg facilities will provide additional personnel and equipment. The PHLF is permitted to accept waste through 2015, with the potential expansion of fifty additional years. Funding for the expansion of additional equipment and drivers would be collected from the increased customer base through fees for service.

The City of Oakley will ensure their constituents that efforts will be made to get economical, clean, efficient solid waste operations, that will maximize resource recovery through recycling, composting, and waste-to-energy. The City will minimize potential impacts to existing and future residents from solid waste facilities.

The City has also placed Policies and Programs in the General Plan to provide good solid waste and recycling operations in the Oakley area. These are:

- Reduce the amount of waste disposed of in landfills by: 1) reducing the amount of solid waste generated (waste reduction); 2) reusing as much of the solid waste as possible (recycling); 3) utilizing the energy and nutrient value of the solid waste (waste to energy and composting); and 4) properly disposing of the remaining solid waste (landfill disposal). – *Growth Management Element (GME) Policy #4.7.1;*

- Divert as much waste as feasible from landfills through recovery and recycling. – *GME Policy #4.7.2;*
- Assure the development of waste transfer, processing, and disposal facilities that satisfy the highest established environmental standards and regulations. – *GME Policy #4.7.3;*
- Minimize the potential impacts of waste collection, transportation, processing, and disposal facilities upon residential land uses. – *GME Policy #4.7.4;*
- Consider solid waste disposal capacity in land use planning and permitting activities, along with other utility requirements, such as water and sewer service. – *GME Policy #4.7.5;*
- Encourage solid waste resource recovery (including recycling, composting, and waste to energy) so as to extend the life of sanitary landfills, reduce the environmental impact of solid waste disposal, and to make use of a valuable resource, provided that specific resource recovery programs are economically and environmentally desirable. – *GME Policy #4.7.6;*
- Locate new waste disposal facilities to minimize potential impacts to existing and future residents. Waste disposal and processing facilities shall be designed, developed, and operated in a manner that is compatible with surrounding land uses. – *GME Policy #4.7.7;*
- Solid waste disposal sites shall be designed and operated to provide useful sites after completion of disposal operations. Re-use of sites for outdoor recreation and open space, where feasible, shall be encouraged. – *GME Policy #4.7.8;*
- Avoid solid waste hauling on collectors and local streets through residential areas. – *GME Policy #4.7.9;*
- The handling and storage of hazardous materials shall be identified and monitored by the local fire agencies. – *GME Policy #4.7.10;*
- Encourage and promote school and community programs that promote recycling. – *GME Program #4.7.A;*
- Ensure that solid waste activities in Oakley are carried out in accordance with the Contra Costa County Solid Waste Management Plan and are coordinated with other jurisdictions. – *GME Program #4.7.B;*
- Prepare recycling and composting plans to show how the City intends to help meet the goals in the Contra Costa County Solid Waste Management Plan. – *GME Program #4.7.C;*
- Ensure the health and safety of the public by inspecting solid waste facilities and equipment on a regular basis. – *GME Program #4.7.D;*
- Review, and amend if necessary, the Zoning Ordinance and other code sections to ensure that waste disposal facilities are regulated to preclude all nuisance and unsightly conditions. – *GME Program #4.7.E;* and
- Review and amend existing ordinances and procedures to ensure that the review and approval of development applications is carried out in accordance with the applicable goals, policies, and implementation measures in the Contra Costa County Solid Waste Management Plan. – *GME Program #4.7.F.*

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.6-F: *New urban development associated with the proposed General Plan may result in a cumulative effect on public services. (Potentially Significant)*

Discussion and Conclusion: See discussions and conclusions in Impacts 3.6-A, 3.6-B, 3.6-C, 3.6-D, and 3.6-E.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

3.7 PUBLIC SAFETY/HAZARDS

For a more detailed environmental setting discussion regarding public safety, see the Oakley 2020 General Plan Background Report (September 2001) and Oakley 2020 Draft General Plan (September 2002), available from the Oakley Community Development Department.

This chapter provides information on safety hazards within the City of Oakley Planning Area, including environmental hazards associated with flood, fire, emergency preparedness, and hazardous waste disposal. Background information on these safety hazards provides a basis for proficient land use planning that would reduce unreasonable risks and protect public health and welfare.

3.7.1 ENVIRONMENTAL SETTING SUMMARY

3.7.1.1 Flood Hazards

Floodplain management generally refers to the 100-year floodplain, and is concerned with both potential structural damages within the floodplain as well as changes to the configuration of the

floodplain brought about by flood protection measures or construction activities. The 100-year floodplain delineates the inundation area from a flood having a one percent chance of occurring in any given year. There are numerous 100-year flood hazard areas throughout the Planning Area. The majority exists along the shorelines of the Delta, within the Cypress Corridor and Cypress Corridor Expansion Special Planning Areas, and along Marsh Creek, with pockets of flood areas scattered throughout the City.

While much of Oakley is outside the 100-year floodplain, there are issues of localized flooding within the Planning Area. These conditions result from the undulating topography of the City that is generally level with isolated drainage basins and the proximity to the Delta.

3.7.1.2 Fire Hazards

Fire hazards threaten lives, property, and natural resources, and present a considerable problem to vegetation and wildlife habitats throughout the Planning Area. Grassland fires are easily ignited in dry seasons. These fires are relatively easily controlled if they can be reached by fire equipment. Peat fires, once ignited, are extremely difficult to extinguish. These types of fires have the potential to occur on soils above the high water line and adjacent to the Delta due to the marshy origin of the soils there.

Wildland and Urban Fire Hazards

A fire hazard severity scale has been devised which characterizes areas throughout the County by the number of days of moderate, high and extreme fire hazard. The City of Oakley is entirely within the boundaries of critical Fire Weather Class 3, which correlates to 9½ or more days per year of moderate, high, and extreme fire hazard. The Class 3 category is the highest in the County, with Class 1 having less than 1 day per year, and Class 2 having 1 to 9 ½ days per year.

A small portion of the Planning Area along the Delta contains peat soils. Figure 8-4 in the *Oakley 2020 General Plan* shows peat soils occupying a large part of the land north of Downtown Oakley, north of the BNSF railroad tracks; in the Cypress Corridor Special Planning Area north of the Contra Costa Canal; and a significant portion of the Cypress Corridor Expansion Special Planning Area.

Peat is the semi-decomposed remains of plant matter. Sometimes in cool low-oxygen boggy areas, the plant remains will not fully decompose. Over centuries, this can lead to layers of semi-decomposed plant matter called peat. Peat fires represent a special hazard in that once ignited, they are extremely difficult to extinguish. In some instances, islands have been flooded in order to extinguish peat fires.

Risk of Upset

Gas storage facilities, treatment plants, and railroads have the potential of being significant safety hazards. Accidental explosions or spills can result in fires, noxious gases, bad odors, and pollution. The following are areas of the City that have the potential to be safety hazards should a catastrophe of any kind occur.

Propane: Suburban Propane operates a propane distribution facility with one 29,920-gallon storage tank within the City of Oakley. Due to the combustible nature of propane, this facility presents potential hazards associated with fire and explosion. The catastrophic failure of a non-refrigerated pressure vessel is generally referred to as a BLEVE (Boiling Liquid Expanding Vapor Explosion). A BLEVE is a type of pressure-release explosion that occurs when liquefied gases, which are stored in containers at temperatures above their boiling points, are exposed to the atmosphere, causing rapid vaporization. This happens when a container fails.

The *Oakley 2020 General Plan, Health and Safety Element* discusses research that supports that the potential for a catastrophic failure at a facility like Suburban Propane is very low, with an overall likelihood of failure of approximately 2 or 3 catastrophic events for every 1,000,000 (one million) years of service. While this is numerically a very low potential for event, the nature of the event would be devastating to the immediate vicinity of the facility. Compatibility of this facility with future uses should be considered within the General Plan process.

Randall Bold Water Treatment Plant: The Randall Bold Water Treatment Plant is located in the City of Oakley. There are a number of chemicals that are transported, stored, and used at the water treatment plant. Some of the chemicals can react violently with combustible and reducing materials, causing fire and explosion hazard particularly in the presence of metals, or can explode on heating. However, water treatment plants are considered of such low risk with regard to significant chemical spills that they are frequently sited within or near residential areas. Also, water treatment plants have to comply with a variety of state regulations to ensure their safe operation.

Railroad: Hazardous materials are regularly shipped the BNSF Railroad line that passes through the City. While unlikely, an incident involving a derailment of a train could result in the spillage of cargo which the train is transporting. The spillage of hazardous materials could have devastating results. The City has little to no control over the types of materials shipped via a rail line.

There is also a safety concern of pedestrians along the tracks and vehicles utilizing at grade crossings. The design and operation of at grade crossings allows the City some control over rail related hazards. Ensuring proper gate operation at the crossings is the most effective strategy to avoid collision and possible derailments.

3.7.1.3 Emergency Preparedness

Public Protection & Disaster Planning

Hospitals, ambulance companies, and fire districts provide medical emergency services. Considerable thought and planning have gone into efforts to improve responses to day-to-day emergencies and planning for a general disaster response capability.

Identification of streets, house numbers, and townhouse and apartment units is a major factor hampering emergency medical response. Design of multi-story buildings rarely includes elevators or stairways that can accommodate gurneys. In the event of a disaster, many people could be affected.

3.7.1.4 Hazardous Materials and Waste

Solid, liquid, and hazardous materials and waste by area residents and businesses contribute to environmental and human health hazards that have become an increasing public concern. Toxicity and contamination of soils, water, air, and organisms present hazards of varying severity that can be controlled and minimized by proper waste management and disposal.

Known Sources of Contamination

Heavy industrial land uses centered on the northwest portion of Oakley have the potential to present significant risk to public safety because of the hazardous nature of some petroleum and chemical materials. Notwithstanding industrial safety procedures, the presence of large quantities of hazardous materials within the Planning Area and the County, particularly close to and/or upwind of populated areas, poses a potential safety hazard at all times.

Many miles of pipelines for the transportation of natural gas, crude oil, and refined petroleum products traverse the Planning Area, including within residential and commercial areas. These pipelines may cross areas with active fault lines, and areas underlain by soft mud and peat. The public safety hazard from a pipeline break would depend on the proximity of the accident to populated areas as well as the nature of the event that produced it.

There are several active gas and oil wells in the Planning Area, most of which are far from populated areas in the southeastern portion of the Cypress Corridor Special Planning Area and the northwestern portion of the Cypress Corridor Expansion Special Planning Area. Figure 8-4 in the *Oakley 2020 General Plan* shows approximate location of wells. Although there is the risk of a well catching on fire, such incidents have been very few and the risk of such a fire causing a general disaster is remote. There is the possibility of increased public safety hazards if rural residential areas are permitted to encroach on the gas producing area.

Hazardous Waste Regulations

Hazardous Waste Management: State law requires detailed planning to ensure that hazardous materials are properly handled, used, stored, and disposed of and to prevent or mitigate injury to human health or the environment in the event that such materials are accidentally released. Federal laws requires that any business that handles hazardous materials prepare a business plan, which must include details, including floor plans, of the facility and business conducted at the site; an inventory of hazardous materials that are handled or stored on site; an emergency response plan; and a safety and emergency response-training program for new employees with annual refresher courses.

In 1988, the Business Plan Act was amended to include public agencies within the definition of a business. State agencies, including the University of California, are required to submit to the designated agency a business plan consistent with state regulations implementing the Business Plan Act. For Oakley, the designated agency to receive business plans is Contra Costa County.

Hazardous Waste Storage and Leakage Sites: Federal laws and regulations relating to underground storage tanks used to store hazardous materials (including petroleum products) require that underground storage tank owners and operators register their tanks with EPA or delegated agencies. Federal regulations also require extensive remodeling and upgrading of underground storage tanks, including installation of leak detection systems. Tank removal and testing procedures are also specified.

State laws relating to underground storage tanks include permitting, monitoring, closure, and cleanup requirements. Regulations set forth construction and monitoring standards, monitoring standards for existing tanks, release reporting requirements, and closure requirements. Old tanks must eventually be replaced. All new tanks must be double-walled, with an interstitial monitoring device to detect leaks. All soil and groundwater contamination must be cleaned up. The Contra Costa County Health Department is the local agency designated to permit and inspect underground storage tanks and to implement related regulations.

Hazardous Materials Transportation: The US Department of Transportation (DOT) regulations govern all means of transportation, except for those packages shipped by mail, which are covered by U.S. Postal Service regulations. However, under the Resource Conservation and Recovery Act (RCRA), the USEPA sets standards for transporters of hazardous waste and the State of California regulates the transportation of hazardous waste in California originating in the state and passing through the state. Additionally, the California Highway Patrol and the California Department of Transportation have primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies.

Hazardous Waste Handling: The hazardous waste regulations, such as the Resource Conservation and Recovery Act of 1976 (RCRA) and the Hazardous and Solid Waste Act, establish criteria for identifying, packaging and labeling hazardous wastes; prescribe management of hazardous

wastes; establish permit requirements for hazardous waste treatment, storage, disposal, and transportation; and identify hazardous wastes that cannot be disposed of in landfills. Hazardous waste manifests list a description of the waste, its intended destination, and regulatory information about the waste.

Risk Management and Prevention Plans: Industrial, agricultural, and commercial facilities within the Plan Area, which involve the storage, handling, use and disposal of acutely hazardous materials or large quantities of hazardous materials must prepare a Risk Management and Prevention Plan (RMPP). The RMPPs may assist city and county emergency responders with more efficient, planned responses to hazardous materials incidents.

Polychlorinated Biphenyls (PCBs): PCBs are organic oils that were formerly placed in many types of electrical equipment, including transformers and capacitors, primarily as electrical insulators. Years after their widespread and commonplace installation, it was discovered that exposure to PCBs may cause various health effects, and PCBs are highly persistent in the environment.

In 1979, EPA banned the use of PCBs in most new electrical equipment and began a program to phase out certain existing PCB-containing equipment. The use and management of PCBs in electrical equipment is regulated pursuant to the Toxic Substances Control Act (40 CFR). These regulations generally require labeling and periodic inspection of certain types of PCB equipment and set forth detailed safeguards to be followed in disposal of such items.

Asbestos: Asbestos, a naturally-occurring fibrous material, was used as a fireproofing and insulating agent in building construction before such uses were banned by EPA in the 1970s. Asbestos can cause lung diseases in persons exposed to its airborne fibers. Because it was widely used prior to the discovery of its health effects, asbestos may be found in a variety of building materials and components including walls, ceilings, floors (tile), fireproofing, and pipe insulation.

Federal and state laws and regulations also pertain to building materials containing asbestos. These regulations prohibit emissions of asbestos from asbestos related manufacturing, demolition, or construction activities; require medical examinations and monitoring of employees engaged in activities that could disturb asbestos; specify precautions and safe work practices that must be followed to minimize the potential for release of asbestos fibers; and require notice to federal and local governmental agencies prior to beginning renovation or demolition that could disturb asbestos.

Hazardous Materials Emergency Response: Pursuant to the Emergency Services Act, California has developed an Emergency Response Plan to coordinate emergency services provided by federal, state, and local governmental agencies and private persons. Response to hazardous materials incidents is one part of this Plan. In addition, local agencies are required to develop area plans for response to releases of hazardous materials and wastes. These emergency response plans depend largely on the Business Plans submitted by persons who handle hazardous

materials. An area plan must include pre-emergency planning and procedures for emergency response, notification, and coordination of affected governmental agencies and responsible parties, training and follow-up.

Pesticides: Pesticides contain chemicals formulated specifically to be toxic to certain living things, which makes pesticides a natural target for regulation. As the use of modern chemical-based pesticide products has grown, attention has been drawn to their potential adverse side effects. Legislative and regulatory efforts to regulate the use and application of pesticides have sought to retain the benefits while minimizing the potential harm to public health and the environment.

Pesticides are subject to federal and state legislation. Pesticide controls begin with a screening of the toxic ingredients on pesticides to ensure that they do not present undue hazards to human health or non-targeted species. After screening, the use of pesticides is regulated to ensure that workers are trained in proper application techniques, the pesticides are properly handled and stored, and the location and content of chemicals is made known to workers, emergency response units, and medical personnel who may be exposed to the chemicals. The resulting array of license, permit, and registration requirements, together with the manifold restrictions on the application, use, and handling of pesticides, reflects a growing desire to evaluate environmental effects accurately and to oversee all pesticide-related activities. Because of the presence in groundwater and surface water and air, pesticides are regulated in California under federal and state water quality laws, safe drinking water laws, and air laws.

The following major federal and state statutes and regulations control pesticides:

- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)
- Pesticide Contamination Prevention Act
- Birth Defects Prevention Act

Other regulations cover pesticide registration, application, use, permitting, monitoring, storage, transportation, and disposal.

3.7.2 THRESHOLDS OF SIGNIFICANCE

Standards of Significance

CEQA Guidelines Appendix G says the project would be considered to result in a significant impact if it were to result in:

- A violation of water quality standards;
- An alteration of existing drainage patterns of the site or area, including alternation of a course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site;

- A substantial increase of nonpoint-source pollution entering stormwater runoff and entering the regional storm drain system or surrounding water resources;
- A substantial increase of construction-related erosion and sedimentation into surface waters;
- A disruption of a creek or stream channel, as a result of structures built within 100 feet of the centerline of a creek or stream channel;
- Inadequate storm drains, as a result of new development, to accommodate 100- to 500- year flood flows.
- The creation of potential health risks due to siting of urban uses over oil and gas fields or wells;
- The creation of a hazard to the public or the environment due to agriculture-related pesticide contamination;
- The creation of a hazard to the public or the environment through the transport, use, disposal, or accidents involving hazardous materials or wastes;
- Increased exposure of Oakley residents to wildland and urban fire hazards; or
- Residential and other development becoming inaccessible by fire personnel within the response time goal.

3.7.3 ANALYSIS OF IMPACTS

Impact 3.7-A: *Development in accordance associated with the proposed General Plan may result in changes in absorption rates, drainage patterns, and the rate and amount of surface runoff within the Planning Area. This could expose people or property to water related hazards such as flooding. (Potentially Significant)*

Discussion and Conclusion: The potential for a 100-year flood, which represents a one percent chance each year, exists in numerous areas throughout the Planning Area. The majority exists along the shorelines of the Delta, within the Cypress Corridor and Cypress Corridor Expansion Special Planning Areas, and along Marsh Creek, with pockets of flood areas scattered throughout the City. Developments within or adjacent to these areas could be vulnerable to flooding.

While much of Oakley is outside the 100-year floodplain, there are issues of localized flooding within Planning Area. These conditions result from the undulating topography of the City that is generally level with isolated drainage basins and the proximity to the Delta.

Increased development associated with the General Plan build-out may lead to an increase in impervious surfaces being created where permeable soils currently exist. Whereas open space or vacant land allows precipitation to infiltrate into the ground, impervious surfaces cause water to pond or run off. Stormwater runoff from developed sites may concentrate and cause increases in runoff volume for the area. Discharge of the concentrated runoff may cause localized flooding at storm drain connections or downstream of the discharge location. Overall, undeveloped lands are generally more permeable than developed lands that include impervious surfaces, such as pavement and concrete.

Some of the development proposed under the *Oakley 2020 General Plan* would occur on infill sites, which already include impervious surfaces. Emphasis on infill helps the overall drainage, and thusly flooding, concerns. In addition, much of the flood-prone areas in the Planning Area are marshlands, and are not proposed for development under existing plans.

Oakley's mean annual precipitation is 13 inches per year²⁴. Oakley slopes gradually to the Delta with the highest points being near the Southern boundaries. Regional waters flow through Oakley using the Marsh Creek corridor and other Delta outfalls. Marsh Creek has limited capacity. As a result, local and regional detention basins exist in Oakley to control flow into Marsh Creek to minimize the occurrence of flooding.

Much of the overall concern about flooding is managed by providing an effective stormwater drainage system. The implementation of drainage facilities within the City of Oakley is accomplished by both the City or the County Flood Control and Water Conservation District (CFCWCD). CFCWCD has prepared and adopted plans that serve both Oakley and the County. Both groups generally use the same design criteria in sizing and evaluating drainage systems. The current plan for the Planning Area is based upon the CFCWCD plan.

The City is takes this responsibility seriously and has included many Policies and Programs to provide an efficient and safe drainage system to protect the citizens of Oakley from the dangers of flooding. These are:

- Development shall not be permitted on lands designated by FEMA as flood-prone until a risk assessment and other technical studies have been prepared and have shown that the risk is acceptable. – *Land Use Element (LUE) Policy #2.6.2;*
- All approved entitlements and ministerial permits shall conform to the requirements of the Floodplain Management Ordinance that are incorporated into this General Plan by reference. – *LUE Policy #2.6.3;*
- All entitlements shall include conditions of approval that require a “flood-prone area” notification statement be included in the deeds for all affected properties, and recorded on the face of all subdivision maps, along with the specific elevations that will be required of all new building pads and habitable floors. – *LUE Policy #2.6.4;*
- Work cooperatively with Contra Costa County Flood Control and Water Conservation District (CFCWCD) to ensure and enhance flood protection in the City of Oakley. – *Growth Management Element (GME) Policy #4.10.1;*
- Pursue and achieve compliance with all regional, State, and Federal regulations related to flood control, drainage, and water quality. – *GME Policy #4.10.2;*
- Recognize the unique flooding constraints of the areas north and east of the Contra Costa Canal. – *GME Policy #4.10.3;*

²⁴ Data from Western Regional Climate Center, wrc@drri.edu for station nearest Oakley, Antioch Pump Plant 3. Average yearly rainfall based on data from 1955 through 2001.

- Pursue responsible and adequate financing for implementation of the Drainage Plan. – *GME Policy #4.10.4;*
- Improve and expand the functionality of Marsh Creek as a major drainage corridor. – *GME Policy #4.10.5;*
- Develop new drainage facilities and/or improvements to existing facilities to provide additional recreational or environmental benefit, where possible. – *GME Policy #4.10.6;*
- Land use planning and zoning should be the primary means for flood management in preference to structural improvements, where possible. – *GME Policy #4.10.7;*
- Detention basins should be designed for multiple uses such as parks and playing fields when not used for holding water, where possible. – *GME Policy #4.10.8;*
- Open bypass channels, detention basins, and all drainage facility rights of way should be developed as an asset to the development or adjacent neighborhood, e.g. as a secondary recreation use. – *GME Policy #4.10.9;*
- Implement and update, as necessary, the Contra Costa County Drainage Plan for the City of Oakley. – *GME Program #4.10.A;*
- Actively participate in the Joint Municipal National Pollutant Discharge Elimination System (NPDES) program with the City of Antioch, City of Brentwood, and East Contra Costa County. – *GME Program #4.10.B;*
- Pursue improvement of existing levees within the City and, as appropriate, compliance and certification from the United States Army Corps of Engineers. – *GME Program #4.10.C;*
- Develop and adopt a Specific Drainage Plan for areas north and east of the Contra Costa Canal. – *GME Program #4.10.D;*
- Adopt and update, as necessary, development fees for drainage improvements for all new development in the City. – *GME Program #4.10.E;*
- Pursue funding from public agencies and other grant sources to plan, design, and implement flood control improvements. *GME Program #4.10.F;*
- Require, upon development, the dedication of property or drainage easement adjacent to Marsh Creek to be used to increase width and capacity of the stream corridor. – *GME Program #4.10.G;*
- Coordinate a study of Marsh Creek to determine appropriate strategies for improving, expanding and managing the stream corridor to enhance aesthetic, biological and recreational qualities, as well as providing drainage and flood control. – *GME Program #4.10.H;*
- Use land use planning to reduce the impact of urban development on important ecological and biological resources identified during application review and analysis. – *Open Space and Conservation Element (OSCE) Policy #6.3.3;*
- Evaluate the feasibility of expanding drainage easements along waterways and modifying banks and/or levees to increase the width of stream corridors. – *OSCE Program #6.3.G;*
- Consider multiple uses for open space land (i.e. land use buffer zones and green-ways for trails and linear parks, flood control basins for basin and park joint use, and school sites for

neighborhood/community park joint use. – *Park and Recreation Element (PRE) Policy #7.1.10;*

- Coordinate planning and development efforts with local school districts and the county flood control district. Participate with them, whenever feasible, in the construction, maintenance, and operation of joint use facilities. – *PRE Program #7.1.L;*
- Applications for development at urban or suburban densities in 100-year floodplain areas where there is a serious risk to life and property (see Figure 8-3) shall demonstrate appropriate solutions or be denied. – *Health and Safety Element (HSE) Policy #8.2.1;*
- In mainland areas along the creeks and bays affected by water backing up into the watercourse, it shall be demonstrated prior to development that adequate protection exist through levee protection or change of elevation. – *HSE Policy #8.2.2;*
- Buildings in urban development near the shoreline of the Delta and in flood-prone areas shall be protected from flood dangers, including consideration of rising sea levels. – *HSE Policy #8.2.3;*
- Habitable areas of structures near the shoreline of the Delta and in flood-prone areas shall be sited above the highest water level expected during the life of the project, or shall be protected for the expected life of the project by levees of an adequate design. – *HSE Policy #8.2.4;*
- Rights-of-way for levees protecting inland areas from tidal flooding shall be sufficiently wide on the upland side to allow for future levee widening to support additional levee height. – *HSE Policy #8.2.5;*
- Review flooding policies in the General Plan every five years in order to incorporate any new scientific findings regarding the potential for flooding and projected increases in sea levels. – *HSE Policy #8.2.6;*
- Review flooding policies as they relate to properties designated by FEMA as within the 100-year floodplains. – *HSE Policy #8.2.7;*
- Development proposals near the shoreline of the Delta and within flood-prone areas shall be reviewed by the Flood Control District, as an advisory agency, prior to approval by the City. – *HSE Policy #8.2.8;*
- Development of lands subject to subsidence shall take into account and fully mitigate the potential impacts of flooding based on the best currently available techniques. – *HSE Policy #8.2.9;*
- Any development approvals for areas subject to subsidence shall include conditions that account for the need to support Delta reclamation and irrigation districts, and to strengthen weak and low levees prior to development. – *HSE Policy #8.2.10;*
- The pumping of substantial quantities of water, oil, and gas in an area protected by levees is inconsistent with new major development approvals. – *HSE Policy #8.2.11;*
- In order to protect lives and property, intensive urban and suburban development shall not be permitted in reclaimed areas subject to 100-year flooding, unless flood protection in such areas is constructed. Typically, levees shall meet the standards of the U.S. Army Corps of

Engineers, although ‘Dry levees’ that supplement existing levees may be allowed at the discretion of the City. – *HSE Policy #8.2.12*;

- Levees shall be properly engineered and designed to ensure protection against earthquakes, tsunamis, and seiches. – *HSE Policy #8.2.13*;
- Encourage the County Flood Control District to proceed with drainage improvements in areas subject to flooding from inadequate County flood control facilities. – *HSE Program #8.2.A*;
- Draft and adopt a city drainage master plan to address localized areas affected by creeks, in accordance with the guidelines contained in the Health and Safety Element and the Open Space and Conservation Element of this General Plan. – *HSE Program #8.2.B*;
- Establish a uniform set of flood damage prevention standards in cooperation with appropriate County, State, and federal agencies. – *HSE Program #8.2.C*;
- Through the environmental review process, ensure that potential flooding impacts, due to new development, including on-site and downstream flood damage, subsidence, dam or levee failure, and potential inundation from tsunamis and seiches, are adequately addressed. Impose appropriate mitigation measures (e.g., flood proofing, levee protection, Delta reclamations, etc.). – *HSE Program #8.2.D*;
- Participate in Delta levee rehabilitation plans in cooperation with County, State, federal agencies, and the private sector. – *HSE Program #8.2.E*;
- Prohibit new structures that would restrict maintenance or future efforts to increase the height of the levees from being constructed on top of or immediately adjacent to the levees. – *HSE Program #8.2.F*; and
- All analysis of levee safety shall include consideration of the worse case situations of high tides coupled with storm-driven waves. – *HSE Program #8.2.G*.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.7-B: *New development associated with the proposed General Plan may increase fire hazard in areas with flammable brush, grass, or trees. (Potentially Significant)*

Discussion and Conclusion: Various types of fire hazards threaten lives, property, and natural resources throughout the City. These include wildland and urban fires; upset or catastrophic fires; and fires involving hazardous materials.

The urbanized areas of the City of Oakley are in areas of low wildfire hazard. Wildfire is a serious hazard in undeveloped areas and on large lots with extensive areas of unirrigated vegetation because the natural vegetation and dry-farmed grain areas are extremely flammable during the late summer and fall.

The City of Oakley is entirely within the boundaries of critical Fire Weather Class 3, which correlates to 9½ or more days per year of moderate, high, and extreme fire hazard. Grassland fires are easily ignited, particularly in dry seasons. These fires are relatively easily controlled if they can be reached by fire equipment.

Peat fires in the northeast portion of the Planning Area represent a special hazard area and can be extremely hazardous because once ignited, they are difficult to extinguish. When this area of the City is developed, the risk of a peat fire will be lower.

Gas storage facilities, treatment plants, and railroads have the potential of being significant safety hazards. Accidental explosions or spills can result in fires, noxious gases, bad odors, and pollution.

The City takes this responsibility seriously and has included many Policies and Programs to provide an efficient and rapid fire-response system to protect the citizens of Oakley from the dangers of fires. These are:

- Dock and marina projects may if determined appropriate by the City, be allowed within Delta Recreation areas based upon the criteria that includes adequate access for emergency response. – *Land Use Element (LUE) Policy #2.6.5;*
- Coordinate with Oakley-Knightsen Fire Protection District and law enforcement agencies on emergency response routes and plans. – *Circulation Element (CE) Program #3.5.F;*
- Support and encourage the high service level of fire protection services within Oakley. – *Growth Management Element (GME) Policy #4.4.1;*
- Require that new development pay its fair share of costs for new fire protection facilities and services. – *GME Policy #4.4.2;*
- Identify needed upgrades to fire facilities and equipment during project environmental review and planning activities. – *GME Policy #4.4.3;*
- Incorporate analysis of optimum fire and emergency service access into circulation system design to maximize the effectiveness of existing and proposed fire protection facilities. – *GME Policy #4.4.4;*

- Require special fire protection measures in high-risk uses (i.e., mid-rise buildings, and those developments where hazardous materials are used and/or stored) as conditions of approval. – *GME Policy #4.4.5*;
- Require the provision of fire fighting equipment access to open space areas in accordance with the Fire Protection Code and to all future development in accordance with Fire Access Standards. – *GME Policy #4.4.6*;
- Fire stations and facilities shall be considered consistent with all land use designations in the General Plan and all zoning districts. The architectural design and landscaping of new fire stations shall be complementary with surrounding land uses. – *GME Program #4.4.A*;
- Participate in discussions regarding fire district annexations, consolidations, and other service management programs. – *GME Program #4.4.B*;
- Request the Fire District to update its five-year plan to maintain consistency with the Oakley General Plan. – *GME Program #4.4.C*;
- Afford fire protection agencies the opportunity to review development projects and submit conditions of approval for consideration to determine whether: 1) there is adequate water supply for fire fighting; 2) road widths, road grades, and turnaround radii are adequate for emergency equipment; and 3) structures are built to the standards of the Uniform Building Code, the Uniform Fire Code, other State regulations, and local ordinances regarding the use of fire-retardant materials and detection, warning, and extinguishment devices. – *GME Program #4.4.D*;
- The Community Development Department shall submit building and development plans for all new construction, including remodeling, to the fire agency to assure that fire safety and control features are included that meet the adopted codes and ordinances of that agency. – *GME Program #4.4.E*;
- Continue to levy fire facility fees for new development in accordance with five-year plan. – *GME Program #4.4.F*;
- Consider establishment of benefit assessment districts or other funding mechanisms for fire protection purposes. In areas where operating shortfalls will result from increased service requirements related to new growth or the new service standards, the City shall establish and/or increase fees generated from the benefit assessment districts. – *GME Program #4.4.G*;
- Construct pedestrian trails to have a surfaced width of 6-8 feet (emergency and service vehicle accessible) providing sufficient space for two people to walk abreast. – *Parks and Recreation Element (PRE) Policy #7.5.10*;
- The Office of Emergency Services, in cooperation with the City and public protection agencies, shall delineate evacuation routes and, where possible, alternate routes around points of congestion or where road failure could occur. – *Health and Safety Element (HSE) Policy #8.4.1*;
- In order to ensure prompt public protection services, address numbers shall be required to be easily seen from the street or road. – *HSE Policy #8.4.2*;

- Require adequate access for medical emergency equipment in high-occupancy buildings over two stories in height. – *HSE Policy #8.4.3*;
- Design and construct all buildings greater than two-stories to provide for the evacuation of occupants and/or for the creation of a safe environment in case of a substantial disaster, such as a severe earthquake or fire. – *HSE Policy #8.4.4*;
- All new habitable structures shall be constructed with fire-resistant roofing materials. – *HSE Policy #8.4.5*;
- In cooperation with adjacent cities and public protection agencies, delineate evacuation routes, emergency vehicle routes for disaster response and, where possible, alternative routes where congestion or road failure could occur. – *HSE Program #8.4.A*;
- Major developments will not be approved if fire-fighting services are not available or are not adequate for the area. – *HSE Program #8.4.B*; and
- Adopt a City of Oakley Emergency Response Plan that identifies specific response procedures and responsibilities for responding to emergency situations. – *HSE Program #8.4.C*.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are required.

Significance After Implementation: Implementation of the above policies will reduce the impact to a *less than significant* level.

Impact 3.7-C: *New development associated with the proposed General Plan may result in degradations to emergency preparedness that may exceed the capabilities of existing programs. (Less Than Significant)*

Discussion and Conclusion: Generally, disaster planning is conducted at a countywide, multi-county, or regional level, with comprehensive programs established to protect persons from natural or human-caused disasters. Contra Costa County has identified various hazards and has designed appropriate programs to address disaster planning and public protection. The programs for public relief and safety are generated at this countywide level and, in combination with State and Federal agencies, will accommodate the City of Oakley should a significant natural or human-caused disaster occur.

Traffic from new development could potentially interfere with the evacuation or response routes used by emergency response teams. However, the 2020 General Plan includes circulation

improvements that will maintain level of service standards. The Emergency Response Plan will need to be updated to include emergency contingency plans for new development under the 2020 General Plan.

The City intends to participate fully in the Emergency Response Plan and has included many Policies and Programs to implement the system in Oakley. These are:

- Coordinate with Oakley-Knightsen Fire Protection District and law enforcement agencies on emergency response routes and plans. – *Circulation Element (CE) Program #3.5.F*;
- Incorporate analysis of optimum fire and emergency service access into circulation system design to maximize the effectiveness of existing and proposed fire protection facilities. – *Growth Management Element (GME) Policy #4.4.4*;
- The Office of Emergency Services, in cooperation with the City and public protection agencies, shall delineate evacuation routes and, where possible, alternate routes around points of congestion or where road failure could occur. – *Health and Safety Element (HSE) Policy #8.4.1*;
- In order to ensure prompt public protection services, address numbers shall be required to be easily seen from the street or road. – *HSE Policy #8.4.2*;
- Require adequate access for medical emergency equipment in high-occupancy buildings over two stories in height. – *HSE Policy #8.4.3*;
- Design and construct all buildings greater than two-stories to provide for the evacuation of occupants and/or for the creation of a safe environment in case of a substantial disaster, such as a severe earthquake or fire. – *HSE Policy #8.4.4*;
- In cooperation with adjacent cities and public protection agencies, delineate evacuation routes, emergency vehicle routes for disaster response and, where possible, alternative routes where congestion or road failure could occur. – *HSE Program #8.4.A*; and
- Adopt a City of Oakley Emergency Response Plan that identifies specific response procedures and responsibilities for responding to emergency situations. – *HSE Program #8.4.C*.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to participate in mitigating this impact. Therefore, the effects of this impact will be maintained at a level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are required.

Significance After Implementation: Implementation of the above policies will result in this impact remaining at a *less than significant* level.

Impact 3.7-D: *Development associated with the proposed General Plan may locate new industrial uses that involve hazardous material and wastes close to existing or proposed sensitive receptors. (Potentially Significant)*

Discussion and Conclusion: If household hazardous waste generation rates remain constant, the amount of household hazardous waste would be expected to increase under General Plan build-out as the result of increased housing units and population. The increased amount of hazardous waste suggests an increased potential risk for exposure.

New nonresidential development would also potentially increase hazardous waste levels within the city. Under the *Oakley 2020 General Plan*, the Northwest Oakley Special Planning Area will be the primary location for new industrial/commercial uses that would have a higher potential to deal with hazardous materials. Other areas of the Planning Area will focus more on residential, with distributed neighborhood commercial uses. Therefore, exposure to residents and workers in adjacent areas is not considered significant.

Heavy industrial land uses centered on the northwest portion of Oakley have the potential to present significant risk to public safety because of the hazardous nature of some petroleum and chemical materials. Potential hazards include explosion and flammability of petroleum products and other chemicals, and chemical toxicity. Notwithstanding industrial safety procedures, the presence of large quantities of hazardous materials within the City and the County, particularly close to and/or upwind of populated areas, poses a potential safety hazard at all times.

Many miles of pipelines for the transportation of natural gas, crude oil, and refined petroleum products traverse the Oakley Planning Area, including residential and commercial areas. Such pipelines may cross areas with active fault lines, landslide deposits, unstable slopes, and areas underlain by soft mud and peat. The public safety hazard from a pipeline break would depend on the proximity of the accident to populated areas as well as the nature of the event that produced it.

There are several active gas and oil wells in the City, most of which are far from populated areas in the eastern portion of the City, and many more wells just south of the City. Although there is the risk of a well catching on fire, such incidents have been very few and the risk of such a fire causing a general disaster is remote. There is the possibility of increased public safety hazards if rural residential areas are permitted to encroach on the gas producing area.

The BNSF Railroad line regularly ships hazardous materials and have the potential to spill cargo upon accidental derailment. The spillage of hazardous materials could have devastating results. The railroad companies do transport munitions to the Concord Naval Weapons Station, which could be an explosive hazard. The City has little to no control over the types of materials shipped

via a rail line because the content of shipments may be confidential for reasons of security and because local regulation of railroad operations is largely preempted by state and federal law.

The City takes the responsibility of protecting its citizens from the potential of exposure to hazardous materials seriously and has included many Policies and Programs to provide an efficient protection system. These are:

- Protect existing residential areas from intrusion of incompatible land uses and disruptive traffic to the extent reasonably possible. – *Land Use Element (LUE) Policy #2.2.3*;
- Promote, in areas where different land uses abut one another, land use compatibility by utilizing buffering techniques such as landscaping, setbacks, screening and, where necessary, construction of sound walls. – *LUE Policy #2.2.4*;
- Restrict or require increased setbacks for residential development proposed and adjacent to industrially or agriculturally designated or developed land to minimize conflicts. – *LUE Policy #2.2.13*;
- Avoid development which results in land use incompatibility. Specifically, avoid locating objectionable land uses within residential neighborhoods and protect areas designated for existing and future industrial uses from encroachment by sensitive (residential) uses. – *LUE Policy #2.4.1*;
- Incorporate design buffers between potentially incompatible land uses and avoid, to the extent feasible, new land uses that compromise existing businesses and operations. – *LUE Policy #2.4.3*;
- Require special fire protection measures in high-risk uses (i.e., mid-rise buildings, and those developments where hazardous materials are used and/or stored) as conditions of approval. – *Growth Management Element (GME) Policy #4.4.5*;
- Locate new waste disposal facilities to minimize potential impacts to existing and future residents. Waste disposal and processing facilities shall be designed, developed, and operated in a manner that is compatible with surrounding land uses. – *GME Policy #4.7.7*;
- The handling and storage of hazardous materials shall be identified and monitored by the local fire agencies. – *GME Policy #4.7.10*;
- Review, and amend if necessary, the Zoning Ordinance and other code sections to ensure that waste disposal facilities are regulated to preclude all nuisance and unsightly conditions. – *GME Program #4.7.E*;
- Hazardous waste releases from both private companies and public agencies shall be identified and eliminated. – *Health and Safety Element (HSE) Policy #8.3.1*;
- Storage of hazardous materials and wastes shall be strictly regulated. – *HSE Policy #8.3.2*;
- Secondary contaminant and periodic examination shall be required for all storage of toxic materials. – *HSE Policy #8.3.3*;
- Industrial facilities shall be constructed and operated in accordance with up-to-date safety and environmental protection standards. – *HSE Policy #8.3.4*;

- Industries which store and process hazardous materials shall provide a buffer zone between the installation and the property boundaries sufficient to protect public safety. The adequacy of the buffer zone shall be determined by the Community Development Department. – *HSE Policy #8.3.5*;
- Encourage the State Department of Health Services and the California Highway Patrol to review permits for radioactive materials on a regular basis and to promulgate and enforce public safety standards for the use of these materials, including the placarding of transport vehicles. – *HSE Program #8.3.A*; and
- Request that State and Federal agencies with responsibilities for regulating the transportation of hazardous materials review regulations and procedures, in cooperation with the City, to determine means of mitigating the public safety hazard in urbanized areas. – *HSE Program #8.3.B*.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are required.

Significance After Implementation: Implementation of the above policies will reduce the impact to a *less than significant* level.

Impact 3.7-E: *Development associated with the proposed General Plan in combination with other growth in east Contra Costa County may lead to potential cumulative impacts to health and safety. (Potentially Significant)*

Discussion and Conclusion: See discussions and conclusions in Impact 3.7-A, 3.7-B, 3.7-C, and 3.7-D.

Mitigation Measures

No additional mitigation measures are required.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

3.8 HYDROLOGY AND WATER QUALITY

For a more detailed environmental setting discussion regarding hydrology and water quality, see the Oakley 2020 General Plan Background Report (September 2001) and the Oakley 2020 Draft General Plan (September 2002), available from the Oakley Community Development Department.

This section provides a description of the Oakley Planning Area hydrology, including water resource availability, quality, regulation, and planning.

3.8.1 ENVIRONMENTAL SETTING SUMMARY

Surface Water Resources

The San Francisco Bay Delta System is generally regarded as the most important water body in California. It is used extensively for both recreational and commercial purposes, and supports a diverse flora and fauna. Water from about 40% of the land in California drains into the Bay and comprises most of the State's agricultural and urban supplies.

Water in the Delta is affected by a multitude of factors including upstream reservoir releases, tidal changes, discharge of agricultural diverters, and the export rates of the State Water Project and the Central Valley Project. Many statutes have been enacted specifically regarding the Delta.

The health of the San Francisco Bay is protected by the California State Regional Water Quality Control Board, San Francisco Bay Region. A basin plan has been prepared that serves as a blueprint for water pollution control activities in the Bay, and identifies a number of beneficial uses of the Bay that must be protected, including non-contact recreation, wildlife habitat, preservation of rare and endangered species, navigation, and commercial and sport fishing.

The Delta Protection Act of 1992 established the Delta Protection Commission (DPC), a State entity to plan for and guide the conservation and enhancement of the natural resources of the Delta, while sustaining agriculture and meeting increased recreational demand. The Act defines a Primary Zone, which comprises the principal jurisdiction of the DPC. The Secondary Zone is all the delta land and water area within the boundaries of the Delta that is not included within the Primary Zone, subject to the land use authority of local government, and that included in the land and water areas as shown on the map titled "Delta Protection Zones" on file with the Secretary of State. The Secondary Zone is not under the direct authority of the DPC. The City of Oakley and the SOI areas are completely within the Secondary Zone and, therefore, DPC review authority in Oakley is limited.

Marsh Creek is a small year-round creek that originates at Marsh Creek Reservoir and travels north through Brentwood and Oakley before reaching its final destination at Big Break. The reservoir is fed directly from waters from Mt. Diablo and from five tributaries, four of which are intermittent (Dry, Deer, Sand, and Birones Creeks) and one of which is year-round (Curry Creek). Most of the creek in Oakley is in its natural state; only the areas at Big Break, the Contra Costa Canal, and the railroad track crossing have been channelized. Recreational activities along the creek include some fishing, swimming, walking, and biking. The Marsh Creek Regional Trail is a paved bike trail that parallels the creek on the east side in Oakley.

Precipitation

Precipitation in the Oakley Planning Area is fairly light, with almost drought-like conditions during the summer months. Average rainfall data could not be found for the Oakley Planning Area, but was found for the City of Antioch, and is assumed representative of what the average rainfall would be in Oakley. The City of Antioch, just west of Oakley, receives over 13 inches of rain per year²⁴. Over 80% of this precipitation occurs during the winter months of November through March. The area gets less than 0.2 inches of rain during the summer months of June through August.

Surface Water Hydrology and Quality

San Joaquin Delta, Contra Costa Canal, and Marsh Creek are the main surface hydrological features in Oakley. The San Joaquin Delta provides drinking water to two out of three California residents, an irrigation supply to the nation's most productive farming economy, and is the underpinning of the state's industrial sector. Water drawn directly from or upstream of the Delta is delivered to cities from Redding to San Diego. The Delta is also a premiere environmental resource, providing habitat for 120 different species of fish, including a migration corridor for several runs of salmon, and a wintering haven for a significant number of birds on the Pacific Flyway. While great strides have been made in treating and reducing wastewater discharges into the estuary, pollution problems persist. Storms wash a variety of urban products into drainage channels that often end up in the Delta, including pesticides from lawns, motor oil, and solvents, and copper from brake pads.

The Contra Costa Canal is part of the Central Valley Project. Water for the canal is diverted from the Delta at Rock Slough, five miles east of Oakley. The four miles length of Canal from Rock Slough to Pumping Plant #1 is contained in earthen levees. The canal drains through Oakley from east to west starting at the southwestern corner of the primary SOI area and ending at the intersection of Live Oak Dr. and Neroly Rd. before heading into Antioch. The canal is all above ground.

Marsh Creek flows through Oakley from the southwest portion of Oakley, through agricultural land and some residential land, then north across undeveloped land eventually dumping into the Delta at Dutch Slough.

Water Quality – Diablo Water District

Discharges into water from fixed points, known as point sources, can affect surface and groundwater, as well as enter the storm drain system. These discharges consist mostly of effluent from industrial facilities and municipal wastewater systems, and are regulated under the Federal Water Pollution Control Act of 1972, more commonly known as the Clean Water Act.

Nonpoint sources of pollution include general pollutants from streets, open areas, and urban lands, the runoff which is not collected and directed into a wastewater treatment plant. In general, nonpoint source pollution is difficult to regulate and manage. In Oakley, this includes runoff from roads and parking lots due to leaking cars and exhaust emissions, as well as industrial emissions and erosion. Storm water discharges into the Canal is prohibited. CCWD has standards which regulate facility design to protect the Canal.

Many of the City's industrial and service commercial sites are sources of soil and groundwater contamination. Examples of substances released by these businesses include petroleum hydrocarbons, metals, and volatile organic compounds. Contamination may be due to leaking underground storage tanks, surface chemical releases, and accidental spills. The Central Valley Regional Water Quality Control Board (CVRWQCB) identifies and monitors contaminated sites, and publishes listings of sites known to cause soil and groundwater pollution annually, along with periodic updates.

The CVRWQCB lists²⁵ six sites in Oakley that recorded leaking underground fuel tanks. Of those, one site did not have an enforcement action, four sites have had the enforcement case closed, and one site is still in enforcement activity. That site is located on Bridgehead Road and has one public well within ½ mile. The site had gasoline contamination (also containing MTBE) reported in April 1993. The public well is a non-community water system that services 75 persons.

Groundwater Resources – Wells

Groundwater is a source of water in the County, mostly in rural areas. Several small public and private water companies extract underground water through wells and convey it to nearby customers. The majority of these are in the East County areas, including Bethel Island, Knightsen, Byron, and Discovery Bay. Whereas the City of Oakley does not receive any groundwater from wells, there are many private wells in the Plan Area. Sources not served by DWD that use water wells are located primarily south of Laurel Road and east of Main Street.

Wells are primary water sources in some rural areas, and could be a source of water for Oakley and the SOI areas. However, the feasibility of utilizing well water is dependent on the quality

²⁵ Geotracker (geotracker.swrcb.ca.gov)

and quantity of the groundwater supplies. A major problem with groundwater quality is the concentration of nitrates in the water supply.

Wastewater Services

The Ironhouse Sanitary District (ISD) provides wastewater service to Oakley and the unincorporated County areas. The Planning Area is entirely within ISD's boundary. Wastewater services include the transmission of wastewater primarily from residential and some from commercial and light industry to a treatment facility, treatment, and then disposal of the wastewater and residual waste solids.

The former Contra Costa County Sanitation District No. 15 and the Oakley-Bethel Island Wastewater Management Authority reorganized into the ISD and were renamed on January 31, 1992. Much, but not all, of the existing District area is presently served by collection systems owned and operated by ISD. Septic systems treat other individuals' wastewater.

According to the 1988 Trunk Line Master Plan, developed for the then Oakley Sanitary District, projections were to be based upon land use as shown in the County General Plan. The current Plan provides for a total population of 66,272 within the District boundaries and total of 32,000 equivalent dwelling units (EDU's) and includes industrial areas. However, the City estimates that the development potential within Oakley Planning Area under the County General Plan, as adopted by the City at incorporation, was approximately 75,000. The ISD service area also includes land outside the City Planning Area, most notably Bethel Island. The Plan developed the sanitary wastewater line sizes, slopes, and locations required to accommodate the peak flow of wastewater expected to be generated when the area is fully developed.

Current System

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 build-out capacity. The current daily flow is 2.1 million gallons per day (MGD) and as of 2002, the disposal system capacity was 3 MGD and had the potential to be expanded to meet future requirements. The facilities include the collection system, wastewater treatment, and liquid and sludge disposal. The majority of liquid effluent goes to Jersey Island for land disposal. The District is currently seeking a new permit to allow land application of its bio-solids on Jersey Island.

Treatment Plant

ISD owns and operates a wastewater treatment plant in the northeast portion of the Oakley. This Plant currently provides wastewater treatment services for Oakley, Bethel Island, and the Sandmound area. There are currently 50 acres of onsite storage for treated wastewater. Additional acreage for storage will be required as flows increase. The Central Valley Regional

Water Quality Control Board (CVRWQCB) has established the waste discharge requirements for the Plant. The plant with its existing treatment system has routinely produced effluent below the discharge requirements.

Effluent Disposal

Effluent disposal is through land application of the treated effluent on irrigated pasture and agricultural crops. Currently the disposal is split between the mainland property and Jersey Island. Currently ISD is permitted to apply its reclaimed water on 260 acres of its mainland property and 350 acres on its Jersey Island property. This provides enough capacity to accommodate the current plant capacity of 4.0 MGD. ISD has increased its ultimate effluent disposal capacity from 4.0 MGD to 8.0 MGD by the acquisition of additional land. The land application of 8.0 MGD requires approximately 1,600 acres. However, 3,500 acres has been obtained on Jersey Island. While not all of the 3,500 acres will be feasible for disposal use, enough should be available to allow adequate flexibility to rotate the disposal areas over time.

Sludge Disposal

Solid sludge production results from the treatment process. 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.

Regulatory Framework for Hydrologic Resources

Clean Water Act/ Regional Water Quality Control Board

The Clean Water Act (CWA), administered through the Regulatory Program of the United States Army Corps of Engineers (USACE) regulates the water quality of all discharges into waters of the United States, including wetlands and intermittent stream channels. Section 401, Title 33, Section 1341 of the CWA sets forth water-quality certification requirements for “any applicant for a Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters.” Section 401 certification is required before final issuance of Section 404 permits from the USACE.

Contra Costa County General Plan

The Contra Costa General Plan, adopted in the interim as Oakley’s General Plan, contains a section on water resources in the Conservation Element. It includes general water resource policies, policies to protect and maintain riparian zones, and policies for new development along natural watercourses.

3.8.2 THRESHOLDS OF SIGNIFICANCE

CEQA Guidelines Appendix G says a significant impact would occur with full implementation of the Oakley General Plan if it would result in:

- Violation of water quality standards;
- Alteration of existing drainage patterns of the site or area, including alternation of a course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site;
- Substantial increase of nonpoint-source pollution entering stormwater runoff and entering the regional storm drain system or surrounding water resources;
- Substantial increase of construction-related erosion and sedimentation into surface waters;
- Disruption of a creek or stream channel, as a result of structures built within 100 feet of the centerline of a creek or stream channel; or
- Inadequate storm drains, as a result of new development, to accommodate 100- to 500- year flood flows.

3.8.3 ANALYSIS OF IMPACTS

Impact 3.8-A: *Future development associated with the proposed General Plan may result in additional discharge into surface waters or other alteration of surface water quality in violation of Regional Water Quality Control Board standards or waste discharge requirements. (Potentially Significant)*

Discussion and Conclusion: Development of the proposed land uses and circulation improvements within the Planning Area would have the potential to degrade water quality. Short-term water quality impacts would occur during individual site construction, and long-term impacts would be experienced during the lifetime of development.

Short-term grading and construction activities may cause an increase in erosion leading to sedimentation of streams in the affected watershed. Pollutants may also be transported from construction areas to downstream locations due to improper handling practices. Solvents, fuels, lubricants, and chemical wastes may be spilled, dumped, or discarded on construction sites. These contaminants may be picked up in site runoff and ultimately enter downstream waterways.

The degree to which construction activities affect water quality is partly determined by the time of year during which construction occurs. Construction during the winter rainy season would result in an increased potential for erosion, sedimentation, and contaminant transport in surface runoff. Decreased water quality during individual project construction would be a potentially significant impact.

Long-term occupation of the proposed land uses would introduce non-point sources of pollution such as fertilizers, pesticides, household chemicals, and automobile products (including fuels and

lubricants spilled, leaked, or dumped) within the Planning Area. These pollutants may be picked up by stormwater runoff and enter surface water bodies in or downstream from the Planning Area.

Runoff water quality is at its worst during the first storm following a prolonged dry period due to the first flush effect: the storm tends to remove pollutants that have accumulated over the preceding dry period. These pollutants include sediments, hydrocarbons, heavy metals, and bacterial contaminants that originate from urban sources like those identified above. Subsequent stormwater runoff is of generally better quality because exposed surfaces are typically less contaminated with pollutants.

A particular concern introduced by the Contra Costa Water District (CCWD) is that development in close proximity to the four-mile portion of the Contra Costa Canal that is earthen, and therefore unlined, may increase the potential to introduce pollutants into the water system via seepage. All development planned near the unlined portion of the Canal will be residential, either single-family or multi-family. Provided that CCWD standards are met, it is determined that the quantity and types of runoff from residential facilities will not pose a significant environmental threat to the quality of water in the Contra Costa Canal.

Another concern raised by the CCWD is that water in this portion of the Canal may cause groundwater fluctuations, which could cause damage to adjacent properties. This has been determined to be a potential environmental concern that can be diminished by adding the following wording to the Policies and Programs of the General Plan:

“The Contra Costa Water District must be consulted prior to any construction activities within 1,000 feet of the Canal property line.”

The City takes this responsibility seriously and has included many Policies and Programs to provide an efficient and safe water system to protect the citizens of Oakley from the dangers of flooding. These are:

- Coordinate future development with all water agencies to ensure facilities are available for proper water supply. – *Growth Management Element (GME) Policy #4.8.1;*
- Encourage the development of locally controlled supplies to meet the growth needs of the City. – *GME Policy #4.8.2;*
- Encourage the conservation of water resources throughout the City. – *GME Policy #4.8.3;*
- Ensure that new development pays the costs related to the need for increased water system capacity. – *GME Policy #4.8.4;*
- Ensure that water service systems be required to meet regulatory standards for water delivery, water storage, and emergency water supplies. – *GME Policy #4.8.5;*

- Encourage water service agencies to establish service boundaries and to develop supplies and facilities to meet future water needs based on the growth policies contained in the General Plan. – *GME Policy #4.8.6;*
- Encourage urban development within the existing water Spheres of Influence adopted by the Local Agency Formation Commission; expansion into new areas within the Urban Limit Line beyond the Spheres should be restricted to those areas where urban development can meet all growth management standards included in this General Plan. – *GME Policy #4.8.7;*
- Discourage the development of rural residences or other uses that will be served by well water or an underground water supply, if a high nitrate concentration is found following County Health Services Department testing. – *GME Policy #4.8.8;*
- Encourage rural residences currently served by well water to connect to municipal water service when it becomes available. Upon connection to municipal water service, any water well(s) shall be abandoned consistent with Contra Costa County regulations. – *GME Policy #4.8.9;*
- Identify and develop opportunities, in cooperation with water service agencies, for use of non-potable water, including ground water, reclaimed water, and untreated surface water, for other than domestic use. – *GME Policy #4.8.10;*
- Identify, monitor, and regulate land uses and activities that could result in contamination of groundwater supplies to minimize the risk of such contamination. – *GME Policy #4.8.11;*
- Reduce the need for water system improvements by encouraging new development to incorporate water conservation measures to decrease peak water use. – *GME Policy #4.8.12;*
- Encourage the use of reclaimed water as a supplement to existing water supplies. – *GME Policy #4.8.13;*
- Pursue and achieve compliance with all regional, State, and Federal regulations related to flood control, drainage, and water quality. – *GME Policy #4.10.2;*
- At the project approval stage, the City shall require new development to demonstrate that adequate water quantity and quality can be provided. The City shall determine whether 1) capacity exists within the water system if a development project is built within a set period of time, or 2) capacity will be provided by a funded program or other mechanism. This finding will be based on information furnished or made available to the City from consultations with the appropriate water agency, the applicant, or other sources. – *GME Program #4.8.A;*
- Encourage water service agencies to meet all regulatory standards for water quality before approval of any new connections to that agency. – *GME Program #4.8.B;*
- Encourage water service agencies to meet all regulatory standards for water quality prior to approval of any new connections to that agency. – *GME Program #4.8.C;*
- Encourage water-serving agencies to prepare written drought contingency plans and hold public hearings on these plans. These plans should identify the size of needed drought capacity reserves. In requests for capacity verification for new development, the City shall require that the serving agency exclude these reserves from its operating capacities for the purpose of the verification. – *GME Program #4.8.D;* and

- Identify and develop opportunities, in cooperation with sewer service and water service agencies, for using reclaimed wastewater. – *GME Program #4.9.E.*

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.8-B: *New development associated with the proposed General Plan may result in a substantial increase of construction-related erosion and sedimentation into surface waters. (Potentially Significant)*

Discussion and Conclusion: Drainage systems and improvements are discussed in detail in Section 3.7 of the EIR in the discussion on flood protection and storm drainage. This section will discuss the unique attributes associated with construction activities.

New development may result in construction-related dust associated with grading activities and heavy equipment travel. Dust and dirt may be washed into surface waters as a result of surface runoff from watering down construction areas, or during rainfall. Murky or cloudy waters may result from sedimentation and surface runoff.

In addition, pollutants may be transported from construction areas to downstream locations due to improper handling practices. Solvents, fuels, lubricants, and chemical wastes may be spilled, dumped, or discarded on construction sites. These contaminants may be picked up in site runoff and ultimately enter downstream waterways.

The degree to which construction activities affect water quality is partly determined by the time of year during which construction occurs. Construction during the winter rainy season would result in an increased potential for erosion, sedimentation, and contaminant transport in surface runoff. Decreased water quality during individual project construction would be a potentially significant impact.

Stormwater pollution control is implemented through the use of NPDES permits, which are applied to industry, municipalities, and construction activities. Subsequent developments greater than five acres in area would be required to obtain construction NPDES permits. Violation of downstream receiving water quality standards or non-compliance with the NPDES program

would be considered a significant impact. A Storm Water Pollution Prevention Plan (SWPPP) would have to be prepared, which would include an erosion and sedimentation control aspect. An SWPPP could be designed using concepts similar to those developed by the Association of Bay Area Governments and the Best Management Practices for Storm Water Pollution Prevention developed by the Central Valley Regional Water Quality Control Board.

The City takes this problem seriously and has included many Policies and Programs to provide an efficient water drainage system and a construction activities monitoring system to protect the citizens of Oakley from the dangers associated with construction-related water contamination. These are:

- Pursue and achieve compliance with all regional, State, and Federal regulations related to flood control, drainage, and water quality. – *Growth Management Element (GME) Policy #4.10.2;*
- Pursue responsible and adequate financing for implementation of the Drainage Plan. – *GME Policy #4.10.4;*
- Improve and expand the functionality of Marsh Creek as a major drainage corridor. – *GME Policy #4.10.5;*
- Open bypass channels, detention basins, and all drainage facility rights of way should be developed as an asset to the development or adjacent neighborhood, e.g. as a secondary recreation use. – *GME Policy #4.10.9;*
- Implement and update, as necessary, the Contra Costa County Drainage Plan for the City of Oakley. – *GME Program #4.10.A;*
- Actively participate in the Joint Municipal National Pollutant Discharge Elimination System (NPDES) program with the City of Antioch, City of Brentwood, and East Contra Costa County. – *GME Program #4.10.B;*
- Develop and adopt a Specific Drainage Plan for areas north and east of the Contra Costa Canal. – *GME Program #4.10.D;*
- Adopt and update, as necessary, development fees for drainage improvements for all new development in the City. – *GME Program #4.10.E;*
- Pursue funding from public agencies and other grant sources to plan, design, and implement flood control improvements. – *GME Program #4.10.F;*
- Require, upon development, the dedication of property or drainage easement adjacent to Marsh Creek to be used to increase width and capacity of the stream corridor. – *GME Program #4.10.G;*
- Coordinate a study of Marsh Creek to determine appropriate strategies for improving, expanding and managing the stream corridor to enhance aesthetic, biological and recreational qualities, as well as providing drainage and flood control. – *GME Program #4.10.H;*

- Evaluate the feasibility of expanding drainage easements along waterways and modifying banks and/or levees to increase the width of stream corridors. – *Open Space and Conservation Element (OSCE) Program #6.3.G;*
- Investigate and implement as appropriate City Zoning regulations requiring expanded setbacks, and land dedications along waterways to allow expansion and enhancement of waterways. – *OSCE Program #6.3.H;*
- Applications for development at urban or suburban densities in 100-year floodplain areas where there is a serious risk to life and property (see Figure 8-3) shall demonstrate appropriate solutions or be denied. – *Health and Safety Element (HSE) Policy #8.2.1;*
- Development of lands subject to subsidence shall take into account and fully mitigate the potential impacts of flooding based on the best currently available techniques. – *HSE Policy #8.2.9;*
- Encourage the County Flood Control District to proceed with drainage improvements in areas subject to flooding from inadequate County flood control facilities. – *HSE Program #8.2.A;* and
- Draft and adopt a city drainage master plan to address localized areas affected by creeks, in accordance with the guidelines contained in the Health and Safety Element and the Open Space and Conservation Element of this General Plan. – *HSE Program #8.2.B.*

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.8-C: *New development under the proposed General Plan may generate wastewater flows that exceed the collection and treatment capacity of the existing wastewater treatment plant. (Potentially Significant)*

Discussion and Conclusion: ISD has estimated a future potential wastewater flow of 8.0 MGD within its Sphere of Influence area. To meet future wastewater service needs and projected effluent discharge water quality requirements, ISD is proposing to upgrade and increase both its wastewater treatment capacity and field disposal area. This increased capacity will be in steps until the ultimate build-out is reached. No new CVRWQCB approval will be required. In 1991, ISD prepared a *Wastewater Facilities Expansion Plan* (Facilities Plan) that outlined the recommended treatment and disposal system projects necessary to meet the projected service

demand. Since completion of the Facilities Plan, ISD has continued to refine future wastewater flow projections and proposed facilities plans. The development allowed under Oakley's 2020 General Plan will not exceed ISD's planned maximum capacity limits.

There are a few major growth areas in Oakley:

- DuPont property in northwest (industrial/ commercial uses);
- Cypress Corridor (mostly residential with some commercial); and
- South Oakley on Neroly west of High School (commercial and residential).

In addition, a County project, Cypress Lakes, has been discussed and proposed for east of Oakley. ISD is including this project in its' plans. Development in the Cypress Corridor Expansion Area will require the installation of a new and larger main from Bethel Island Road west to the treatment plant. New lift stations, increased emergency storage pond capacity near Bethel Island, and a new crossing of Marsh Creek and the Contra Costa Canal will be required.

The District has 27 pump stations. In many cases, changing the pump motor and possibly upgrading the pump impeller is enough to handle additional flow without affecting the line sizes. The main impact of the development proposed under this General Plan is on the trunk line in the area east of Marsh Creek. The most significant change will be for larger trunk lines.

Even though the provider of this service has assured that they will be able to meet future needs presented by this project with planned improvements, the City must plan for this impact and has therefore included Policies and Programs to ensure, to the extent that it can, that an effective wastewater disposal system will be provided the citizens of Oakley. These are:

- Identify and develop opportunities, in cooperation with water service agencies, for use of non-potable water, including ground water, reclaimed water, and untreated surface water, for other than domestic use. – *Growth Management Element (GME) Policy #4.8.10;*
- Encourage the use of reclaimed water as a supplement to existing water supplies. – *GME Policy #4.8.13;*
- Coordinate future development with the Ironhouse Sanitary District to ensure facilities are available for proper wastewater disposal. – *GME Policy #4.9.1;*
- Wastewater treatment should preserve, and to the extent feasible, enhance water quality and the natural environment. – *GME Policy #4.9.2;*
- Encourage beneficial uses of treated wastewater, including marsh enhancement and agricultural irrigation. Such wastewater reclamation concepts shall be incorporated into resource management programs and land use planning. – *GME Policy #4.9.3;*
- Reduce the need for sewer system improvements by requiring new development to incorporate water conservation measures, which reduce flows into the sanitary sewer system. – *GME Policy #4.9.4;*

- Require new development to pay its fair share of the cost of on- and off-site infrastructure. This shall include installation of necessary public facilities, payment of impact fees, and participation in a Capital Improvement Program. – *GME Program #4.9.A;*
- Encourage sewer service agencies to establish service boundaries and develop treatment facilities to meet the future service needs based on the growth policies contained in the City of Oakley General Plan. – *GME Program #4.9.B;*
- Discourage development of rural residences served by septic tank and leach fields. – *GME Program #4.9.C;*
- At the project approval stage, require new development to demonstrate that wastewater treatment capacity can be provided. The City shall determine whether 1) capacity exists within the wastewater treatment system if a development project is built within a set period of time, or 2) capacity will be provided by a funded program or other mechanism. This finding will be based on information furnished or made available to the City from consultations with the appropriate sewer service agency, the applicant, or other sources. – *GME Program #4.9.D;*
- Identify and develop opportunities, in cooperation with sewer service and water service agencies, for using reclaimed wastewater. – *GME Program #4.9.E;* and
- Explore the feasibility of reclaimed water as a source of landscape irrigation within parks. – *Parks and Recreation Element (PRE) Program #7.1.P.*

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

3.9 BIOLOGICAL RESOURCES

For a more detailed environmental setting discussion regarding biological resources, see the Oakley 2020 General Plan Background Report (September 2001) and the Oakley 2020 Draft General Plan (September 2002), available from the Oakley Community Development Department.

The City's Planning Area supports a diverse assemblage of plant and wildlife species throughout several habitat types. Sensitive habitat areas in Oakley (irrigated pastures and marshes/sloughs)

contain valuable biological resources. Efforts to identify and preserve these valuable resources will improve the quality of the environment for Oakley residents.

3.9.1 ENVIRONMENTAL SETTING SUMMARY

Biological Communities

The City of Oakley is located within Contra Costa County (east San Francisco Bay Area), east of the City of Antioch and directly north of the City of Brentwood. Elevations within the Planning Area range from sea level to approximately 120 feet above mean sea level (MSL). Vegetation within the Planning Area includes agricultural and ruderal (fallow) fields, perennial and seasonal marsh, orchard, drainage/canal, and landscaped (developed) vegetation communities. Common plant and wildlife species occurring, or expected to occur, within these habitats are listed below.

- **Agricultural and Ruderal Field:** The western and southern portions of the Planning Area support several agricultural and ruderal fields. A majority of the agricultural fields appear to be routinely plowed or disked, supporting cultivated crops. Weedy invasive vegetation typically associated with ruderal (fallow) fields was also found in this habitat throughout the Planning Area. Agricultural and ruderal fields provide foraging habitat and shelter opportunities for a wide variety of common wildlife species.
- **Irrigated Pasture:** The majority of the northeastern portion of the Planning Area consists of irrigated pasture. Weedy species tolerant of year-round wet conditions are associated with this habitat. The frequent irrigation of these areas has resulted in the establishment of areas of seasonal and perennial wetland conditions in several of the pastures. Irrigated fields support foraging habitat for numerous avian and small mammal species and the wetland areas interspersed throughout these habitats likely support a wide variety of wildlife.
- **Marsh:** Deltaic marsh, associated with the San Joaquin River, is found along the northwestern border of the Planning Area, with one area of isolated marsh occurring in close proximity to the extreme northwestern border of the Planning Area. This area is bounded by an existing marina to the north. These habitats support a wide diversity of common wetland plant species and potential habitat for a number of listed and special-status plants. Marsh habitats support a wide range of common and special-status wildlife species. Species diversity in these habitats, particularly in deltaic marsh habitat, is high. The San Joaquin Delta is an important component of the Pacific Flyway, a major waterfowl migration route in North America.
- **Orchard:** Several areas within the City of Oakley are currently utilized for orchard production. Because the orchard habitat onsite is regularly maintained, it is relatively devoid of other vegetation. Orchards are considered low value habitat for wildlife species. Burrowing mammals and foraging avian species likely utilize this habitat within the Planning Area.

- **Waterways, Drainages, and Canals:** Waterways through Oakley include the Contra Costa Canal, Marsh Creek, and the Dutch Slough. The Contra Costa Canal runs east to west almost through the middle of the City. Marsh Creek runs south to north on the east side of the City and empties into the Delta. The Dutch Slough borders the northeast City boundary and the north and east boundary of the easternmost Expansion area with two fingers reaching south towards the Contra Costa Canal within Oakley.

Open water drainages and canals flow through the northern and southern portions of the Planning Area. These water features are predominantly devoid of vegetation, however, the associated banks support hydrophytic²⁶ vegetation, with the exception of the Contra Costa Canal, which is mostly a concrete-lined feature devoid of vegetation. Some riparian vegetation is associated with Dutch Slough, which is located in the northeastern portion of the Planning Area. Numerous resident and migratory wildlife species utilize open water canal habitats for foraging and shelter opportunities. Species expected to occur within these habitats in the Planning Area include aquatic species such as pacific chorus frog and bullfrog in addition to avian species such as great egret, great blue heron, and mallard. Additionally, raptors and numerous other resident and migratory birds utilize riparian vegetation and isolated oaks for nesting and roosting opportunities.

- **Landscaped/Developed:** The developed regions of the Planning Area are planted with common landscape plant species and constitute marginal habitat for common resident and migratory wildlife species.

Special Status Species

According to the U.S. Fish and Wildlife Service species list for the City’s representative USGS quadrangle, approximately 29 special-status species or species groups have potential to occur in the project vicinity (i.e., about 5 miles). Those plant and animal species most likely to occur in the Planning Area are listed below.

Note that the study area is outside the known range of the following species: longhorn fairy shrimp, Alameda whipsnake, salt marsh harvest mouse, San Joaquin kit fox, Suisun ornate shrew, California clapper rail, and Suisun song sparrow; therefore, these species will not be considered further in this EIR.

Special Status Plants

- **High Potential:** Delta mudwort, Mason’s lilaepsis, rose mallow, and Suisun marsh aster have the highest potential to occur within the Planning Area. In general, habitat for these species includes the marsh habitat along the northern border of Planning Area.

²⁶ Plants that occupy wet environments and have adapted to survive in these conditions.

- **Low or unlikely potential:** Big tarplant, Diablo helianthella, heartscale, showy madia, and soft bird's beak. Habitats supporting conditions suitable for these plant species should be considered sensitive.

Special-Status Wildlife

Invertebrates

- **High Potential:** Curved-foot hygrotus diving beetle. Habitat for this species in the area include the sloughs. One record is listed in the CNDDDB²⁷ from the Planning Area.
- **Low Potential:** Vernal pool fairy shrimp, vernal pool tadpole shrimp, and longhorn fairy shrimp. These species could occur in the potential seasonal wetlands in the Planning Area.

Amphibians and Reptiles

- **High Potential:** California red-legged frog, San Joaquin coachwhip, Giant garter snake, California horned lizard, Silvery legless lizard, and Northwestern pond turtle. Generally, these species occur in aquatic habitats (the marshes and sloughs in the Planning Area), with the exception of the horned and legless lizards, which may occur in association with sandy soils in the Planning Area.
- **Low Potential:** California tiger salamander, western spadefoot toad, and Alameda whipsnake.

Fish

- **High Potential:** A number of anadromous fishes and other aquatic species have a high potential to occur within the Planning Area. Habitat for these species in the area include the sloughs connected to the Delta waterways. Projects having the potential to affect the water quality of these water features could affect this species.

Mammals

- **High Potential:** San Joaquin pocket mouse, and several species of bats. Generally, the pocket mouse and kit fox could occur in the open upland habitats in the Planning Area, with the exception of bats, which are likely to frequent the upland areas closer to water.
- **Low Potential:** San Joaquin Valley woodrat, salt marsh harvest mouse, and Suisun ornate shrew.

²⁷ The California Natural Diversity Database is a statewide inventory of the locations and condition of the state's rarest species and natural communities.

Birds

- **High Potential:** California black rail, Suisun song sparrow, tricolored blackbird, species of herons, ibis, and egrets, mountain plover, Greater sandhill crane, Swainson's hawk, western burrowing owl, and other raptors including ferruginous hawk and Cooper's hawk. These species could potentially occur in undeveloped portions of the Planning Area. The nests of raptors as well as the nests of migratory bird species are protected under the MBTA. Active raptor nests are also afforded additional protection in the CFG Code 3503.5.

Sensitive Habitats

Sensitive habitats include those that are of special concern to resource agencies or those that are protected under CEQA, Section 1600 of the California Fish and Game Code, or Section 404 of the Clean Water Act.

- **Irrigated Pasture:** As discussed, irrigated pasture occurs in the northeastern portion of the Planning Area. Because these fields appear to support extensive areas of seasonal wetland vegetation, several areas within these fields may be considered wetlands. As such, these areas would be protected as wetlands as well as potential habitat for special-status species. Formal wetland delineation would be needed to determine the actual extent of wetlands.
- **Marsh/Sloughs:** Marsh habitats are found in association with Delta frontage property along the northern edge of the Planning Area. Because of the diversity of native plant and wildlife species as well as the high potential for special-status species occurrences, these areas are considered sensitive habitats. In addition, the sloughs and canals within the Planning Area likely support special-status species and, in addition, may function as wildlife corridors, which are important for the movement of migratory wildlife populations. Corridors provide foraging opportunities and shelter during migration. The California Fish and Game (CDFG) Code, Sections 1600 et seq., protects riparian vegetation associated with rivers and drainage ways. The riparian vegetation associated with Dutch Slough is likely considered a sensitive habitat to the CDFG.

These water features have not been delineated and additional jurisdictional wetlands or Waters of the U.S. may occur within the Planning Area. Consequently, a wetland delineation must be conducted and verified by the Corps prior to the development of any project proposed within the Planning Area. Encroachment into areas protected under Corps jurisdiction will require authorization from the Corps and may require Regional Water Quality Control Board (RWQCB) water quality certification and a CDFG Streambed Alteration Agreement.

Regulatory Framework

The following describes federal, state, and local environmental laws and policies that are relevant to the CEQA review process. The CEQA significance criteria are also included in this section.

Listed Species

The United States Congress passed the Federal Endangered Species Act (FESA) in 1973 to protect those species that are endangered or threatened with extinction. The State of California enacted a similar law, the California Endangered Species Act (CESA) in 1984.

The state and federal Endangered Species Acts are intended to operate in conjunction with CEQA and the National Environmental Policy Act (NEPA) to help protect the ecosystems upon which endangered and threatened species depend. The United States Fish and Wildlife Service (USFWS) is responsible for implementation of the FESA, while the California Department of Fish and Game implements the CESA. During project review, each agency is given the opportunity to comment on the potential of the project to affect listed plants and animals.

Special-Status Species

In addition to formal listing under the FESA and the CESA, species receive additional consideration during the CEQA process. Species that may be considered for review are included on a list of “Species of Special Concern,” developed by the CDFG. It tracks species in California whose numbers, reproductive success, or habitat may be threatened.

The California Native Plant Society (CNPS) maintains a list of plant species native to California that have low numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the Inventory of Rare and Endangered Vascular Plants of California. Potential impacts to populations of CNPS-listed plants receive consideration under CEQA review.

Raptors (birds of prey), migratory birds, and other avian species are protected by a number of state and federal laws. The federal Migratory Bird Treaty Act (MBTA) prohibits the killing, possessing, or trading of migratory birds except in accordance with regulations prescribed by the Secretary of Interior. Section 3503.5 of the California Fish and Game Code states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.”

Waters of the United States

The U.S. Army Corps of Engineers (Corps) regulates discharge of dredged or fill material into waters of the United States under Section 404 of the Clean Water Act (CWA). “Discharges of fill material” is defined as the addition of fill material into waters of the U.S., including, but not limited to the following: placement of fill that is necessary for the construction of any structure, or impoundment requiring rock, sand, dirt, or other material for its construction; site-development fills for recreational, industrial, commercial, residential, and other uses; causeways or road fills; fill for intake and outfall pipes and subaqueous utility lines [33 C.F.R. §328.2(f)]. In addition, Section 401 of the CWA (33 U.S.C. 1341) requires any applicant for a federal license or permit to conduct any activity that may result in a discharge of a pollutant into waters of the United States to obtain a certification that the discharge will comply with the applicable effluent limitations and water quality standards.

Waters of the U.S. include a range of wet environments such as lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, and wet meadows. Boundaries between jurisdictional waters and uplands are determined in a variety of ways depending on which type of waters is present. Methods for delineating wetlands and non-tidal waters are described below.

- Wetlands are defined as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” [33 C.F.R. §328.3(b)]. Presently, to be a wetland, a site must exhibit three wetland criteria: hydrophytic vegetation, hydric soils, and wetland hydrology existing under the “normal circumstances” for the site.
- The lateral extent of non-tidal waters is determined by delineating the ordinary high water mark (OHWM) [33 C.F.R. §328.4(c)(1)]. The OHWM is defined by the Corps as “that line on shore established by the fluctuations of water and indicated by physical character of the soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas” [33 C.F.R. §328.3(e)].

The CDFG has jurisdiction under Sections 1600 et seq. of the California Fish and Game Code over fish and wildlife resources of the state. Under Section 1603, a private party must notify the CDFG if a proposed project will “substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated by the department, or use any material from the streambeds...except when the department has been notified pursuant to Section 1601.” If an existing fish or wildlife resource may be substantially adversely affected by the activity, the CDFG may propose reasonable measures that will allow protection of those

resources. If these measures are agreeable to the party, they may enter into an agreement with the CDFG identifying the approved activities and associated mitigation measures.

Wildlife Migration Corridors

Wildlife migration corridors are important for the movement of migratory wildlife populations. Corridors provide foraging opportunities and shelter during migration. Generally, wildlife migration corridors are established migration routes for many species of wildlife. In wooded areas, these corridors often occur in open meadow or riverine habitats and provide a clear route for migration in addition to supporting ample food and water sources during movement.

3.9.2 THRESHOLDS OF SIGNIFICANCE

Section 15064.7 of the CEQA Guidelines encourages local agencies to develop and publish the thresholds that the agency uses in determining the significance of environmental effects caused by projects under its review. However, agencies may also rely upon the guidance provided by the expanded Initial Study checklist contained in Appendix G of the CEQA Guidelines. Appendix G provides examples of impacts that would normally be considered significant. Based on these examples, impacts to biological resources would normally be considered significant if the project would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

An evaluation of whether or not an impact on biological resources would be substantial must consider both the resource itself and how that resource fits into a regional or local context. Substantial impacts would be those that would diminish, or result in the loss of, an important biological resource, or those that would obviously conflict with local, state, or federal resource

conservation plans, goals, or regulations. Impacts are sometimes locally important but not significant according to CEQA. The reason for this is that although the impacts would result in an adverse alteration of existing conditions, they would not substantially diminish, or result in the permanent loss of, an important resource on a population-wide or region-wide basis.

3.9.3 ANALYSIS OF IMPACTS

Impact 3.9-A: *Approval of projects under the General Plan may reduce or destroy the habitat of species identified as sensitive, including species identified as endangered, candidate, and/or special status by the California Department of Fish and Game and U.S. Fish and Wildlife Service. (Potentially Significant)*

Discussion and Conclusion: The City of Oakley General Plan Area supports a diverse assemblage of plant and wildlife species throughout several habitat types. The potential for a particular habitat to support special-status species depends on numerous factors including microhabitat, human disturbance levels, and current site conditions. Changes in land use within habitats should be analyzed with regards to associated adverse effects to sensitive habitats and potential habitat for special-status plant and wildlife species.

Since many special-status plant and animal species have been documented as having a high potential to occur in various parts of habitats of the Planning Area, the habitats supporting conditions suitable for these species should be considered sensitive and as such should be surveyed before project development in these areas. If one or any of these species is found within the survey area, the appropriate resource agency should be contacted and species specific management strategies should be developed to ensure the protection of the species and their associated habitat.

Additionally, irrigated pasture, which occurs in the northeastern portion of the Planning Area, appears to support extensive areas of seasonal wetland vegetation, several areas within these fields may be considered wetlands under General Plan policies. As such, these areas would be protected as wetlands as well as potential habitat for special-status species. Formal wetland delineation would be needed to determine the actual extent of wetlands in the Planning Area.

Marsh habitats are found in association with Delta frontage property along the northern edge of the Planning Area. Because of the diversity of native plant and wildlife species as well as the high potential for special-status species occurrences, these areas are considered sensitive habitats. In addition, the sloughs and canals within the plan area likely support special-status species and may function as wildlife corridors, which are important for the movement of migratory wildlife populations. Corridors provide foraging opportunities and shelter during migration. The California Fish and Game Code Section 1600 protects riparian vegetation associated with rivers and drainage ways. The riparian vegetation associated with Dutch Slough is likely protected by this code and is considered a sensitive habitat to the CDFG.

These water features have not been delineated and additional jurisdictional wetlands or Waters of the U.S. may occur within the Planning Area. Consequently, wetland delineation must be conducted and verified by the Corps before the development of any project proposed within the Planning Area. Encroachment into areas protected under Corps jurisdiction will require authorization from the Corps and may require Regional Water Quality Control Board (RWQCB) water quality certification and a CDFG Streambed Alteration Agreement.

The City has placed much importance to maintaining, preserving, and enhancing the biological diversity within the Planning Area; the General Plan includes Policies and Programs throughout to help satisfy this goal. Some of these are:

- Preserve open space areas, of varying scales and uses, both within development projects and at the City's boundary. – *Land Use Element (LUE) Policy #2.1.5;*
- Preserve, enhance, and restore selected existing natural habitat areas, as feasible. – *LUE Policy #2.6.6;*
- Create new wildlife habitat areas in appropriate locations, which may serve multiple purposes of natural resource preservation and passive recreation, as feasible. – *LUE Policy #2.6.7;*
- Pursue opportunities, including grants to purchase rights of way, easements, or other instruments that would ensure access to the Delta, parkland, open space, or waterways. – *LUE Program #2.6.A;*
- Develop new drainage facilities and/or improvements to existing facilities to provide additional recreational or environmental benefit, where possible. – *Growth Management Element (GME) Policy #4.10.6;*
- Coordinate a study of Marsh Creek to determine appropriate strategies for improving, expanding and managing the stream corridor to enhance aesthetic, biological and recreational qualities, as well as providing drainage and flood control. – *GME Program #4.10.H;*
- Preserve important ecological and biological resources as open space. – *Open Space and Conservation Element (OSCE) Policy #6.3.1;*
- Develop open space uses in an ecologically sensitive manner. – *OSCE Policy #6.3.2;*
- Use land use planning to reduce the impact of urban development on important ecological and biological resources identified during application review and analysis. – *OSCE Policy #6.3.3;*
- Preserve and enhance the natural characteristics of the San Joaquin Delta and Dutch Slough. – *OSCE Policy #6.3.4;*
- Preserve and enhance Delta wetlands, significant trees, natural vegetation, and wildlife populations. – *OSCE Policy #6.3.5;*
- Preserve portions of important wildlife habitats that would be disturbed by major development, particularly adjacent to the Delta. – *OSCE Policy #6.3.6;*

- Preserve and expand stream corridors in Oakley, restoring natural vegetation where feasible. – *OSCE Policy #6.3.7*;
- Establish buffers from adjoining land uses to protect the natural open space resources in the City. – *OSCE Policy #6.6.1*;
- Preserve and enhance the watershed, natural waterways, and areas important for the maintenance of natural vegetation and wildlife populations. – *OSCE Policy #6.6.2*;
- Encourage access and improvements along the City’s waterways, particularly the San Joaquin Delta, Marsh Creek and Dutch Slough. – *OSCE Policy #6.6.3*;
- Where feasible and desirable, major open space components shall be combined and linked to form a visual and physical system in the City. – *OSCE Policy #6.6.4*;
- Prior to development within identified sensitive habitat areas, the area shall be surveyed for special status plant and/or animal species. If any special status plant or animal species are found in areas proposed for development, the appropriate resource agencies shall be contacted and species-specific management strategies established to ensure the protection of the particular species. Development in sensitive habitat areas should be avoided to the maximum extent possible. – *OSCE Program #6.3.A*;
- Participate with regional, state, and federal agencies and organizations to establish and preserve open space that provides habitat for locally present wildlife. – *OSCE Program #6.3.B*;
- As funding becomes available, prepare a detailed inventory of ecologically resource areas, along with detailed maps showing the location of significant resources. Resources should include, but not be limited to, unique natural areas, wetland areas, habitats of rare, threatened, endangered, and other uncommon and protected species. – *OSCE Program #6.3.E*;
- As funding becomes available, prepare a Wetland Protection Ordinance. – *OSCE Program #6.3.F*;
- Evaluate the feasibility of expanding drainage easements along waterways and modifying banks and/or levees to increase the width of stream corridors. – *OSCE Program #6.3.G*;
- Investigate and implement as appropriate City Zoning regulations requiring expanded setbacks, and land dedications along waterways to allow expansion and enhancement of waterways. – *OSCE Program #6.3.H*;
- Participate with regional, state, and federal entities and agencies to establish open space areas that include wildlife habitat and provide passive recreational opportunities. – *OSCE Program #6.6.C*;
- Eliminate all biological and/or ecological restrictions on land designated as active use areas within proposed park sites. – *Parks and Recreation Element (PRE) Policy #7.2.7*;
- Design neighborhood parks to conserve natural features including creeks, heritage trees, and significant habitats. However, parkland dedicated for active recreation should not have biological and/or ecological restrictions on land usage. – *PRE Policy #7.3.7*;
- Suitability guidelines include that there should be little or no biological or ecological restrictions on land usage. – *PRE Policy #7.3.10*;

- Restrict or prohibit public access to certain open space and shoreline areas as needed for preservation purposes. – *PRE Policy #7.4.6*; and
- Minimize impact of future development in the shoreline area on the environmental health of natural systems. – *PRE Policy #7.4.7*.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are required.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.9-B: *Implementation of the proposed General Plan may result in loss of plant and wildlife habitat within the Planning Area. (Potentially Significant)*

Discussion and Conclusion: See Discussion and Conclusion for Impact 3.9-A.

Mitigation Measures

No additional mitigation measures are required.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.9-C: *Approval of projects under the updated General Plan may adversely affect movement and dispersal of wildlife and wildlife migration corridors. (Potentially Significant)*

Discussion and Conclusion: See Discussion and Conclusion for Impact 3.9-A.

Mitigation Measures

No additional mitigation measures are required.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.9-D: *New development under the General Plan may result in the introduction and spread of non-native invasive plant species. (Potentially Significant)*

Discussion and Conclusion: See Discussion and Conclusion for Impact 3.9-A.

Mitigation Measures

No additional mitigation measures are required.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.9-E: *Development associated with the proposed General Plan may result in a significant loss of trees. (Potentially Significant)*

Discussion and Conclusion: The City's Heritage Tree Preservation Ordinance was adopted as part of the Contra Costa County zoning provisions. The ordinance protects designated heritage trees, preventing the removal of such trees without approval of a tree permit.

The City has placed importance to maintaining and preserving trees within the Planning Area; the General Plan includes Programs in the Land Use and Conservation Element specifically to address this goal. These are:

- Preserve and enhance Delta wetlands, significant trees, natural vegetation, and wildlife populations. – *Open Space and Conservation Element (OSCE) Policy #6.3.5;*
- Investigate and implement as appropriate a tree-planting program. Consider similar existing programs such as the Sacramento Tree Foundation. – *OSCE Program #6.3.C;* and
- Continue to implement (and update as needed) the City's Heritage Tree Preservation Ordinance. – *OSCE Program #6.3.D.*

The General Plan Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are required.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.9-F: *Development associated with the proposed General Plan may lead to the cumulative conversion and loss of plant and animal habitat. (Potentially Significant)*

Discussion and Conclusion: See Discussion and Conclusion for Impact 3.9-A.

Mitigation Measures

No additional mitigation measures are required.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

3.10 HISTORICAL AND CULTURAL RESOURCES

For a more detailed environmental setting discussion regarding historical and cultural resources, see the Oakley 2020 General Plan Background Report (September 2001) and Oakley 2020 Draft General Plan (September 2002), available from the Oakley Community Development Department.

This section presents the environmental setting and impact assessment for historical and cultural resources in the Oakley Planning Area.

3.10.1 ENVIRONMENTAL SETTING SUMMARY

Before European Exploration

Archeologists have found few prehistoric sites in the Oakley area. One substantial shell mound was discovered early in the twentieth century near what is now the east edge of town. The Northwest Information Center of the California Historical Resources Information System now keeps track of archeological investigations undertaken in Oakley. Around three-dozen such projects have been completed in the past 25 years, yielding only four prehistoric sites in the City. However, the information center believes there is a high possibility that other prehistoric sites remain within the City.

The first settlers in the west delta were the Bay Miwoks, who occupied the region between 1100 and 1770 A.D. The Bay Miwok people, usually called the Julpunes or Pulpunes by European explorers, were organized into “tribelets”, i.e. political units that included several fairly permanent villages and a set of seasonal campsites arrayed across a well-defined territory.

Exploration

Spanish incursions into the Oakley area began in the 1770s. The first to enter what are now the City limits was the De Anza expedition of 1775-76. However, after a failed attempt to find a

route through the tule swamps to the Sierra, the De Anza expedition returned to Monterey. Subsequent expeditions by the Spanish did not result in colonization. Europeans settled in the delta in the 1800s, but were killed by malaria and small pox. Therefore, little remains from the period of Oakley's exploration and settlement by people of non-Native descent.

Settlement, Founding of Oakley, and Growth

American settler John Marsh successfully farmed the land in the 1830s, bringing other American immigrants to the area. By 1862, the population of the Oakley area was large enough to support a school. A store on the Dutch Slough brought vessels into the canal for commerce. In the 1860s, farmers created swampland districts through reclamation of delta lands for new farming opportunities. Construction of the railroad along the City's southern boundary in 1879 introduced a shipping alternative for farmers.

The town of Oakley was founded in 1897, when the transcontinental railroad arrived and agriculture shifted from grains to orchard crops. Growth was slow early in the 1900s, expanding agricultural industry and local services. Civic institutions and activities expanded after WWI, followed by the depression. Floods and levee breaks altered the land area, resulting in the expansion of agriculture and tourism for recreation in the 1930s. Opportunities and inexpensive land brought about a population boom in the 1970s. New rooftops attracted industrial and commercial uses to the community. The population quadrupled in the 1980s to 16,000 persons. Discontent with the way the county government was handling growth in Oakley led to the founding of an official advisory council in 1983 and eventual incorporation in 1999.

Historic Resources

By far the largest number of historic resources dates from the period of Oakley's growth and development, roughly from 1901 to 1955. The largest concentration of potential historic resources from this period is in "old town." This area contains commercial, institutional, and residential buildings. It extends across the original town plat and O'Hara's 1909 addition, from Main Street to south of Home Street between Norcross Lane and Fifth Street. The area today contains more than 200 buildings, most of which were constructed before 1955. Old town, however, covers only about two percent of the land area in the City. Its buildings do not reflect the history of the surrounding area, which was primarily agricultural until after World War II. There are approximately 100 farm buildings within the City limits. Additionally, there are as many as 200 more buildings, constructed between 1945 and 1955, remaining in the City, most of which are residential structures concentrated in the Sand Hill area.

Old Town: Thirty-three buildings along Main Street show the commercial development of Oakley. Five of the buildings in the center of the zone are architecturally significant. All five buildings were constructed or remodeled from 1925 to the early 1930s and have not been substantially altered since. Large display windows and lack of setback signal a time when most customers were pedestrians. The most prominent building in the group is the Oakley Hotel,

which has four storefronts facing Main. The hotel is the most carefully designed structure on the street and the only one with two stories. Across Main is a trio of adjacent masonry structures with false fronts that typify small-scale commercial construction across California during the period.

The west part of the old commercial district is less cohesive and more oriented toward automobile traffic. Several of the buildings there are nevertheless more than 50 years old. Most notable is a collection of seven small dwellings opposite O'Hara Street that once formed an auto court. Four units, designed in the Tudor Revival Style, date from around 1930, while the former manager's building, originally a house, appears to have been constructed around 1910. The rest of the court appears to have been put up after World War II.

Missing from old town are many of the buildings that defined Oakley as a shipping point on the Santa Front elevation Railroad. The depot, which once was located beyond the end of Fourth Street, has disappeared, as have the Miller Cumming packinghouse and the Sesnon warehouse. Two other packing house buildings, constructed around 1915, remain north of the tracks from Sixth Street to Rose Avenue, although they have been somewhat altered. The old almond growers' warehouse on Fifth Street has been more substantially changed. The lumber shed across the street also remains.

South of Main are three buildings that represent institutions important in the early development of Oakley. The Crossroads Community Church at 132 O'Hara Avenue, which was constructed for a Methodist congregation in 1908. With its 30-foot tower, the church is one of the town's most striking buildings. A block to the south at 210 O'Hara is the old Oakley Grammar School (later the county building). Although not highly ornamented, its wide facade, arched openings, and engaged Corinthian columns make the structure one of the City's most impressive public buildings. The Oakley Women's Club building is located a block to the east at 204 Second Street. Constructed around 1905 as a church but looking more like a Craftsman bungalow, the building served as a clubhouse from 1916 to 1999. Although the institutional buildings are within a block of each other, they do not form a cohesive district.

The residential section of old town lies south of Acme Street. The houses vary considerably in age, with a few constructed before 1910 and a few after 1960. In the area east of O'Hara Avenue, the houses are usually quite small, often containing (at least by outward appearances) only two bedrooms and one bath. Most homes in this area defy architectural classification. However, in the 1920s, many California Bungalow style homes were constructed in Oakley. Few residential units were constructed during the 15 years (1930-45) that marked the Great Depression and World War II. After that time, residential design had a horizontal emphasis with very little ornamentation.

The oldest buildings in the area, dating from 1905 to 1910, furnish clear links to the earliest days of Oakley. Among the most impressive is the two-story house is the former Walker House at 514 O'Hara, which has a classical portico with a pediment gable and four columns. More impressive because of their detailing and corner locations are two other residences developed around 1910.

Both border Second Street—one at the southwest corner of Ruby, the other at the northwest corner of Star. Their bay windows and half-width front porches are particularly noteworthy.

Outlying Area: By the early 1930s, the number of farm structures within the present city limits might well have reached 500. Due to the small-scale nature of most of local agriculture in the twentieth century, the buildings were generally small and simple. Few farmsteads, containing a house, auxiliary buildings, and surrounding open land, remain today. Exceptions are the Emerson and former Burroughs dairies in the northeast corner of the City. Individual farm buildings, not always houses, are more common. Several trends have diminished the number of farm structures: the abandonment of ranching, the replacement of old houses with newer ones, and the conversion of land from farming to residential tracts.

Other reminders remain of the era between the world wars. Those associated with the Contra Costa Canal (canal and pumping plants) are especially important. The opening of the state highway led to residential construction on the outskirts of town along the road. Then, after WWII, the subdivision of land for residential development was popular throughout the region. By far the largest concentration of new construction occurred at Sand Hill, about a mile south of old town on State Route 4 at or near the site of a depression era migrant labor camp. Building took place along six intersecting streets, each of which came to a dead end. By 1954, over 130 houses and a few other structures had gone up. Most of the buildings remain today.

Historic Preservation Issues

Oakley's historic resources are generally in need of official recognition. Additionally, different groups of potentially significant old buildings raise different preservation issues. The downtown commercial strip suffers from the underutilization of some buildings and the scarcely interrupted flow of traffic along Main Street. Some of the houses in the nearby residential area need maintenance, while others are losing architectural details as they undergo renovation. Original windows, in particular, are vulnerable to inappropriate replacements. Consideration of old ranch buildings, of critical importance because of Oakley's agricultural heritage, forms part of a larger question of continued suburban development.

Designated Historic Resources

In 1999, the federal government designated the route of the De Anza expedition as a National Historic Trail. The California Department of Transportation has begun a program to place signs along the autoroute of the trail, which is State Highway 4 through the City of Oakley. Nothing of the actual trail continues to exist in town.

Applicable Policies and Regulations

National Historic Preservation Act (NHPA)

The NHPA establishes laws for historic resources to preserve important historic, cultural, and natural aspects of our national heritage, and to maintain, wherever possible, an environment that supports diversity and a variety of individual choice. The Historic Sites Act of 1935 established national policy to preserve historic sites, buildings, and objects of national, state and local significance.

National Register of Historic Places

The National Register of Historic Places (National Register) is the nation's master inventory of known historic resources. The National Register is administered by the National Park Service and includes listings of buildings, structures, sites, objects, and districts that possess historic, architectural, engineering, archaeological, or cultural significance at the national, state or local level.

Structures, sites, buildings, districts, and objects over 50 years of age can be listed on the National Register as significant historic resources. However, properties under 50 years of age that are of exceptional importance or are contributors to a district can also be included on the National Register. The criteria for listing on the National Register include resources that:

- Are associated with events that have made a significant contribution to the broad patterns of history;
- Are associated with the lives of persons significant in our past;
- Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- Have yielded or may likely yield information important in prehistory or history.

State Office of Historic Preservation

The State Office of Historic Preservation implements preservation laws regarding historic resources, and is responsible for the California Historic Resources Inventory (CHRI), which uses the National Criteria for listing resources significant at the national, state, and local level.

California Register of Historical Resources

The California Register of Historical Resources is an authoritative listing of the State's significant historical and archaeological resources. Any resource listed in or formally determined eligible for the National Register is automatically listed in the California Register of Historical Resources, pursuant to Section 4851(a) of the Public Resources Code.

Although the criteria for the California Register are similar to those used by the National Register of Historic Places, the California Register documents the unique history of the state. The California Register includes, but is not limited to, objects, buildings, structures, sites, areas or places which are historically or archaeologically significant, or are significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California and which meet the criteria for listing. Resources listed in the California Register must be significant at the local, state, or national level under one or more of the following four criteria:

- It is associated with events that have made a significant contribution to the broad pattern of local or regional history, or the cultural heritage of California or the United States;
- It is associated with the lives of persons important to local, California, or national history;
- It embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of a master or possesses high artistic values; or
- It has yielded, or has the potential to yield, information important to the prehistory of the local area, California or the nation.

California Health and Safety Code (Section 7052)

The Health and Safety Code (Sec. 7052) prohibits disturbance of human remains except under certain conditions. The Code specifies procedures to be followed in the event that Native American graves are found. If human remains are discovered, ground-disturbing activities must cease. A coroner must then be contacted to analyze the remains. If the coroner determines that the remains are Native American in origin, the California Native American Heritage Commission must be consulted on the matter.

California Environmental Quality Act

The California Environmental Quality Act (CEQA) was adopted by the state legislature in response to a public mandate for a thorough environmental analysis of projects that might adversely affect the environment. The provisions of the law, review procedure, and any subsequent analysis are described in the CEQA Statutes and Guidelines as amended in 1998. Cultural resources are considered an environmental impact under CEQA.

3.10.2 THRESHOLDS OF SIGNIFICANCE

A significant impact would occur with full implementation of the Oakley General Plan if it would:

- Cause a substantial adverse change in the significance of an historical resource;
- Cause a substantial adverse change in the significance of an archaeological resource;
- Disrupt or adversely affect any site of historic or cultural significance to a community or ethnic or social group;
- Directly or indirectly destroy a unique paleontological resource, site, or geological feature; or
- Disturb any human remains.

3.10.3 ANALYSIS OF IMPACTS

Impact 3.10-A: *Development associated with the proposed General Plan may lead to potential damage or loss of known historic, cultural, archaeological, or paleontological resources. (Less than Significant)*

Discussion and Conclusion: The known significant historic and cultural resources in the Oakley Planning Area could be subject to damage or loss because of development resulting from the proposed General Plan. Construction activities such as grading and excavation associated with development and redevelopment activities allowed by the proposed *Oakley 2020 General Plan* could potentially affect known historic or cultural resources.

Policies and Programs presented in the proposed General Plan to preserve and protect cultural and historic resources are presented in the Discussion and Conclusions related to Impact 3.10-B.

Mitigation Measures

No additional mitigation measures are required.

Significance after Implementation: Impacts would remain at a *less than significant* level upon implementation of the proposed General Plan.

Impact 3.10-B: *Development associated with the proposed General Plan could damage unknown historic, cultural, prehistoric, or archaeological resources in the Planning Area. (Potentially Significant)*

Discussion and Conclusion: There have been few archeological or paleontological finds in the City of Oakley. However, given the rich history of the Planning Area and region, the City will continue to require site evaluation prior to development of undeveloped areas, as well as required procedures if artifacts are unearthed during construction.

While some historic structures and land uses date back to the late 1800s, most of the City's historic resources date from the period of Oakley's growth and development, roughly from 1901 to 1955. While there are no officially designated historic structures in Oakley, there are numerous buildings, primarily in the old town area, eligible for such designation or listing. The City intends to evaluate such resources and establish preservation policies and practices for qualified historic resources.

Oakley's historic resources are generally in need of official recognition. In addition to that, different groups of potentially significant old buildings raise different preservation issues. The downtown commercial strip suffers from the underutilization of some buildings and the scarcely interrupted flow of traffic along Main Street. Some of the houses in the nearby residential area need maintenance, while others are losing architectural details as they undergo renovation. Original windows, in particular, are vulnerable to inappropriate replacements. Consideration of old ranch buildings, of critical importance because of Oakley's agricultural heritage, forms part of a larger question of continued suburban development.

The City takes this responsibility seriously and has included many Policies and Programs to preserve, protect, and renovate known and unknown historic, cultural, prehistoric, or archaeological resources in the Planning Area. These are:

- Review all development proposals involving historic buildings to ensure that modifications are consistent with the overall historic architecture and authenticity of the building. – *Land Use Element (LUE) Policy #2.5.1;*
- Continue to support redevelopment and rehabilitation efforts for significant structures in the community. – *LUE Policy #2.5.2;*
- Review infill development for consistency with architectural character in the surrounding neighborhood. – *LUE Policy #2.5.3;*
- Consider reducing or waiving some development requirements to encourage the reuse of existing older structures. – *LUE Policy #2.5.4;*
- In historic areas, promote land uses that are consistent with the historic nature of the area. – *LUE Policy #2.5.5;*
- New construction in the downtown area should be designed at a scale and character that is consistent with the historic resources downtown. – *LUE Policy #2.8.4;*
- Monument or similar signs should be provided at appropriate gateways to residential districts, commercial areas, or other significant landmarks. – *LUE Policy #2.8.11;*
- Develop a process of review for all development applications involving the modification of historically significant structures. – *LUE Program #2.5.A;*
- Support and facilitate grant applications for inventorying, renovating, and restoring significant commercial and residential structures throughout the City. – *LUE Program #2.5.B;*

- Preserve areas that have identifiable and important archaeological or paleontological significance. – *Open Space and Conservation Element (OSCE) Policy #6.4.1;*
- Promote the compatibility of new development located adjacent to existing structures of historic significance with the architecture and site development of the historic structure. – *OSCE Policy #6.5.1;*
- Respect the character of the building and its setting during the remodeling and renovation of facades of historic buildings. – *OSCE Policy #6.5.2;*
- Encourage the use of the State Historic Building Code for historic buildings and other structures that contribute to the City’s historic character. Use flexibility when applying zoning regulations to historic sites and buildings. – *OSCE Policy #6.5.3;*
- Recognize the value of Oakley’s historic resources as an economic development tool. – *OSCE Policy #6.5.4;*
- Ensure that the integrity of historic structures and the parcels on which they are located are preserved through the implementation of applicable design, building, and fire codes. – *OSCE Policy #6.5.5;*
- Work with property owners to preserve historic features within the community. – *OSCE Policy #6.5.6;*
- Assess development proposals for potential impacts to significant archaeological resources pursuant to Section 15064.5 of the CEQA Guidelines. Require a study conducted by a professional archaeologist for projects located near creeks or identified archaeological sites to determine if significant archaeological resources are potentially present and if the project will significantly impact the resources. If significant impacts are identified, either require the project to be modified to avoid the impacts, or require measures to mitigate the impacts. Mitigation may involve archeological investigation or recovery. – *OSCE Program #6.4.A;*
- Encourage owners of eligible historic properties to apply for State and Federal registration of these sites and to participate in tax incentive programs for historic restoration. – *OSCE Program #6.5.A;*
- Identify funding mechanisms, including funding from the City to the extent possible, to support programs to preserve, restore, and enhance unique historic sites. – *OSCE Program #6.5.B;* and
- Assess development proposals for potential impacts to significant historic resources pursuant to Section 15064.5 of the CEQA Guidelines. For structures that potentially have historic significance, require a study conducted by a professional archaeologist or historian to determine the actual significance of the structure and potential impacts of the proposed development. Require modification of projects to avoid significant impacts, or require mitigation measures. Protect historical buildings and sites to the extent possible, including modifications to Uniform Code requirements for historic structures. – *OSCE Program #6.5.C.*

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are required.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.10-C: *Development associated with the proposed General Plan in combination with growth elsewhere in eastern Contra Costa County and the western San Joaquin Valley could result in cumulative loss to cultural resources. (Potentially Significant)*

Discussion and Conclusion: Cultural resources include both historical and archaeological sites. The Oakley Planning Area and the surrounding areas, contain possible archaeological resources that would be potentially affected from new development associated with the proposed General Plan in combination with growth in eastern Contra Costa County and the western San Joaquin Valley.

Urbanization of Oakley and the surrounding areas could result in the continued loss of historic structures and remove sources that have value both as a scientific resources to understanding our history and as an integral part of establishing identity and maintenance of a sense of place.

Proposed General Plan policies mentioned above would help reduce the potentially significant cumulative impacts. Several of these policies are standard practices required through environmental review. In addition, open space elements of community general plans are required to recognize cultural resources as a valuable component of a local jurisdiction's natural and recreational amenities. Finally, community design guidelines that reflect and incorporate features of the City's historic and architectural heritage can serve to preserve and maintain historic properties, sites, and districts. Implementation and/or adoption of these planning and environmental review practices should reduce the cumulative loss of cultural resources in the east Contra Costa County area and in the western San Joaquin Valley to less than significant.

Mitigation Measures

No additional mitigation measures are required.

Significance after Implementation: Implementation of the proposed General Plan with other existing General Plans and design guidelines in the area would reduce this impact to a *less than significant* level.

3.II UTILITIES AND SERVICE SYSTEMS

For a more detailed environmental setting discussion regarding utilities and services systems, see the Oakley 2020 General Plan Background Report (September 2001) and Oakley 2020 Draft General Plan (September 2002), available from the Oakley Community Development Department.

This section presents the environmental setting and impact assessment for water, energy, and telephone resources in the Oakley Planning Area.

3.II.I ENVIRONMENTAL SETTING SUMMARY

Water Services

Diablo Water District

In 1993, Oakley Water District became Diablo Water District (DWD) with a service boundary that includes the then unincorporated community of Oakley as well as other unincorporated lands in the greater Oakley area. The Planning Area is entirely within the Water District's DWD Sphere of Influence (SOI) area boundary.

In 1998, the DWD updated the 1991 Water Master Plan with a DWD Facilities Plan Update. The Plan Update was based on future population and dwelling units projections at build-out. It projected that the population within DWD's sphere of influence would be approximately 55,250. This included the city of Oakley, which was estimated at 46,100 (this included about 500 people in North Brentwood that were detached from DWD at annexation by Brentwood).

Water Supply

The Contra Costa Water District (CCWD), a public water agency, delivers water to 450,000 people in central and eastern Contra Costa County through the Contra Costa Canal, including the DWD. Currently, 100 percent of the DWD's raw water supply is surface water from the Contra Costa Canal, which obtains water from the Sacramento-San Joaquin Delta at the Rock Slough intake. The initial allocation for DWD is 15 MGD with a future maximum allocation of 30 MGD. DWD's ultimate supply commitment from CCWD is 30 MGD. This commitment is for "normal" years and drought years can be less. CCWD provides water for irrigation and industry with a full commitment from the Central Valley Project of 174 million gallons per day (MGD).

The Randall-Bold Water Treatment Plant (WTP) on Neroly Road treats the water before public consumption. The WTP is jointly owned by DWD and CCWD. The WTP has an initial capacity of 40 MGD with expansion capability to 80 MGD. Major operations include: connection to the Contra Costa Canal, grit basin, influent mixing basin, pre- and post-ozone contact basins,

flocculation basin, deep bed filtration, treated water reservoir, and distribution pumping facilities.

In 1997, the quality and reliability of the water being provided by the DWD was further improved when the Los Vaqueros Reservoir was placed into service. Built by CCWD to serve most of east and central Contra Costa County, Los Vaqueros provides up to three months of emergency water storage for DWD customers.

The raw water quality parameters are within quality standards. The 1996 Annual Water Quality Report showed that CCWD Delta Rock Slough, Contra Costa Canal, and DWD well water were below the Maximum Contaminant Levels set by the state and federal governments.

The eastern portion of DWD's sphere of influence is presently supplied by wells. There are over 30 small water companies or service districts serving a total population of less than 5,000. In the future, if DWD provides service to these areas, it is anticipated that these areas would become part of DWD's system with supply from Randall-Bold WTP.

Treated Water Storage

Currently, DWD has treated water storage capacity of 12.8 MG. The ultimate storage capacity required within DWD's sphere of influence is 28.8 MG. The existing storage will meet DWD's goal of having storage equal to two average demand days, until average day demands increase to 7.6 MGD when additional storage must be in place to serve new growth. In 2005, it is assumed DWD must be prepared to provide service to the proposed expansion areas located to the east of Oakley. Additional storage will then be phased as needed for the new development. Options currently discussed in the DWD Facilities Plan Update to provide storage after 2005 include extension of existing pipelines, additional wells, and additional storage tanks.

Distribution System

An ultimate network of major distribution system pipelines was identified for service to future development within DWD's sphere of influence and to Bethel Island. Pipeline sizing was based on hydraulic analyses under ultimate conditions to meet peak hour demands and to meet maximum day demands plus fire flows.

Interim Intertie with the City of Brentwood

There are facilities for an intertie with the City of Brentwood that became operational in 1997 and a second intertie will be operational until 2007. These interties are designed to deliver treated water to Brentwood from the Randall-Bold WTP, providing 6 MGD for the maximum conditions.

Energy Services

Oakley is located within Pacific Gas and Electric's (PG&E's) Delta Distribution Planning Area (DDPA), which covers the eastern portion of the County from Bay Point to Discovery Bay. Electric transmission and distribution facilities are located throughout the DDPA, with electric transmission lines, generally energized at 21,000 volts, crossing the western area of Oakley. However, no one set of facilities is dedicated to serving Oakley exclusively. Electric distribution facilities consist of overhead and underground lines and associated line equipment such as transformers, switches, etc.

Existing gas facilities include gas transmission lines in the western portion of Oakley. Distribution gas mains are located in the roads serving residential and commercial facilities.

Telephone Services

Currently the City of Oakley is served by Pacific Bell for all telephone needs. Pacific Bell's existing facilities consists of one central office and two main feeder routes consisting of both aerial and underground plants. Pacific Bell has the facilities to supply services to the City.

3.II.2 THRESHOLDS OF SIGNIFICANCE

A significant impact would occur with full implementation of the Oakley General Plan if it would result in:

- Water demands that exceed available supply or distribution capacity;
- Substantial interference with groundwater recharge;
- Wastewater flows that exceed collection and treatment capacity;
- Violation of wastewater treatment requirements of the Central Valley Regional Water Quality Control Board;
- Solid waste levels that exceed available disposal capacity;
- Non-compliance with federal, state, or local regulations related to solid waste.
- A wasteful, inefficient, and unnecessary usage of energy; or
- Placement of a substantial demand on energy resources (i.e., affect the local and regional energy supplies).

3.II.3 ANALYSIS OF IMPACTS

Impact 3.II-A: *New development under the proposed General Plan will increase the demand for public water and may exceed available supply (during drought years) or distribution capacity. (Potentially Significant)*

Discussion and Conclusion: The DWD's Water Master Plan was prepared in 1991, and a subsequent DWD Facilities Update was completed in 1998 determined additional facilities would be required to meet future water demands. In addition, expansion of treatment capacity will be required at the Randall-Bold WTP. However, the treated water storage distribution reservoirs will help to meet peaking needs in excess of the pumped deliveries from the Randall-Bold clear well. The sizing for the ultimate pipeline network is based on supplying water from the Randall-Bold plant at the maximum day demand rate plus fire flow, and using storage to meet peak hourly flow and fire flow. Therefore, a Capital Improvement Plan (CIP) has been established.

The schedule for improvements prescribed by the CIP to serve new developments will depend on the actual growth that occurs in the future. The District is currently experiencing slow growth that corresponds to a slow growth timeframe. Included in the CIP are: Installation of new pipelines, a second emergency well, addition of Reservoir No. 3, purchase of additional capacity at the Randall-Bold WTP, and additional capacity at existing reservoirs.

Service to the Oakley area will primarily be from the Randall-Bold WTP, with regulating and fire storage provided from existing Reservoirs R-1 and R-2. Service to the Oakley Expansion Areas will also be from the Randall-Bold WTP, with regulating and fire storage provided from a new 4.0 MG Reservoir R-3 located in the general vicinity of Bethel Island Road and Cypress Avenue. A new pump station will be needed to boost water from the ground-level Reservoir R-4. Operation of the new reservoir and pump station will be similar to the operation of Reservoir R-1 and the Rose Avenue Pump Station.

The eastern portion of DWD's Sphere of Influence will operate as a new pressure zone. A pressure reducing station will be located near the intersection of Sellers Avenue and Cypress Road to keep pressures under low demand conditions at acceptable levels. Under low demand conditions, all demands could be met directly from Randall-Bold. Under higher demand conditions, Reservoir R-3 will provide peaking storage.

The total capital cost for all improvements is estimated at \$27.4 million in 1998 dollars. The Water District has funding mechanisms to finance capital improvement to serve new developments. These mechanisms include a Facility Reserve Charge (FRC) and Main Extension Reimbursement Assessment (MERA). Currently FRC's are charged to new water connections based upon the water meter size. MERA funds are used to reimburse developers who install oversized water lines.

With the CIP, it is expected DWD will be able to serve the Planning Area. DWD has established funding mechanisms to finance capital improvements to serve new development. It appears that DWD has the facilities and appropriate planning in place to provide an adequate supply of treated water for the Planning Area at build-out. Future studies could consider means to minimize the current usage and peaking factors to maximize the use of the current supply.

Although the City is not directly responsible for providing water in the Planning Area, its planning decisions influence water supplies, so it has included Policies and Programs in the General Plan to help satisfy the demand for water through build-out, as envisioned in the General Plan. Some of these are:

- Consider solid waste disposal capacity in land use planning and permitting activities, along with other utility requirements, such as water and sewer service. – *Growth Management Element (GME) Policy #4.7.5;*
- Coordinate future development with all water agencies to ensure facilities are available for proper water supply. – *GME Policy #4.8.1;*
- Encourage the development of locally controlled supplies to meet the growth needs of the City. – *GME Policy #4.8.2;*
- Encourage the conservation of water resources throughout the City. – *GME Policy #4.8.3;*
- Ensure that new development pays the costs related to the need for increased water system capacity. – *GME Policy #4.8.4;*
- Ensure that water service systems be required to meet regulatory standards for water delivery, water storage, and emergency water supplies. – *GME Policy #4.8.5;*
- Encourage water service agencies to establish service boundaries and to develop supplies and facilities to meet future water needs based on the growth policies contained in the General Plan. – *GME Policy #4.8.6;*
- Encourage urban development within the existing water Spheres of Influence adopted by the Local Agency Formation Commission; expansion into new areas within the Urban Limit Line beyond the Spheres should be restricted to those areas where urban development can meet all growth management standards included in this General Plan. – *GME Policy #4.8.7;*
- Discourage the development of rural residences or other uses that will be served by well water or an underground water supply, if a high nitrate concentration is found following County Health Services Department testing. – *GME Policy #4.8.8;*
- Encourage rural residences currently served by well water to connect to municipal water service when it becomes available. Upon connection to municipal water service, any water well(s) shall be abandoned consistent with Contra Costa County regulations. – *GME Policy #4.8.9;*
- Identify and develop opportunities, in cooperation with water service agencies, for use of non-potable water, including ground water, reclaimed water, and untreated surface water, for other than domestic use. – *GME Policy #4.8.10;*
- Identify, monitor, and regulate land uses and activities that could result in contamination of groundwater supplies to minimize the risk of such contamination. – *GME Policy #4.8.11;*
- Reduce the need for water system improvements by encouraging new development to incorporate water conservation measures to decrease peak water use. – *GME Policy #4.8.12;*
- Encourage the use of reclaimed water as a supplement to existing water supplies. – *GME Policy #4.8.13;*

- Pursue and achieve compliance with all regional, State, and Federal regulations related to flood control, drainage, and water quality. – *GME Policy #4.10.2*;
- At the project approval stage, the City shall require new development to demonstrate that adequate water quantity and quality can be provided. The City shall determine whether 1) capacity exists within the water system if a development project is built within a set period of time, or 2) capacity will be provided by a funded program or other mechanism. This finding will be based on information furnished or made available to the City from consultations with the appropriate water agency, the applicant, or other sources. – *GME Program #4.8.A*;
- Encourage water service agencies to meet all regulatory standards for water quality before approval of any new connections to that agency. – *GME Program #4.8.B*;
- Encourage water service agencies to meet all regulatory standards for water quality prior to approval of any new connections to that agency. – *GME Program #4.8.C*;
- Encourage water-serving agencies to prepare written drought contingency plans and hold public hearings on these plans. These plans should identify the size of needed drought capacity reserves. In requests for capacity verification for new development, the City shall require that the serving agency exclude these reserves from its operating capacities for the purpose of the verification. – *GME Program #4.8.D*;
- Identify and develop opportunities, in cooperation with sewer service and water service agencies, for using reclaimed wastewater. – *GME Program #4.9.E*; and
- Explore the feasibility of reclaimed water as a source of landscape irrigation within parks. – *Parks and Recreation Element (PRE) Program #7.1.P*.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are required.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.II-B: *New development associated with the proposed General Plan may result in exceeding utility service capabilities during peak periods. (Potentially Significant)*

Discussion and Conclusion: Electric and gas needs will increase as the City grows and PG&E will need to upgrade and expand its system capacity to accommodate this energy load growth. Major improvements to PG&E's systems may include stringing new, larger capacity lines on existing structures, building new transmission lines and new electric substations, installing additional

transformer banks at existing electric substations, and building new gas regulator stations. Many of these system upgrades will require long-term planning.

Likely, upgrades to the gas distribution system will be required as the City grows. In addition to installing new gas distribution services, required upgrades may include the installation of new or larger gas mains or gas regulator stations to increase the supply capacity to the Planning Area. Also, as land use density changes in the vicinity of existing gas lines, on-site and off-site gas line hydrotesting will be required in the vicinity of new developments to determine whether replacement or modification of the existing gas lines would be required to accommodate the changes in land use.

New service installations for new development are normally funded by the project developer. The public using the PG&E services pay for them pursuant to the rates and tariffs established by the California Public Utilities Commission (CPUC). PG&E's service standards are General Orders promulgated by the CPUC. These General Orders are provided in the PG&E Electric & Gas Service Requirements "Green Book".

As Pacific Gas and Electricity Company progresses through Chapter 11 Reorganization, PG&E assures that the services provided to customers will continue uninterrupted. Supply and distribution of gas and electricity will not be affected.

As the City grows, provisions will need to be made by Pacific Bell to provide the needed telephone services. Pacific Bell has begun a study to determine the need to expand its central office and will remain in contact with the City of Oakley regarding this project.

The City does not directly provide utility services. Policies included in the General Plan call for the City to work with PG&E to monitor future transmission lines. CEQA suggests that the primary emphasis of energy discussions should be on "avoiding or reducing inefficient, wasteful and unnecessary consumption of energy."²⁸ Title 24 requirements for efficiency in building design, promotion of energy efficient designs, and the City's encouragement of alternative energy sources (waste to energy) presented in the proposed General Plan would reduce the energy demand of the proposed project. Some of these Policies and Programs are:

- Utilizing the energy and nutrient value of the solid waste (waste to energy and composting) to help reduce the amount of waste disposed of in landfills. – *Growth Management Element (GME) Policy #4.7.1;*
- Encourage solid waste resource recovery (including recycling, composting, and waste to energy) so as to extend the life of sanitary landfills, reduce the environmental impact of solid waste disposal, and to make use of a valuable resource, provided that specific resource recovery programs are economically and environmentally desirable. – *GME Policy #4.7.6;*

²⁸ Title 14: California Code of Regulations, Chapter 3: Guidelines for the Implementation of the California Environmental Quality Act, Appendix F

- Support the principles of reducing air pollutants through land use, transportation, and energy use planning. – *Open Space and Conservation Element (OSCE) Policy #6.2.1;*
- Support energy conserving programs in the production and rehabilitation of affordable housing to reduce household energy costs. – *Housing Element (HE) Policy #10.2.7;*
- Prepare and adopt multifamily residential design guidelines that require, at minimum, the features that include energy efficient design. – *HE Program #10.2.C;*
- Develop a program that would require housing developers (both single family and multifamily) to build a minimum percentage of units that meet Title 24, Tier II or Tier III energy standards. – *HE Program #10.2.O;* and
- Provide a brochure on housing conservation and utility assistance programs directed at assisting residents in the very low, low, and moderate income categories. – *HE Program #10.4.B.*

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are required.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

3.12 GEOLOGY AND SOILS

For a more detailed environmental setting discussion regarding geology and soils, see the Oakley 2020 General Plan Background Report (September 2001) and Oakley 2020 Draft General Plant (September 2002), available from the Oakley Community Development Department.

This section describes the geologic and soil conditions within the Planning Area. Geologic and seismic hazards are also addressed. It is important to understand the geology and soils of the area in order to make well informed policy decisions regarding future development in the City of Oakley. This section was based on review of documents and other data that are germane and provides a comprehensive report on the latest research and data on the geology and soils of the entire Oakley Planning Area.

3.12.1 ENVIRONMENTAL SETTING SUMMARY

Geology

The majority of the Oakley area is comprised of Quaternary Alluvium, with small amounts of modern sediments of San Francisco Bay Estuary and Delta lowlands in the northeast. Quaternary Alluvium is characteristically consolidated and unconsolidated sediment. Localized problems for building include expansive clays, corrosive soils, and unstable soils with potential for liquefaction. Modern sediments of San Francisco Bay Estuary and Delta lowlands are soft, water saturated muds, peat, and loose sands. The muds and peats are subject to differential settlement under load. Some local areas may slump and slide. The muds may contain expansive clays and some sands may liquefy under earthquake stresses.

Geologic Formations

The geology of Contra Costa County is dominated by several northwest trending fault systems that divide the County into large blocks of rock. Within a particular block the rock sequence consists of :

- (1) A basement complex of broken and jumbled pre-Tertiary sedimentary, igneous and metamorphic rocks;
- (2) A section of younger Tertiary sedimentary rock and some volcanic rocks (flows and tuffs) which locally intertongue with and overlie the sedimentary section; and
- (3) Surficial deposits including stream alluvium, colluvium (slopewash deposits at the foot of steeper slopes), slides, alluvial fans, and Bay Plain deposits.

The character of each of these categories of rocks is summarized in Table 8-2 in the *Oakley 2020 General Plan, Health and Safety Element*.

From the perspective of seismic safety planning, the older, coarser, and well-drained materials tend to be stable during earthquakes, while younger, fine-grained, and water-saturated deposits tend to be less stable. Colluvium is often marginally stable to unstable. A disproportionate share of landslides originates in Colluvium.

Soil Types

The City of Oakley is mostly made up of lowland soil association soils, with some tidal flat-delta-marsh lowlands soils in the northeast corner of the City. The Sellers Avenue area is made up entirely of lowland soil association soils, while the Cypress Lakes area, which is located in the Expansion Area, not the City limits, is made up entirely of tidal flat-delta-marsh lowlands soils. The lowland soil association soils are slowly to very slowly permeable, highly expansive, and corrosive with slight erosion hazards. The tidal flat-delta-marsh lowlands soils are highly expansive, very highly corrosive, and moderately to slowly permeable.

Soil information is primarily from maps and reports that were generated by the United States Soil Conservation Service (SCS), which is now the Natural Resource Conservation Service (NRCS). The classification system used by the NRCS classifies soils into eight categories that categorize the capability of the soil. These classes are designated by Roman numerals I through VIII. Class I and II soils have few limitations, the widest range of use, and the least amount of soil deterioration. Class III, and IV soils are those that are considered suitable for limited cultivation. Class V, VI, and VII soils are those soils that have been considered suitable for range woodlands, or habitat environments. Class VIII soils are those that have severe land use limitations and can only be used for habitat, water supply, or aesthetic purposes.

Most of Oakley is composed of Class II Delhi sand, described by the NRCS as “excessively drained soils” where runoff is slow or very slow. Delhi sand is used to grow irrigated almonds, vineyards, and some walnuts.

Physical and chemical characteristics of soils may limit construction/development. The following soil types are within areas currently designated for urban development in Oakley:

- **Lowland soil associations:** slowly to very slowly permeable, highly expansive and corrosive with slight erosion hazard;
- **Tidal flat-delta-marsh lowland:** highly expansive, very highly corrosive, and moderately to slowly permeable; and
- **Class II Delhi sand:** excessively drained soils where runoff is slow or very slow.

These soils vary moderately regarding erosion potential and vary to a greater degree regarding drainage and suitability for fill.

Seismic Hazards

Every resident and developer in Oakley assumes seismic risk because the City is within the San Francisco Bay Area, an area of high seismicity. The San Francisco Bay Area has been impacted by more than 10 severe earthquakes throughout historic time.

The major effects of earthquakes are ground shaking and ground failure. Severe earthquakes are characteristically accompanied by surface faulting and less commonly by tsunamis and seiches. Flooding may also be triggered by dam or levee failure resulting from an earthquake, or by seismically induced settlement or subsidence. All of these geologic effects are capable of causing property damages and risks to life and safety of persons.

A major earthquake could have the potential to cause the failure of the dam structure at the Los Vaqueros Reservoir south of Oakley. Upon failure, water would spill out quickly and head

generally northeast to the Delta through low-lying land. However, according to a 1995 ABAG Hazard Map, Oakley is not within the inundation area that would result from a failure of the Los Vaqueros Reservoir.

Oakley has been subjected to numerous seismic events, originating both on faults within Contra Costa County and in other locations in the region. Six major Bay Area earthquakes have occurred since 1800 that have affected the County, and at least two of the faults that produced them run through or into the County, but not through or into the Planning Area. These earthquakes, and the originating faults, include the 1836 and 1868 earthquakes on the Hayward fault, and the 1861 earthquake on the Calaveras fault. Two earthquakes, in 1838 and 1906, originated on the San Andreas fault, west of the County near San Francisco, while one earthquake that caused some damage in the County occurred in 1872 and was centered north of Contra Costa County in the Vacaville-Winters area of Solano County. A smaller earthquake, centered near Collinsville in Solano County on a fault of uncertain identity, occurred in 1889.

The maximum credible earthquake anticipated in the Oakley area in a 50-year time period is from the San Andreas Fault or the Antioch Fault. The San Andreas Fault is likely to produce a magnitude 7.0-8.5 earthquake, while the Antioch Fault is likely to produce a magnitude 5.0-6.0 earthquake with a less likely possibility of producing a magnitude 6.0-7.0 earthquake. Table 8-3 in the *Oakley 2020 General Plan, Health and Safety Element* defines the scale of an earthquake and the possible effects at each scale.

The City of Oakley is underlain by one fault that is inferred active because of scattered small magnitude earthquakes near the trace of the fault. This inferred active fault is the Brentwood Fault. Other inferred active faults just west of Oakley are the Davis and Antioch Faults. These fault locations can be seen in Figure 8-1 in the *Oakley 2020 General Plan; Health and Safety Element*.

Ground Shaking

Areas of the County would react differently to ground shaking, depending on the type of soil or bedrock underneath a structure. The possible damage caused by ground shaking is categorized as low to moderate to high damage susceptibility.

Areas situated on hard bedrock may be expected to perform satisfactorily under earthquake conditions, if ground materials near the surface do not fail. Areas underlain by weakly consolidated sedimentary rock are considered to possess a moderately low to moderate damage susceptibility.

The characteristics of ground motion in alluvial areas will differ somewhat from nearby bedrock areas. These differences may be important when considering the design of sophisticated structures. Areas underlain by firm, dry alluvium are considered to possess a moderate damage susceptibility.

Areas underlain by young bay mud and deposits of the Sacramento-San Joaquin Delta are considered to possess the highest damage susceptibility. Most of the Planning Area is considered to have a moderate or high susceptibility to damage related to seismic activity.

The City of Oakley is dominated by the Younger (Holocene) Alluvium that is susceptible to moderate damage during ground shaking. Areas of Oakley along the shoreline, in northeast Oakley, and in the Cypress Lakes SOI Area are susceptible to high damage because of the modern sediments of San Francisco Bay Estuary and Delta lowlands. A small section of Oakley near the Sellers Ave./East Cypress Ave. intersection and the Sellers Avenue SOI Area are susceptible to moderately low damage because of Pliocene Bedrock and Older (Pleistocene) Alluvium. See Figure 8-1 in the *Oakley 2020 General Plan; Health and Safety Element* for the locations of the above geologic units and their descriptions.

Liquefaction

Liquefaction is a specialized form of ground failure caused by earthquake ground motion. It is a “quicksand” condition occurring in water-saturated, unconsolidated, relatively clay-free sands and silts caused by ground motion forcing apart soil particles and forcing them into quicksand-like liquid suspension. In the process, normally firm, but wet, ground materials take on the characteristics of liquid.

Catastrophic ground failures may result from liquefaction that pose a major threat to the safety of structures. Major landslides, settling and tilting of buildings on level ground, and failure of water retaining structures have all been observed because of this type of ground failure. Large earthquakes anywhere in the Bay Area are capable of triggering liquefaction in the Planning Area.

Historically, ground failure in its various forms, including liquefaction, has been a problem in areas of continually wet, unconsolidated soils. In the Planning Area, the areas which are most susceptible to ground failure include the geologically young sediments of the San Francisco Bay estuary, including the Delta lowlands.

Liquefaction presents the potential for the most serious consequences in the Delta. Several pre-development studies have confirmed that a high potential for liquefaction exists below levees and proposed developments. This potential presents the possibility that several failures can occur simultaneously on a single levee, possibly preventing access for repairs. Flooding of protected islands would then be unpreventable and would make emergency access and later repair very difficult.

The Planning Area is mostly in an area of generally high liquefaction potential, with a small portion in an area of generally moderate to low liquefaction potential. Generally, high liquefaction means that substantial ground shaking has a high potential to trigger liquefaction in

the soils. Generally, low liquefaction potential means that in the event of substantial ground shaking, the soils have a very low to almost no potential to liquefy. See Figure 8-2 in the *Oakley 2020 General Plan; Health and Safety Element* for areas of liquefaction potential in the Planning Area.

Regulations

According to federal, State, and local requirements, construction in the Planning Area would be required to comply with, at minimum, the following laws and regulations.

Seismic and Geologic Hazards California Building Code

The State of California provides minimum standards for seismic structural design and site development through the California Building Standards Code (California Code of Regulations [CCR], Title 24). The California Building Code (CBC) is based on the Uniform Building Code (UBC) used widely throughout United States, and has been modified for California conditions with numerous more detailed and/or more stringent regulations.

The State earthquake protection law (California Health and Safety Code 19100 *et seq.*) requires that structures be designed to resist stresses produced by lateral forces caused by wind and earthquakes. Specific minimum seismic safety and structural design requirements are set forth in Chapter 16 of the UBC/CBC. The UBC/CBC identifies seismic factors that must be considered in structural design.

Chapter 18 of the UBC/CBC regulates the excavation of foundations and retaining walls, and Appendix Chapter A33 regulates grading activities, including drainage and erosion control, and construction on unstable soils, such as expansive soils and liquefaction areas.

The Seismic Hazards Mapping Act of 1990 (Public Resources Code Section 2690-2699.6) addresses seismic hazards other than surface rupture, such as liquefaction and seismically induced landslides. The Seismic Hazards Mapping Act specifies that the lead agency for a project may withhold development permits until geologic or soils investigations are conducted for specific sites and mitigation measures are incorporated into plans to reduce hazards associated with seismicity and unstable soils

Oakley Development Standards

The City's standards conform to Uniform Building Code (UBC) standards, which include provisions for seismic safety. Table 3.12-1 details the acceptable risks from seismic events relative to various types of structures by use and occupancy. This scale was developed by the California Legislature's Joint Committee on Earthquake Planning and has been adopted in most California building codes and by most California planning agencies.

**Table 3.12-I
A Scale of Acceptable Risks**

Level of Acceptable Risk	Kinds of Structures	Extra Project Cost Possibly Required to Reduce Risk to an Acceptable Level
1. Extremely low ²⁹	Structures whose continued functioning is critical, or whose failure might be catastrophic: nuclear reactors, large dams, power intertie systems, plants manufacturing or storing explosives or toxic materials.	No set percentage (whatever is required for maximum attainable safety).
2. Slightly higher than under level 1	Structures whose use is critically needed after a disaster: important utility centers; hospitals, fire, police, emergency communication facilities; fire stations, and critical transportation elements such as bridges and overpasses; also smaller dams.	5 to 25 percent of projected cost ³⁰
3. Lowest possible risk to occupants of the structure ³¹	Structures of high occupancy, or whose use after a disaster would be particularly convenient: schools, churches, theaters, large hotels, and other high-rise buildings housing large numbers of people, other places normally attracting large concentrations of people, civic buildings such as fire stations, secondary utility structures, extremely large commercial enterprises, most roads, alternative or non-critical bridges and overpasses.	5 to 15 percent of projected cost ³²
4. An “ordinary” level of risk to occupants of the structure ³³	The vast majority of structures: most commercial and industrial buildings, small hotels and apartment buildings, and single-family residences.	1 to 2 percent of project cost, in most cases (2 to 10 percent of projected cost in a minority of cases) ³²

Source: *Meeting the Earthquake Challenge, Part 1, Page 9, Contra Costa County General Plan, July 1996.*

²⁹ Failure of a single structure may affect substantial populations.

³⁰ These additional percentages are based on the assumption that the base cost is the total cost of the building or other facility when ready for occupancy. In addition, it is assumed that the structure would have been designed and built in accordance with current California practice. Moreover, the estimated additional cost presumes that structures in this acceptable-risk category are to embody sufficient safety to remain functional following an earthquake.

³¹ Failure of a single structure would affect primarily only the occupants.

³² These additional percentages are based on the assumption that the base cost is the total cost of the building or other facility when ready for occupancy. In addition, it is assumed that the structure would have been designed and built in accordance with current California practice. Moreover, the estimated additional cost presumes that structures in this acceptable-risk category are to be sufficiently safe to give reasonable assurance of preventing injury or loss of life during any earthquake, but otherwise not necessarily to remain functional.

³³ “Ordinary risk”: Resist minor earthquakes without damage, resist moderate earthquakes without structural damage, but with some non-structural damage; resist major earthquakes of the intensity or severity of the strongest experienced in California, without collapse, but with some structural as well as non-structural damage. In most structures, it is expected that structural damage, even in a major earthquake, could be limited to repairable damage. (Structural Engineers Association of California).

3.12.2 THRESHOLDS OF SIGNIFICANCE

A significant impact would occur with full implementation of the Oakley General Plan if it would expose people or structures to:

- Fault rupture (risk or exposure to fault rupture may result if structures intended for human occupancy are constructed over, or within 50 feet of an active fault trace);
- Seismic ground shaking;
- Seismic ground failure, including liquefaction;
- Seiche, tsunami, or volcano hazard; or
- Landslides or mudflows

In addition, a significant impact would occur if the proposed project would result in:

- Erosion, changes in topography or unstable soil conditions from excavation, grading or fill;
- Risk from subsidence of the land, or expansive soils; or
- Damage to unique geological or physical features.

3.12.3 ANALYSIS OF IMPACTS

Impact 3.12-A: *Development associated with the proposed General Plan may place buildings on expansive soils, thus potentially causing structural damage or exposing people or structures to potential seismic events and related ground shaking. (Potentially Significant)*

Discussion and Conclusion: Due to the Oakley Planning Area's location within the seismically active Bay Area region, the potential for seismic hazards must be considered as future development occurs. The areas of greatest risk are located adjacent to the Delta, where saturated soils have the greatest potential for failure due to liquefaction. The majority of Oakley is located on soils that have a moderate to high potential for failure during seismic activity.

The adverse effects of expansive soils may be avoided through proper drainage and foundation design. Procedures employed in expansive soils testing are found in many codes and regulations. The California Building Code (CBC) requires that soils testing be done on all graded building sites. Soils tests are also required by other local building codes and by lending institutions (including the Veterans Administration and the Federal Housing Administration) on new building sites. The Subdivision Map Act, Sections 66490 and 66491 of the California Government Code, requires that on all tract developments of five lots or more, soil conditions be studied by a registered civil engineer unless waived by the local government building official.

In addition to concern for ground failure, which can result from an earthquake on a distant fault, the City is also underlain by one fault and in close proximity to two faults that are inferred to be active. Should an earthquake originate on one of these faults, there would be the potential for

fault rupture. Such an event would have the potential to damage public infrastructure, and could severely damage buildings located directly above the fault.

Due to the potential for various types of seismically related damage, development in Oakley must be planned and constructed to standards to minimize the exposure of risks to people and property within the City. This shall be accomplished primarily through the analysis of potential risks when the City considers changes in land use designations such as general plan amendments and property rezones. During such actions, the City would evaluate the need for further study and to ensure that future construction is accomplished in a form that would generally withstand anticipated seismic events.

The City realizes that seismic activity is a very real concern in the Planning Area. In order to protect the people, property, and infrastructure in the Planning Area, the General Plan includes Policies and Programs throughout that emphasize prudent construction. Some of these are:

- Recognize that a severe earthquake hazard exists and reflect this recognition in the City's development review and other programs. – *Health and Safety Element (HSE) Policy #8.1.1;*
- Include a thorough evaluation of geologic-seismic and soils conditions at risk in all significant land use decisions (General Plan amendment, rezoning, etc., affecting 10 acres or more). – *HSE Policy #8.1.2;*
- Require the design of structures for human occupancy for satisfactory performance under earthquake conditions. – *HSE Policy #8.1.3;*
- Prohibit the erection of critical structures and facilities whose loss would substantially affect the public safety or the provision of needed services, in areas where there is a high risk of severe damage in the event of an earthquake. – *HSE Policy #8.1.4;*
- In areas susceptible to high damage from ground shaking (Modern sediment Zone identified on Figure 8-1, Faults and Seismic Stability), geologic-seismic and soils studies shall be required prior to authorizing public or private construction. – *HSE Policy #8.1.5;*
- Prohibit construction of structures for human occupancy, and structures whose loss would affect the public safety or the provision of needed services, within 50 feet of known active faults as referenced in the Alquist/Priolo Act. – *HSE Policy #8.1.6;*
- In areas where active or inactive earthquake faults have been identified, the location and/or design of any proposed buildings, facilities, or other development shall be modified to mitigate possible danger from fault rupture or creep. – *HSE Policy #8.1.7;*
- To the extent practicable, the construction of critical facilities, structures involving high occupancies, and public facilities should not be sited in areas identified as, or underlain by deposits classified as, having a high liquefaction potential (Figure 8-2). – *HSE Policy #8.1.8;*
- Any structures permitted in areas of high liquefaction potential (Figure 8-2) shall be sited, designed and constructed to minimize the dangers from damage due to earthquake-induced liquefaction. Approval of public and private development projects shall be contingent on geologic and engineering studies which: 1) define and delineate potentially hazardous

geologic and/or soils conditions, 2) recommend means of mitigating these adverse conditions; and 3) provide implementation of the mitigation measures. – *HSE Policy #8.1.9*;

- Levees shall be properly engineered and designed to ensure protection against earthquakes, tsunamis, and seiches. – *HSE Policy #8.2.13*;
- Design and construct all buildings greater than two-stories to provide for the evacuation of occupants and/or for the creation of a safe environment in case of a substantial disaster, such as a severe earthquake or fire. – *HSE Policy #8.4.4*;
- Require that structures intended for human occupancy are adequately setback from active and potentially active faults. Ensure that minimum setbacks take into account the varying degree of seismic risk and the consequences of failure. – *HSE Program #8.1.A*;
- Utilize the land in the setback zones along active and potentially active faults for open forms of land use that could experience displacement without endangering large numbers of people or creating secondary hazards. Examples are yards, greenbelts, parking lots, and non-critical storage areas. – *HSE Program #8.1.B*;
- Through the environmental review process, require comprehensive geologic, seismic, and/or soils and engineering studies for any critical structure proposed for construction in areas subject to groundshaking, fault displacement, ground failure, or liquefaction. – *HSE Program #8.1.C*; and
- Adopt ordinance code provisions related to the repair or replacement of unreinforced masonry structures. – *HSE Program #8.1.D*.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are required.

Significance after Mitigation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.12-B: *Development associated with the proposed General Plan may locate people and structures in areas with potential for liquefaction. (Potentially Significant)*

Discussion and Conclusion: See Discussion and Conclusion for Impact 3.12-A.

Mitigation Measures

No additional mitigation measures are required.

Significance after Mitigation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.12-C: *Redevelopment of sites along the Delta waterfront may subject greater population to liquefaction, tsunami, and other seismic hazards. (Potentially Significant)*

Discussion and Conclusion: See Discussion and Conclusion for Impact 3.12-A.

Mitigation Measures

No additional mitigation measures are required.

Significance after Mitigation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

3.13 NOISE

For a more detailed environmental setting discussion regarding noise, see the Oakley 2020 General Plan Background Report (September 2001) and the Oakley 2020 Draft General Plan (September 2002), available from the Oakley Community Development Department.

This section describes the existing noise conditions in the Oakley Planning Area. Noise is defined as unwanted or intrusive sound. Excessive noise in communities can result in widespread annoyance, especially if the noise interferes with sleeping, conversation, or noise-sensitive work. Where appropriate, mitigation measures are suggested that would minimize or eliminate potential significant noise impacts.

3.13.1 ENVIRONMENTAL SETTING SUMMARY

The preservation and enhancement of the acoustical environment relates directly to the quality of life that can be achieved in a community. By recognizing existing sources of noise pollution, taking reasonable steps to mitigate future impacts, and preventing additional sources of noise, the City may achieve an amiable environment and a comfortable and calming community. Noise has been linked directly to human health and, aside from general annoyances, excessive noise is a source of discomfort, interferes with sleep, and disrupts communication and relaxation.

Fundamentals of Noise

Noise is often defined simply as unwanted sound, and thus is a subjective reaction to characteristics of a physical phenomenon. Researchers for many years have grappled with the problem of translating objective measurements of sound into directly correlated measures of public reaction to noise. The descriptors of community noise in current use are the results of

these efforts, and represent simplified, practical measurement tools to gauge community response. A more detailed discourse on the fundamentals of noise can be found in the *Oakley 2020 General Plan Noise Element*.

Some of the variables that make it difficult to translate objective measurements of sound into directly correlated measures of public reaction to noise are:

- A person's perception to changes in noise levels;
- Noise drops off with distance for varying types of noise sources;
- There are different types of noise sources;
 - Line-sources, such as a freeway with heavy traffic;
 - Point sources, such as a stationary noise source e.g. a generator;
 - A moving point source, such as a train, or a roadway, which has a smooth traffic flow.
- Weighted averages with nighttime penalties because people react to nighttime noise exposures as though they were subjectively twice as loud as daytime exposures;

The State Office of Planning and Research Noise Element Guidelines require that major noise sources be identified and quantified by preparing generalized noise contours for current and projected conditions. Significant noise sources include traffic on major roadways and highways, railroad operations, airports, and representative industrial activities and fixed noise sources.

A community noise survey was conducted to describe existing noise levels in noise-sensitive areas within the City of Oakley General Plan study area so that noise level performance standards could be developed to maintain an acceptable noise environment.

There are no obvious sources of disruptive noise in the City of Oakley, though ambient noise can be heard, especially in those areas adjacent to major highways, intersections, and rail lines.

Roadway Noise

A primary source of noise in the City of Oakley is the sound generated from vehicles traveling over roadways. Roadway noise is a combination of direct noise emission from the vehicle and the sound from the passing of tires over the road surface. In addition, large truck traffic can dramatically contribute to roadway noise, as the sound generated from jake-brakes, large tires, and diesel engines greatly exceeds noise from passenger cars and light trucks.

Roadway noise is most apparent near the actual roadways, though acoustical conditions can dramatically change the nature and intensity of the noise. The elevation of the roadways relative to adjacent receptors can affect the level of noise, as can dense vegetation and topography. Because the City of Oakley is relatively flat, there is little opportunity to utilize topography to minimize roadway noise. In addition, the current and anticipated levels of traffic may not warrant the extensive improvement required to improve roadway noise. As such, the location and

protection of new developments should be considered to ensure that residential, or other sensitive uses are not compromised by extraneous, roadway noise.

There are several measures that can be implemented in new developments, which will lessen the noise impacts on new neighborhoods. These include strategic placement and protection of sensitive uses and the utilization of sound-walls, earth mounds, or other attenuating devices.

Levels of noise are generally measured in terms of noise contours - delineations of areas where a predicted level of noise (measured in decibels [dB]) can be expected. Generally, noise contours predict the distance (in feet) from a source of noise that a receptor must be in order to experience a specified level (in dB) of noise. The accepted threshold for comfortable ambient noise in a residential area is 60 dB. Prolonged levels above 60 dB are considered an annoyance when they occur in residential areas. Careful measurement and analysis of noise contours will prevent placement of residential or other sensitive uses in acoustically incompatible areas. The following table presents typical sound levels of common noise sources.

**Table 3.13-I
Typical A-Weighted³⁴ Maximum Sound Levels of Common Noise Sources**

Decibels	Description
130	Threshold of pain
120	Jet aircraft take-off at 100 feet
110	Riveting machine at operators position
100	Shot-gun at 200 feet
90	Bulldozer at 50 feet
80	Diesel locomotive at 300 feet
70	Commercial jet aircraft interior during flight
60	Normal conversation speech at 5-10 feet
50	Open office background level
40	Background level within a residence
30	Soft whisper at 2 feet
20	Interior of recording studio

A study performed by Bollard & Brennan, Inc. produced a series of noise contours for the City of Oakley, which represent the areas where the greatest levels of noise are experienced. The study measured ambient noise levels at various locations and times during both the day and night. These noise levels, along with the predicted distances, provide a practical measure of noise

³⁴ A frequency-response adjustment of a sound-level meter that makes its reading conform, very roughly, to human response. The human ear is most sensitive to sound at mid frequencies (500 to 4,000 Hz) and is progressively less sensitive to sound at frequencies above and below this range. A-weighted sound level is the most commonly used descriptor to quantify the relative loudness of various types of sounds with similar or differing frequency characteristics.

levels throughout the City of Oakley. The *Oakley 2020 General Plan Noise Element* discusses the results of the study in detail. This EIR will evaluate those results.

The study demonstrated that the decibel level at 100 feet from the source was over the accepted threshold (60 dB) for comfortable ambient noise in a residential area at 9 of the 20 roadway segments tested (45 percent). The model to determine the potential noise levels at the Preferred Alternative build-out predicted that the 100-foot decibel level was over 60 dB at 46 of the 76 roadway segments tested (61 percent).

As shown, the predicted levels of noise often exceed reasonable, comfortable levels. In many cases, comfortable levels for a residence cannot be achieved within one hundred feet of the centerline of the roadway. Utilizing noise data will assist in the proper separation of development from existing roadways and will justify any required noise mitigations.

Railroad Noise

Railroad activity in the City of Oakley General Plan Study Area generally occurs along two tracks. The two tracks are located along the western boundary of the City of Oakley, and generally the east side of S.R.4. Each of the tracks is adjacent to residential areas. Discussions with the City of Oakley staff indicate that noises due to railroad operations are considered a nuisance to residents. Discussions with residents adjacent to the UPRR track along the west side of Oakley indicate that very few train operations occur along this track. There were no observed railroad operations along the UPRR track to the west.

Noise measurements were conducted at two locations for railroad operations adjacent to the Burlington Northern & Santa Fe (BNSF) track along the eastern portion of the City of Oakley. The measurements were conducted to determine the contribution of railroad mainline operations to the area's noise environment. The purpose of these measurements was to determine typical sound exposure levels (SEL) for railroad line operations, accounting for the effects of travel speed, warning horns, and other factors, which may affect noise generation. In addition, the noise measurement equipment was programmed to identify individual train operations, so that the typical number of train operations could be determined.

One monitor was located 550 feet from the railroad track centerline, and the other was at 200 feet from the railroad track centerline. At the measurement sites, slow moving locomotives and Amtrak trains, wheel noise, and warning horns were the major contributors to railroad noise levels. One site did not experience significant warning horn noise levels, but the other site, all northbound trains used warning horns before approaching the at-grade railroad crossing at Big Break Road.

Based upon the noise level measurements, the average SEL for train operations along the BNSF railroad main line absent warning horns is 97 dB at 100 feet. The average SEL for train operations near grade crossing where warning horns are used is 106.5 dB. In addition,

approximately 20 train operations per day occur on the mainline through Antioch. The trains operations generally are distributed throughout the daytime and nighttime hours.

Fixed Noise Sources

The production of noise is a result of many industrial processes, even when the best available noise control technology is applied. Noise exposures within industrial facilities are controlled by Federal and State employee health and safety regulations (OSHA and Cal-OSHA), but exterior noise levels may also exceed locally acceptable standards. Commercial, recreational, and public service facility activities can also produce noise, which affects adjacent sensitive land uses. These noise sources can be continuous and may contain tonal components, which may be annoying to individuals who live in the nearby vicinity. In addition, noise generation from fixed noise sources may vary based upon climatic conditions, time of day, and existing ambient noise levels.

The types of facilities that may typically have fixed noise sources, include, but are not limited to:

- wood processing facilities
- pump stations
- industrial facilities
- trucking operations
- tire shops
- auto maintenance shops
- metal fabricating shops
- shopping centers
- landfills
- athletic fields
- drive-up windows
- car washes
- loading docks
- public works projects
- batch plants
- bottling and canning plants
- recycling centers
- electric generating stations
- sand and gravel operations
- race tracks

Industrial uses are generally confined to the north end of the City of Oakley. In general, these uses are separated from residential uses and do not result in noise-related complaints.

Nuisance Noise

In addition to train operations, other noise sources within the community may be considered “nuisance noise sources”. These types of noise sources could include barking dogs, live music venues, boom boxes, jake brakes on trucks, etc. These types of noise sources are difficult to quantify due to the sporadic nature in which they occur, and are in many instances transient in nature. However, these noise sources generate complaints and are the primary concern of resident’s Community Noise Survey.

A community noise survey was conducted to document noise exposure in areas of the City containing noise sensitive land uses. Noise monitoring sites were selected to be representative of typical residential conditions in the City. Short-term noise monitoring was conducted at four sites

on March 1 & 2, 2001. Each site was monitored twice during the day and evening hours. Three continuous 24-hour noise-monitoring sites were established in the City to record day-night statistical noise level trends. The data collected included the hourly average (L_{eq}), and the maximum level (L_{max}) during the measurement period.

The four short-term sites were at O'Hara Park; corner of Chicory Drive and Cherry Court; on Live Oak Avenue; and at Gehringer School. The three 24-hour sites were on the 400 block of Mockingbird Lane (just northeast of Laurel Road and Marsh Creek); 1900 block of East Summerfield Court (just northeast of Laurel Road and Marsh Creek); and at the north end of Piper Lane off Vintage parkway.

The short-term sites showed an average daytime equivalent sound level³⁵ reading of 51.7 dB and an average night reading of 49.4 dB. Even the average maximum readings (59.7 dB daytime and 60.6 dB at night) were comparable to the 60 dB standard.

At the three 24-hour sites, the average daytime reading was 57.3 dB and the average nighttime reading was 56.9 dB. The average maximum reading was 74.5 dB during the day and 70.3 dB at night. The day-night average sound level³⁶ was 63.2 dB, with only the Summerfield site over 60 dB.

Existing Regulatory Framework

State Building Code, Title 24

Title 24, Part 2 of the State of California Code of Regulations establishes uniform minimum noise insulation performance standards to protect persons within new hotels, motels, dormitories, long-term care facilities, apartment houses, and dwellings other than detached single-family units from the effects of excessive noise, including, but not limited to, hearing loss or impairment and interference with speech and sleep. Title 24 mandates that interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise measurement should be either the day/night average sound level³⁶ or the Community Noise Equivalent³⁷ (CNEL). Title

³⁵ Time-varying sound levels are often described in terms of an equivalent constant decibel level. Equivalent sound levels (L_{eq}) are used to develop single-value descriptions of average sound exposure over various periods of time. Such average sound exposure values often include additional weighting factors for annoyance potential attributable to time of day or other considerations. The L_{eq} data used for these average sound exposure descriptors are generally based on A-weighted sound-level measurements.

³⁶ Average sound exposure over a 24-hour period is often presented as a day-night average sound level (Ldn). Ldn values are calculated from hourly L_{eq} values, with the L_{eq} values for the nighttime period (10:00 p.m.–7:00 a.m.) increased by 10 dB to reflect the greater disturbance potential from nighttime noises.

³⁷ The community noise equivalent level (CNEL) is also used to characterize average sound levels over a 24-hour period, with weighting factors included for evening and nighttime sound levels. L_{eq} values for the evening period (7:00 p.m.–10:00 p.m.) are increased by 5 dB, while L_{eq} values for the nighttime period (10:00 p.m.–7:00 a.m.) are increased by 10 dB. For given set of sound measurements, the CNEL value will usually be about 1 dB higher than the Ldn value. In practice, CNEL and Ldn are often used interchangeably.

24 requires that “worst case” noise levels, either existing or future, are to be used as the basis for determining compliance. Future noise levels must be predicted for a minimum period of ten years from the time of the building permit application.

California Administrative Code, Title IV

Title IV of the California Administrative Code contains airport noise standards to protect residential and other noise-sensitive areas from excessive aircraft noise. Title IV considers residential and other noise-sensitive areas subject to aircraft noise levels of CNEL 65 dB and above to be incompatible with the noise environment.

Thresholds of Significance

Significant impacts would occur with full implementation of the Oakley 2020 General Plan if results included:

- Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies
- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels
- A substantial permanent increase in ambient noise levels
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity
- Exposure of people within two miles of a public airport or public use airport to excessive noise levels.

3.13.3 ANALYSIS OF IMPACTS

Impact 3.13-A: *New development may increase traffic volumes along existing roadways and introduce traffic along new roadways, thereby exposing residents to excessive roadside noise levels. (Potentially Significant)*

Discussion and Conclusion: The noise environment within the City of Oakley is similar to that of an urban and suburban area. Primary noise sources include roadway traffic, railroad operations, and typical neighborhood activities. The overall existing noise environment which has been documented which will be used as a bench-mark for evaluating noise associated with future growth contemplated within the General Plan.

The noise element of a general plan is intended to establish acceptable noise levels for new projects within a community, and is not a tool for responding to noise complaints. A community noise ordinance is widely used for responding to noise complaints. One of the products associated with the Goals & Policies section of the General Plan may be a policy that states that the City will develop a noise ordinance.

In addition, Title 24 mandates, that, for structures containing noise-sensitive uses to be located where the day/night average sound level or CNEL exceeds 60 dB, an acoustical analysis must be prepared to identify mechanisms for limiting exterior noise to the prescribed allowable interior levels. If the interior allowable noise levels are met by requiring that windows be kept closed, the design for the structure must also specify a ventilation or air-conditioning system to provide a habitable interior environment.

The City takes this responsibility seriously and has included many Policies and Programs to protect the citizens of Oakley from excessive transportation-related noise in the Planning Area. These are:

- To the extent feasible, protect existing and future land uses from the noise, visual, and other impacts of major roadway construction projects. – *Circulation Element (CE) Policy #3.7.1;*
- Work with public and private agencies to minimize the effect of major roadway construction projects, such as the State Route 4 Bypass, on nearby land uses. – *CE Program #3.7.A;*
- Include places of worship and religious buildings and child-care facilities as conditionally allowable uses in all residential districts in the Zoning Ordinance, subject to provisions of vehicular access and effective buffering from noise, traffic, and other impacts. – *Growth Management Element (GME) Program #4.3.C;*
- New development shall use the land use compatibility table shown in Figure 9.1 and the standards contained within Tables 9.1 and 9.3 for determining noise compatibility. – *Noise Element (NE) Policy #9.1.1;*
- Noise created by new transportation noise sources shall be mitigated so as not to exceed the levels specified in Table 9-3 at outdoor activity areas or interior spaces of existing noise-sensitive land uses. – *NE Policy #9.1.5;*
- It is anticipated that roadway improvement projects will be needed to accommodate build-out of the general plan. Therefore, existing noise-sensitive uses may be exposed to increased noise levels due to roadway improvement projects as a result of increased roadway capacity, increases in travel speeds, etc. It may not be practical to reduce increased traffic noise levels consistent with those contained Table 9-3. Therefore, as an alternative, the following criteria may be used as a test of significance for roadway improvement projects: where existing traffic noise levels are less than 60 dB L_{dn} at the outdoor activity areas of noise-sensitive uses, a +5 dB L_{dn} increase in noise levels due to roadway improvement projects will be considered significant; where existing traffic noise levels range between 60 and 65 dB L_{dn} at the outdoor activity areas of noise-sensitive uses, a +3 dB L_{dn} increase in noise levels due to roadway improvement projects will be considered significant; and where existing traffic noise levels are greater than 65 dB L_{dn} at the outdoor activity areas of noise-sensitive uses, a +1.5 dB L_{dn} increase in noise levels due to roadway improvement projects will be considered significant. – *NE Policy #9.1.6;*
- Where noise mitigation measures are required to achieve the standards of Tables 9-1 and 9-3, the emphasis of such measures shall be placed upon site planning and project design. The use of noise barriers shall be considered a means of achieving the noise standards only after all

other practical design-related noise mitigation measures have been integrated into the project.

Note: Existing dwellings and new single-family dwellings may not be subject to City review with respect to satisfaction of the standards of the Noise Element. As a consequence, such dwellings may be constructed in areas where noise levels exceed the standards of the Noise Element. It is not the responsibility of the City to ensure that such dwellings meet the noise standards of the Noise Element, or the noise standards imposed by lending agencies such as U.S. Department of Housing and Urban Development (HUD), the Federal Housing Administration (FHA) and the State of California Department of Veteran Affairs (Cal Vet). If homes are located and constructed in accordance with the Noise Element, it is expected that the resulting exterior and interior noise levels will conform to the HUD/FHA/Cal Vet noise standards. – NE Policy #9.1.7;

- New development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected levels of noise from transportation noise sources which exceed the levels specified in Table 9-3, unless the project design includes effective mitigation measures to reduce exterior noise and noise levels in interior spaces to the levels specified in Table 9-3. – NE Policy # 9.2.1; and
- The City has adopted and will update as necessary a Noise Ordinance to govern nuisance noise introduced by residential, commercial, or industrial uses. The purpose of this Ordinance is to regulate excessive noise produced by car stereos, parties, commercial and industrial activities (except where approved by the City), and other discretionary noise observed to be a nuisance to adjacent communities or businesses. – NE Program #9.1.A.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to do all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance After Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.13-B: *The General Plan may potentially expose existing noise-sensitive uses to construction-related noise, and excessive levels of ground borne vibration and noise. Ambient noise levels near areas of new development may temporarily increase. (Potentially Significant)*

Discussion and Conclusion: As development occurs, additional noise pollution will emerge as a temporary impact of construction. The City is committed to imposing “Best Management Practices” on all development and construction in the City. This may include limiting the hours of construction to avoid disruption during normal sleep hours. In addition, the development of new neighborhoods may unintentionally create situations where new residents are introduced to existing noise pollution. However, proper land use practices can minimize the proximate placement of conflicting uses. Sound walls can minimize many of these impacts, though land use practices will more effectively address the true issue. By recognizing the impacts of noise

pollution, the City can effectively address any proposed sources of noise or noise conflicts as they arise.

The noise element of a general plan is intended to establish acceptable noise levels for new projects within a community, and is not a tool for responding to noise complaints. A community noise ordinance is widely used for responding to noise complaints. One of the products associated with the Goals & Policies section of the General Plan may be a policy that states that the City will develop a noise ordinance.

The City takes this responsibility seriously and has included Policies and Programs to protect the citizens of Oakley from excessive noise from construction operations in the Planning Area. These are:

- To the extent feasible, protect existing and future land uses from the noise, visual, and other impacts of major roadway construction projects. – *Circulation Element (CE) Policy #3.7.1*;
- Work with public and private agencies to minimize the effect of major roadway construction projects, such as the State Route 4 Bypass, on nearby land uses. – *CE Program #3.7.A*;
- New development of noise-sensitive uses shall not be allowed where the noise level due to non-transportation noise sources will exceed the noise level standards of Table 9-1 as measured immediately within the property line or within a designated outdoor activity area (location is at the discretion of the Planning Director) of the new development, unless effective noise mitigation measures have been incorporated into the development design to achieve the standards specified in Table 9-1. – *Noise Element (NE) Policy #9.1.2*;
- Where proposed non-residential land uses are likely to produce noise levels exceeding the performance standards of Table 9-1 at existing or planned noise-sensitive uses, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design. The requirements for the contents of an acoustical analysis are given by Table 9-2. – *NE Policy #9.1.4*; and
- The City has adopted and will update as necessary a Noise Ordinance to govern nuisance noise introduced by residential, commercial, or industrial uses. The purpose of this Ordinance is to regulate excessive noise produced by car stereos, parties, commercial and industrial activities (except where approved by the City), and other discretionary noise observed to be a nuisance to adjacent communities or businesses. – *NE Program #9.1.A*.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to do all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

Impact 3.13-C: *Implementation of the proposed Land Use Map would have the potential of locating noise generating, non-traffic sources close to sensitive land uses. (Potentially Significant)*

Discussion and Conclusion: From a land use planning perspective, fixed-source noise control issues focus upon two goals: to prevent the introduction of new noise-producing uses in noise-sensitive areas, and to prevent encroachment of noise sensitive uses upon existing noise-producing facilities. The first goal can be achieved by applying noise level performance standards to proposed new noise-producing uses. The second goal can be met by requiring that new noise-sensitive uses in near proximity to noise-producing facilities include mitigation measures to ensure compliance with noise performance standards.

The noise element of a general plan is intended to establish acceptable noise levels for new projects within a community, and is not a tool for responding to noise complaints. A community noise ordinance is widely used for responding to noise complaints. One of the products associated with the Goals & Policies section of the General Plan may be a policy that states that the City will develop a noise ordinance.

The City is takes this responsibility seriously and has included Policies and Programs to protect the citizens of Oakley from excessive noise from locating new potential noise operations in areas with sensitive receptors within the Planning Area. These are:

- Avoid development that results in land use incompatibility. Specifically, avoid locating sensitive uses (residential) adjacent to existing potentially objectionable uses and avoid locating potentially objectionable uses adjacent to sensitive uses. – *Land Use Element (LUE) Policy #2.1.8;*
- Promote, in areas where different land uses abut one another, land use compatibility by utilizing buffering techniques such as landscaping, setbacks, screening and, where necessary, construction of sound walls. – *LUE Policy #2.2.4;*
- Avoid development which results in land use incompatibility. Specifically, avoid locating objectionable land uses within residential neighborhoods and protect areas designated for existing and future industrial uses from encroachment by sensitive (residential) uses. – *LUE Policy #2.4.1;*
- Incorporate design buffers between potentially incompatible land uses and avoid, to the extent feasible, new land uses that compromise existing businesses and operations. – *LUE Policy #2.4.3;*
- Within five (5) years, develop design guidelines and performance standards for the development and operation of industrial uses in the City of Oakley. The design guidelines

will consider building and site design, signage and other physical features of the project. The performance standards will address noise, odor, visual and similar impacts and will provide a standard under which industrial uses in the City must operate. – *LUE Program #2.4.B*;

- Include places of worship and religious buildings and child-care facilities as conditionally allowable uses in all residential districts in the Zoning Ordinance, subject to provisions of vehicular access and effective buffering from noise, traffic, and other impacts. – *Growth Management Element (GME) Program #4.3.C*;
- New development shall use the land use compatibility table shown in Figure 9.1 and the standards contained within Tables 9.1 and 9.3 for determining noise compatibility. – *Noise Element (NE) Policy #9.1.1*;
- New development of noise-sensitive uses shall not be allowed where the noise level due to non-transportation noise sources will exceed the noise level standards of Table 9-1 as measured immediately within the property line or within a designated outdoor activity area (location is at the discretion of the Planning Director) of the new development, unless effective noise mitigation measures have been incorporated into the development design to achieve the standards specified in Table 9-1. – *NE Policy #9.1.2*;
- Noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 9-1 as measured immediately within the property line of lands designated for noise-sensitive uses. *Note: For the purposes of the Noise Element, transportation noise sources are defined as traffic on public roadways, railroad line operations, and aircraft in flight. Control of noise from these sources is preempted by Federal and State regulations. Other noise sources are presumed to be subject to local regulations, such as a noise control ordinance. Non-transportation noise sources may include industrial operations, outdoor recreation facilities, Heating, Ventilation, Air Conditioning (HVAC) units, loading docks, etc.* – *NE Policy #9.1.3*;
- Where proposed non-residential land uses are likely to produce noise levels exceeding the performance standards of Table 9-1 at existing or planned noise-sensitive uses, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design. The requirements for the contents of an acoustical analysis are given by Table 9-2. – *NE Policy #9.1.4*;
- Where noise mitigation measures are required to achieve the standards of Tables 9-1 and 9-3, the emphasis of such measures shall be placed upon site planning and project design. The use of noise barriers shall be considered a means of achieving the noise standards only after all other practical design-related noise mitigation measures have been integrated into the project. *Note: Existing dwellings and new single-family dwellings may not be subject to City review with respect to satisfaction of the standards of the Noise Element. As a consequence, such dwellings may be constructed in areas where noise levels exceed the standards of the Noise Element. It is not the responsibility of the City to ensure that such dwellings meet the noise standards of the Noise Element, or the noise standards imposed by lending agencies such as U.S. Department of Housing and Urban Development (HUD), the Federal Housing Administration (FHA) and the State of California Department of Veteran Affairs (Cal Vet). If homes are located and constructed in accordance with the Noise Element, it is expected that the resulting exterior and interior noise levels will conform to the HUD/FHA/Cal Vet noise standards.* – *NE Policy #9.1.7*;

- Obtrusive, discretionary noise generated from residences, automobiles, commercial establishments, and/or industrial facilities should be minimized or prohibited. – *NE Policy #9.1.8*;
- Activities associated with agricultural operations are recognized as noise sources which may be considered annoying to some residents. These activities can occur during the daytime and nighttime hours. Activities include crop dusting, tractor operations, etc. The city will require that all new development of residential uses adjacent to agricultural uses provide full disclosure of potential noise sources to future residents. – *NE Policy #9.1.9*;
- New development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected levels of noise from transportation noise sources which exceed the levels specified in Table 9-3, unless the project design includes effective mitigation measures to reduce exterior noise and noise levels in interior spaces to the levels specified in Table 9-3. – *NE Policy #9.2.1*;
- Where noise-sensitive land uses are proposed in areas exposed to existing or projected exterior noise levels exceeding the levels specified in Table 9-3 or the performance standards of Table 9-1, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design. – *NE Policy #9.2.2*; and
- The City has adopted and will update as necessary a Noise Ordinance to govern nuisance noise introduced by residential, commercial, or industrial uses. The purpose of this Ordinance is to regulate excessive noise produced by car stereos, parties, commercial and industrial activities (except where approved by the City), and other discretionary noise observed to be a nuisance to adjacent communities or businesses. – *NE Program #9.1.A*.

The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and need no further mitigation measures.

Mitigation Measures

No additional mitigation measures are necessary.

Significance after Implementation: Implementation of the proposed General Plan would reduce this impact to a *less than significant* level.

CHAPTER 4 ANALYSIS OF ALTERNATIVES

4.1 INTRODUCTION

4.1.1 PURPOSE AND RANGE OF ALTERNATIVES

The California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) (CEQA) and the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) require that an EIR “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives” [CEQA Guidelines Section 15126.6(a)]. If a project alternative would substantially lessen the significant environmental effects of a proposed project, the decision maker should not approve the proposed project unless it determines that specific technological, economic, social, or other considerations make the project alternative infeasible (PRC Section 21002, CEQA Guidelines Section 15091(a)(3)). The EIR must also identify alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and should briefly explain the reasons underlying the lead agency’s determination (CEQA Guidelines Section 15126.6(c)).

One of the alternatives analyzed must be the “no project” alternative. The “no project” analysis must discuss the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved and development continued to occur in accordance with existing plans and consistent with available infrastructure and community services (CEQA Guidelines, Section 15126.6(e)(2)).

One of the significant differences among the four alternatives is the future planning for a large portion of the Cypress Corridor Area, shown in Figure 2-3 of the General Plan as a Special Planning Area. The Proposed Project and Low Density Alternative would designate that portion of the area Delta Recreation, which would preclude typical urban development, absent an amendment to the General Plan. Under the No Project Alternative, development of that portion of the area would be controlled by the existing M-8 designation in the City-adopted Contra Costa County General Plan and development agreements between the City and property owners, which contemplate typical urban development and a coordinated planning effort for all properties. The High Density Alternative plans for typical urban development of the properties by eliminating the M-8 designation and replacing it with a mix of General Plan land use designations consistent with the development agreements.

4.1.2 OBJECTIVES OF THE GENERAL PLAN

The *Oakley 2020 General Plan* establishes a comprehensive community vision for Oakley relative to land use, circulation, housing, economic development, public safety, and resource preservation. Through text and maps, the *Plan* expresses the community's long-term goals. The overarching goals set forth in the General Plan are:

- To preserve and enhance the quality of life in Oakley by protecting residential neighborhoods, improving the City's commercial districts, and ensuring adequate provision of community facilities and services.
- To balance land uses within Oakley in a manner that ensures that revenue generated matches the City's ability to provide a high level of urban services.
- To address the housing needs of existing and future residents, including housing affordability, availability, and adequacy.
- To provide a local street system that accommodates current and future traffic volumes.
- To create a Downtown circulation system that accommodates the needs of commuters and pedestrians.
- To achieve an overall sense of community through coordinated design standards.
- To provide open space areas that meet the recreation needs of the demographically diverse community.

4.2 DESCRIPTION OF ALTERNATIVES

This section describes the three alternatives to the proposed project.

A “no development” alternative was not considered for the Expansion Areas under any of the alternatives because Contra County has already approved several subdivision maps for the properties in the areas, including for Subdivision 7562, the Cypress Lakes project, which was approved in 1993 and authorizes development of a significant portion of the eastern Expansion Area. An EIR for Cypress Lakes was certified in 1992 and more specifically analyzes the impacts of that development. Changes to the project were approved in 1991, and initial development appears to be underway at the time of preparation of this EIR. Given that the project is at the eastern edge of that part of the Expansion Area, preventing development between it and the current City limits appears infeasible. Moreover, all of the property in the Expansion Areas is within the County-defined urban limit line. Thus, this EIR assumes that development will occur eventually in the Expansion Areas, and impacts beyond the scope of this document will be analyzed in project EIRs and negative declarations similar to that certified for Cypress Lakes.

4.2-1 ALTERNATIVE #1: HIGH DENSITY ALTERNATIVE

The High Density Alternative (see Figure 4.2-1) includes development that emphasizes higher density residential and office/business park development and de-emphasizes lower density residential, industrial, and recreational development. It is designed to accommodate the highest population increase and to place a priority on commerce. It attempts to provide an internal jobs base.

The build out of this alternative generates about 83,589 people in 26,702 dwelling units (du). As shown in Table 4.2-1, almost 55 percent of the Planning Area would be allocated to single family residential. Another 12 percent would be reserved for various commercial, office, and business park development. Only less than 5 percent of the land is set apart for agricultural and just more than 6 percent reserved for recreational uses.

**Table 4.2-1
High Density Alternative**

Land Use Designation	Acres	Percent
Agriculture Lands	495	4.6%
Single Family High	3,283	30.5%
Single Family Medium	914	8.5%
Single Family Low	1,269	11.8%
Single Family Very Low	409	3.8%
Multi-Family Low	300	2.8%
Multi-Family High	49	0.5%
Mobile Home	16	0.1%
Commercial	623	5.8%
Office	32	0.3%
Commercial Recreation	284	2.6%
Business Park	354	3.3%
Light Industrial	179	1.7%
Utility Energy	31	0.3%
Public and Semi-Public	1,049	9.7%
Delta Recreation	464	4.3%
Parks and Recreation	211	2.0%
Roads/Canal	567	5.3%
Waterways	237	2.2%
Totals	10,765	100.0%

4.2-2 ALTERNATIVE #2: LOW DENSITY ALTERNATIVE

The Low Density Alternative (see Figure 4.2-2) includes development that places more importance on keeping the city more uncomplicated and undemanding for the citizens and de-emphasizes commerce and jobs based development.

The build out of this alternative generates about 63,983 people in 20,262 dwelling units (du). As shown in Table 4.2-2, over 45 percent of the Planning Area would be allocated to single family residential and another almost 17 percent would be reserved for recreational uses. Only 6± percent of the land is set apart for all commercial, office, and business park development and another 6± percent reserved for industrial development.

**Table 4.2-2
Low Density Alternative**

Land Use Designation	Acres	Percent
Agriculture Lands	678	6.3%
Single Family High	2,100	19.5%
Single Family Medium	1,231	11.4%
Single Family Low	1,489	13.8%
Single Family Very Low	184	1.7%
Multi-Family Low	171	1.6%
Multi-Family High	51	0.5%
Mobile Home	16	0.1%
Commercial	422	3.9%
Office	47	0.4%
Commercial Recreation	203	1.9%
Business Park	0	0.0%
Light Industrial	639	5.9%
Heavy Industrial	18	0.2%
Public and Semi-Public	918	8.5%
Delta Recreation	1,615	15.0%
Parks and Recreation	180	1.7%
Roads/Canal	567	5.3%
Waterways	237	2.2%
Totals	10,765	100.0%

4.2-3 ALTERNATIVE #3: NO PROJECT ALTERNATIVE

CEQA requires that one of the alternatives be a “No Project” alternative. The No Project alternative represents the case in which the voters of Oakley do not adopt the proposed project, the *Oakley 2020 General Plan*. In the absence of the proposed project, the current Contra Costa County General Plan, which was adopted by the City of Oakley in 1999 to serve as the Oakley General Plan until completion and adoption of the *Oakley 2020 General Plan*, would continue to guide the city’s development. Full build out of the existing General Plan would include both currently approved projects, plus a limited amount of additional development permitted by the Plan in the future. Under this alternative, new development would be limited generally to vacant, developable sites within the existing incorporated Oakley city limits, which includes Sphere of Influence (SOI) areas that were previously outside the Community of Oakley. These prior SOI areas include all land within Oakley Community Center (M8), the Bethel Island “Off-Island Bonus” area, the Sellers SOI area, and the “Jersey Island Road” SOI area. Please see Figure 2.2 of the *Oakley 2020 General Plan Background Report*.

The No Project Alternative (see Figure 4.2-3) emphasizes agricultural operations and single family residential and de-emphasizes business park and commercial development and public services and recreational development.

The build out of this alternative generates about 74,918 people in 23,942 dwelling units (du). As shown in Table 4.2-3, over 60 percent of the Planning Area would be allocated to single family residential and only 7 percent would remain agricultural. In addition, 4 percent of the land is set apart for recreational usage and another 4 percent is reserved for all commercial, and office development.

**Table 4.2-3
No Project Alternative**

Land Use Designation	Acres	Percent
Agriculture Lands	757	7.0%
Single Family High	1,759	16.3%
Single Family Medium	1,005	9.3%
Single Family Low	3,695	34.3%
Single Family Very Low	155	1.4%
Multi-Family Low	257	2.4%
Multi-Family Medium	70	0.6%
Multi-Family High	31	0.3%
Multi-Family Very High	4	0.0%
Commercial	309	2.9%
Office	79	0.7%
Commercial Recreation	42	0.4%
Light Industrial	447	4.2%
Heavy Industrial	431	4.0%
Public and Semi-Public	586	5.4%
Delta Recreation	226	2.1%
Parks and Recreation	205	1.9%
Roads/Canal	543	5.0%
Waterways	164	1.5%
Totals	10,765	100.0%

4.3 IMPACT ASSESSMENT

This section describes the environmental impacts that may occur under each alternative and compares impacts of the alternatives to the proposed project impacts. Table 4.4-1 compares the significance of the environmental impacts of the proposed General Plan relative to the level of significance in the alternatives.

The purpose of this impact assessment is to identify whether the project alternatives would reduce potentially significant impacts of the proposed project or would generate impacts different from those identified for the proposed project.

4.3-1 LAND USE

The intent of the Oakley 2020 General Plan is to create a city in which land uses exist and function without imposing a nuisance, hazard, or unhealthy condition upon adjacent uses. The Planning Area has received pressure due to the Bay Area, as a whole, developing recently at a tremendous rate. This drives the job market and the demand for housing in the entire area. Housing prices in the Bay Area have risen dramatically over the past decade as the demand for homes has risen and the availability of higher paying jobs, primarily computer jobs in the Tri Valley and Silicon Valley, has increased. The cities in central Contra Costa County, including Concord, Antioch, and Pittsburg have also experienced accelerated growth rates in the past decade. As land closer to San Francisco builds out, the population of the area is forced to move outward to the outlying communities, including the City of Oakley.

Environmentally it is important to preserve available “natural” landscapes. The push of population effects, such as living quarters, working space, and commerce reduce the natural land available to preserve. Growth is inevitable but the effect on the environment can be moderated by wise choices of urban design.

Proposed Project

With this alternative, almost 7,000 acres (about 64 percent) of land is converted to urban uses (residential, commercial, or industrial). Assuming the land-use designations that would be closest to the “natural” state would be parks, recreation, and waterways, at full build-out, this alternative designates almost 2,000 acres (over 17 percent of the Plan Area) in parks, recreation, or waterways.

No Project Alternative

This alternative converts over 8,000 acres (over 75 percent) of land to urban uses (residential, commercial, or industrial). Assuming the land-use designations that would be closest to the “natural” state would be parks, recreation, and waterways, at full build-out, this alternative designates less than 600 acres (less than 6 percent of the Plan Area) in parks, recreation, or waterways.

High Density Alternative

This alternative provides over 7,000 acres of residential, commercial, or industrial land at build out, which represents almost 72 percent of land converted to urban uses. Assuming the land-use designations that would be closest to the “natural” state would be parks, recreation, and waterways, at full build-out, this alternative designates less than 1,000 acres (under 9 percent of the Plan Area) in parks, recreation, or waterways.

Low Density Alternative

With this alternative, less than 6,600 acres (61 percent) of land is converted to urban uses

(residential, commercial, or industrial). Assuming the land-use designations that would be closest to the “natural” state would be parks, recreation, and waterways, at full build-out, this alternative designates over 2,000 acres (almost 20 percent of the Plan Area) in parks, recreation, or waterways.

Conclusion: With respect to land use, the environmentally superior alternative would be the one that preserves the most land in its natural state and limits conversion to urban uses. The Low Density Alternative and the Proposed Project result in a large preservation of natural land and less urbanization. The No Project Alternative and High Density Alternative both sacrifice natural land for urbanization to a larger degree.

4.3-2 AESTHETICS

Scenic resources include the waterways of the Delta, Dutch Slough, and Marsh Creek, habitat areas, and open space land. Other scenic resources include the view of Mount Diablo west of the City. Views of the Delta are primarily visible from the waterfront marina areas. Mt. Diablo can be seen from almost anywhere in the City, but mostly from open areas or those streets running east and west.

Proposed Project

Dedicates 1,460 acres of land in the Plan Area as Delta Recreation, with the express purpose of taking advantage of the waterfront opportunities. Additionally, a total of 194 acres is dedicated to community and neighborhood parks; recreational areas; trails; and integrated greenways, all of which could create and preserve scenic views.

No Project Alternative

Has 226 acres of the Plan Area designated as “Delta Recreation” with an additional 205 acres in parks and recreation. . However, pursuant to development agreements and the City adopted County General Plan, the Cypress Corridor Area (most of the Delta Recreation designation) could be developed in a typical urban manner under this Alternative. This alternative preserves only 757 acres in agriculture designation, which would preserve some scenic views

High Density Alternative

Has dedicated a total of 675 acres in the Plan Area to recreational land-use categories. Additionally, 495 acres are preserved in agricultural usage.

Low Density Alternative

Dedicates 1,615 acres of land as Delta Recreation and a total of 180 acres dedicated to community and neighborhood parks. Under this alternative, like the Proposed Project, a large portion of the Cypress Corridor Area would be designated Delta Recreation.

Conclusion: With respect to aesthetics, the environmentally superior alternative would be the one that preserves the most land that would be considered scenic or have a scenic view. The Low Density Alternative and the Proposed Project are environmentally superior. The No Project and the High Density Alternatives may preserve some scenic resources with parks and street design but would be more problematic due to the emphasis on open spaces and recreation.

4.3-3 CIRCULATION/TRANSPORTATION

With all alternatives, build-out of the Planning Area would result in population and employment increases, representing a substantial amount of growth when compared to existing conditions. Other communities in eastern Contra Costa County are also expecting to experience substantial growth in the future. This growth in population and employment will cause significant increases in travel in and around the City, and additional transportation facilities will be needed to accommodate the increased demand.

Alternatives with less population, more local employment, showing a good mix of residential and commercial with urban areas designed in a manner to accommodate other means of travel than the automobile (i.e. transit, bicycle, and pedestrian) would be have better circulation, with reduced adverse effects from transportation activities.

Proposed Project

Will result in a total population of 68,453 in the Plan Area. The Proposed Project will also generate 36,347 new jobs, primarily in the general commercial sector. This alternative is designed to promote transit by providing commercial nodes and a higher density of residents around those nodes. It also provides a network of parks and open spaces and a trail system designed for both pedestrian and bicycle traffic.

No Project Alternative

The Contra Costa General Plan allows 74,917 persons in the Plan Area. A high portion of the population growth is in single-family housing and new employment of 34,482 jobs primarily in the industrial sector.

This alternative provides a reasonable collection of commercial nodes but does not designate higher density of residents around those nodes, thereby making it somewhat unfriendly to transit. It provides less diverse parks and open spaces, which will make it difficult to design a trail system friendly to pedestrian and/or bicycle traffic.

High Density Alternative

Provides the largest population with a build out level of 83,589 persons. The largest single portion of the new housing comes in the form of single-family high-density residential and new employment in a business park setting. This Alternative would have the largest need for

increased road capacities but also provides many opportunities for effective transit design. Pedestrian and bicycle uses would be more problematic unless well designed.

Low Density Alternative

Provides residential acreage to accommodate an additional 31,222 persons, yielding build out population estimate that would reach only 63,983. Single-family housing would generate the largest portion of the new housing units and new employment would occur primarily in the in the general commercial and light industrial sectors. This Alternative would have the least need for increased road capacities but is likely to provide more need for the long commute to employment areas. This alternative does provide commercial nodes but does not supplement them with high-density designations in close proximity, therefore, transit could be accommodated, but travel to and from nodes would likely be vehicular.

Conclusion: No Project Alternative and High Density Alternative provide the greatest adverse effects due to population increases, with the Low Density Alternative the least, however, the longer commute distances of the Low Density Alternative would be somewhat offset by the reduced population. The Proposed Project creates the most transit, pedestrian, and bicycle accommodating environment. The Proposed Project and Low Density Alternative would be superior to the No Project Alternative and High Density Alternative.

4.3-4 AIR QUALITY

Under each of the alternatives, development would result in construction-related air quality impacts and long-term changes in emissions of criteria air pollutants, whereas construction-related effects would be localized and short-term and based primarily on amount of new construction and proximity to sensitive receptors. Over the long-term, criteria air pollutant emissions would vary among the alternatives principally due to the varying levels of vehicular activity associated with different land uses proposed for development and secondarily associated with increased population producing increases in area source emissions.

Proposed Project

Build out of the proposed Project involves residential and non-residential development and hence would have a significant impact on short-term air quality due to construction emissions. This alternative provides opportunity for construction emissions due to almost 7,000 acres of developed land. With respect to vehicle trips, the proposed Plan would result in more generated trips than the Low Density Alternative and likely a proportionate increase in emissions. However, the proposed Project also encourages development that provides opportunities for “linked” trips— such as mixed use development at increased densities/intensities—where several stops may be made in one trip, thereby reducing the need for the automobile, and emissions byproducts.

No Project Alternative

This alternative, which represents build out of the existing Contra Costa General Plan, involves the most residential and non-residential development, thereby resulting in the greatest effects on construction emissions. This Alternative has a lack of employment sites and commercial facilities and less efficient urban design, which would likely result in the average trip length being longer generating additional impacts on regional and local air quality. This Alternative would not provide significant opportunities for development that encourages “linked” trips.

High Density Alternative

This alternative involves a large amount of residential and non-residential development resulting in significant adverse effects from construction. In addition, since the development is so compact, construction activity would likely be in closed proximity to sensitive sources. As a result, this Alternative would also result in the highest generation of vehicle trips of all of the alternatives. Whereas this alternative has a compact urban design, as discussed in Circulation/Transportation, it does not effectively lend itself to “linking” of trips or alternative modes of travel.

Low Density Alternative

This alternative involves the least residential and non-residential development and the emphasis of single-family residential would likely space those effects further from existing sensitive receptors. Even though the build-out population is least of all alternatives, it is not entirely conducive to internal trip linking and would likely produce higher incidence of long commute distance.

Conclusion: The Low Density Alternative is the superior alternative with relation to construction-related effects with the High Density Alternative being the most problematical. The High Density Alternative also has the greater adverse effect related to its vehicular activity. The Low Density Alternative and Proposed Project are preferred for different reasons in this effect. Overall, the High Density Alternative has the greatest adverse effect of all other alternatives, with the Proposed Project and the Low Density Alternative generating the least effect.

4.3-5 PARKS, OPEN SPACE, AND AGRICULTURAL RESOURCES

The provision of recreational opportunities at all levels is recognized as a key goal of the City of Oakley. Oakley’s open space resources include public and private open space and recreation facilities, lands, waterways, habitat areas, and agricultural lands. In addition to providing opportunities for recreation and leisure, open space and parkland enhance aesthetics and community character.

Oakley's current commercial agricultural outlook is somewhat constrained. Due to a lack of large contiguous agricultural land blocks and several other economic and logistic constraints, commercial agricultural production in the Plan Area has become less viable. Notwithstanding, the environmentally superior alternative would be the one preserving the most land for agricultural usage

Proposed Project

In addition to the 194 acres designated for Parks & Recreation, build out of the proposed Project involves designation of 1,460 acres of land in the Delta Recreational land-use category, which encompasses the lowlands of the City's northeastern edge, most of which is located in the 100-year flood plain. Another 238 acres will be protected waterways. This alternative meets the City's goal of at least 5 acres of parks and recreation per 1,000 persons by the year 2020.

This alternative preserves almost 4 percent of its land designated to accommodate light agriculture, animal husbandry, and very low-density residential uses - reflections of the historic and continuing agrarian practices within the City of Oakley. The agricultural land preserved is concentrated in two areas and provide the large contiguous plots conducive to commercial agriculture.

No Project Alternative

This alternative preserves relatively little land specifically dedicated to agricultural uses but the land preserved is efficiently in large contiguous blocks. This alternative has over 400 acres dedicated to either parks and recreation or Delta Recreation. However, pursuant to development agreements and the City adopted County General Plan, the Cypress Corridor Area (most of the Delta Recreation designation) could be developed in a typical urban manner under this Alternative. This alternative meets the City's goal of at least 5 acres of parks and recreation per 1,000 persons by the year 2020, however the parks acreage seems less dispersed, and therefore general accessibility would be more problematical.

High Density Alternative

This alternative provides almost 700 acres in either parks and recreation or Delta Recreation, easily meeting the City's goal of at least 5 acres of parks and recreation per 1,000 persons by the year 2020. The parkland seems to be well dispersed for citizen accessibility. It does not provide a significant amount of overall open space as it would yield the highest population and has the most land converted to urban uses. This alternative provides a reasonable portion of land in effective large blocks to agricultural uses.

Low Density Alternative

This alternative has the least acreage dedicated specifically to parks and recreation but compensates greatly by designating the most acreage to Delta Recreation. In addition, this

alternative almost doubles the Proposed Project in amount of land preserved for agriculture. This alternative meets the City's goal of at least 5 acres of parks and recreation per 1,000 persons by the year 2020.

Conclusion: Concerning parks and recreation, all alternatives provide adequate amounts to meet the City's objectives, however there is a significantly larger portion of Delta Recreational allocated in both the Proposed Project and the Low Density Alternative. In addition, the dispersion of parklands for the Proposed Project and Low Density Alternative make them preferable for accessibility. With regards to agricultural land, the Low Density Alternative and No Project Alternative provide the most acreage in the largest contiguous blocks.

4.3-6 PUBLIC SERVICES

The four elementary schools in the Oakley Union School District are over capacity limits, and future growth will further impact these schools. The two middle schools are not impacted at this time. However, impacts on schools of all levels would be directly related to population increase, with some benefit to compact development.

Impacts on fire protection services would be adversely affected by increased dwelling units and increased commercial and industrial activity. In addition, an ineffectual circulation system would also adversely affect fire protection services.

Law enforcement would be adversely affected by additional population, with an increase also associated with high density development.

Increased population and commercial/industrial activity would be the primary effects on solid waste collection services.

Proposed Project

With over 21,000 dwelling units and almost 25 million square feet of commercial/industrial, this alternative would require a substantial increase in fire infrastructure and personnel. In addition, this project will result in over 68,000 persons at build-out, which would increase the needs for schools, waste collection services, and law enforcement.

No Project Alternative

With almost 24,000 dwelling units but the least square footage of commercial/industrial, this alternative would require a substantial increase in fire infrastructure and personnel. The increased square footage is primarily in the industrial sector, which would likely have more complex fire protection needs. In addition, this project will result in over 68,000 persons at build-out, which would increase the needs for schools, waste collection services, and law enforcement.

High Density Alternative

This alternative would require the greatest increase in fire infrastructure and personnel needs due to the highest amount of dwelling units and largest increase in commercial/industrial square footage. In addition, this project will result in almost 75,000 persons at build-out, which would increase the needs for schools, waste collection services, and law enforcement. The law enforcement needs would be exacerbated by high-density compact development.

Low Density Alternative

This alternative would still require a substantial increase in fire infrastructure and personnel, law enforcement, schools and waste collection services but when compared to the other alternatives it has less dwelling units and less commercial/industrial; square footage. However, with the areas being more spread out, it would likely make fast response times more problematical.

Conclusion: The High Density Alternative would be the most adverse related to fire protection services, law enforcement, schools, and waste collection. No Project Alternative would also be problematical for fire protections services due to heavy industrial uses.

4.3-7 PUBLIC SAFETY AND HAZARDS

The more people living and working in Oakley, the greater potential risk to life and property as the result of a major disaster. However, certain factors will make the risks more prevalent to whatever population is residing in the Plan Area.

Wildfires are not a likely problem in the Plan Area but there are some areas of specific fire danger. The oil and gas wells located in the eastern portion of the Plan Area would create a greater fire danger to development in those areas. In addition, several areas of peat soils are in the Plan Area. These soils are known to a unique fire problem concerning fire suppression once ignited. Therefore, type and density of development in those areas are an important factor.

Flood danger is probably the most locationally affected impact. The City of Oakley has significant areas in the 100-year flood plain. The Cypress Corridor and Cypress Expansion Areas are predominantly within a 100-year flood hazard area. In addition, the topography of the City is generally level, leaving intermittent low land as isolated basins creating flood dangers.

Hazardous materials can occur anywhere, at residences as well as commercial facilities, however there would be a higher propensity with the industrial sector.

Proposed Project

This alternative has a significant portion the land containing oil well activity dedicated to Delta Recreation but there are also some single-family residential. Peat areas are predominantly designated Public/Semi-Public or Delta Recreational. The build-out of this alternative preserves

much of the land in flood-prone area as Delta Recreational. This alternative has little industrial activity.

No Project Alternative

This alternative develops mixed uses in the oil well areas and the areas with peat soils are either Public/Semi-Public or mixed use. Much of the flood-prone land would be developed and a larger industrial sector is planned.

High Density Alternative

This project will also dedicate the land with peat as Public/Semi-Public but have a significant amount of development in the oil well areas. This alternative would have significant development in the flood-prone areas. This alternative has the highest contingency of industrial usage.

Low Density Alternative

This alternative has a some single-family residential in the oil well areas but a large portion is dedicated to Delta Recreation. Peat areas are predominantly designated Public/Semi-Public or Delta Recreational. The build-out of this alternative preserves much of the land in flood-prone area as Delta Recreational. This alternative has little industrial activity.

Conclusion: High Density Alternative, having the largest population development near oil wells, in peat areas, and heavy industry makes it the most environmentally damaging. No Project Alternative is also a problem with development in these areas but with less industry. Proposed Project and Low Density Alternative are the best choices.

4.3-8 HYDROLOGY AND WATER QUALITY

Hydrological resources and water quality are impacted primarily by land converted to urban uses, which reduces percolation and increases runoff. This impacts water quality due to the captured contaminants in the runoff.

Proposed Project

Almost 4,500 acres of land converted to urban uses – 2,894 acres to residential and 1,600 acres to commercial/industrial uses. Both uses would reduce water percolation and increase runoff.

No Project Alternative

Build-out conditions for this alternative includes 4,612 acres of residential land and 1,402 acres of commercial/industrial land. Both uses would reduce water percolation and increase runoff.

High Density Alternative

Provides 3,586 acres of residential land and 1,762 acres of commercial/industrial land available for build out. Both uses would reduce water percolation and increase runoff.

Low Density Alternative

Allocates 2,503 acres of residential land and 1,516 acres of commercial/industrial land for development of urban uses. Both uses would reduce water percolation and increase runoff.

Conclusion: High Density Alternative has the most land converted to urban uses, therefore causing the most runoff effects. Low Density Alternative is the best alternative.

4.3-9 BIOLOGICAL RESOURCES

The City's Plan Area supports a diverse assemblage of plant and wildlife species throughout several habitat types. The potential for a particular habitat to support special-status species depends on numerous factors including microhabitat, human disturbance levels, and current site conditions. Vegetation within the plan area includes agricultural and ruderal (fallow) fields, perennial and seasonal marsh, orchard, drainage/canal, and landscaped (developed) vegetation communities.

Impacts would be greatest in areas of sensitive habitats. Figure 6-2 of the General Plan shows the level of biological sensitivity in the Plan Area.

Proposed Project

Build out of the proposed Project involves designation of 1,460 acres of land in the Delta Recreational land-use category, which encompasses the lowlands of the City's northeastern edge, most of which is currently marshland or possibly some irrigated pasture. Sensitive habitat would be protected and preserved in these areas. In addition, acres of parkland and open space designated in this Alternative were chosen for their potential ecological significance, such as streambeds and riparian areas.

No Project Alternative

This alternative would permit development of a large portion of the Cypress Corridor Area, shown in Table 2-3 of the General Plan, (the area designated M8 in the City adopted County General Plan) which is in areas that could contain sensitive habitats. This area had been established as a mixed-use area by the County to provide for integrated development through a comprehensive planning process, and it is subject to development agreements between the City and the property owners. However, this alternative does provide some protection/preservation of marshland areas at the northern part of the Plan Area, bordering the San Joaquin River and the Big Break area and preserves some land (757 acres) for agricultural usage.

High Density Alternative

This alternative dedicates very little land in potentially sensitive areas. Only about 10 percent of the land in this alternative is either recreational or agricultural. Like the No Project Alternative, this alternative would permit development of a large portion of the Cypress Corridor Area. However, this alternative also provides some protection/preservation of marshland areas at the northern part of the Plan Area, bordering the San Joaquin River and the Big Break area.

Low Density Alternative

This alternative also involves designation of a large portion of land in the Delta Recreational land-use category (1,615 acres), which encompasses the lowlands of the City's northeastern edge, most of which is currently marshland or possible some irrigated pasture. Sensitive habitat would be protected and preserved in these areas. In addition, acres of parkland and open space designated in this alternative were chosen for their potential ecological significance, such as streambeds and riparian areas.

Conclusion: All of the alternatives pay attention to the areas of high sensitivity but the High Density Alternative and No Project Alternative urbanize a significant portion of the medium sensitivity areas.

4.3-10 HISTORICAL AND CULTURAL RESOURCES

While some historic structures and land uses date back to the late 1800s, most of the City's historic resources date from the period of Oakley's growth and development, roughly from 1901 to 1955. While there are no officially designated historic structures in Oakley, there are numerous buildings, primarily in the old town area, eligible for such designation or listing. The City intends to evaluate such resources and establish preservation policies and practices for qualified historic resources.

Proposed Project

Build out of the proposed Project involves significant protection, restoration, and protection of the historic "old town" area. In addition, a strong effort is made to carefully incorporate the residents and visitors' "use" and appreciation of the "old town". Many pedestrian and bicycle friendly efforts are proposed to make it preferable to walk, and spend some time, in the "old town" area.

No Project Alternative

This alternative was designed by Contra Costa County and did not place as much importance in protecting downtown Oakley. However, this alternative does preserve the commercial activities of the downtown area and, in conjunction with the historical preservation policies and programs and State and federal laws, the historic structures would be fairly treated.

High Density Alternative

This alternative was designed to be development strong and did not place as much importance in protecting historic “old town” or any other historical structure. However, this alternative does preserve the commercial activities of the downtown area and, in conjunction with the historical preservation policies and programs and State and federal laws, the historic structures would be fairly treated.

Low Density Alternative

This alternative was designed to be a residential-based alternative and also did not place as much importance in protecting downtown Oakley. However, this alternative does preserve the commercial activities of the downtown area and, in conjunction with the historical preservation policies and programs and State and federal laws, the historic structures would be fairly treated.

Conclusion: The Proposed Project is the best alternative for protection of historic and cultural resources. The Low Density Alternative and High Density Alternative are adequate but the No Project Alternative does least for this impact.

4.3-II UTILITIES AND SERVICES

Population growth is the primary factor affecting utilities and services.

Proposed Project

Build out of the Proposed Project would result in an average annual water need of approximately 11.3 mgd, which is 39 percent of DWD’s ultimate storage capacity.

No Project Alternative

This alternative, which represents build out of the existing General Plan (No Project), would result in an average annual water need of approximately 12.6 mgd, which is 44 percent of DWD’s ultimate storage capacity.

High Density Alternative

Build out of the Proposed Project would result in an average annual water need of approximately 14.0 mgd, which is 49 percent of DWD’s ultimate storage capacity. This alternative would result in the highest water need of all the alternatives but still fall below 50 percent of the ultimate capacity of the provider.

Low Density Alternative

Build out of this alternative would result in an average annual water need of approximately 11.5 mgd, which is 37 percent of DWD's ultimate storage capacity. This alternative would result in the lowest water need of all the alternatives.

Conclusion: High Density Alternative is the worst affecting utilities and services due to its largest population increase. The Proposed Project and the Low Density Alternative are the least.

4.3-12 GEOLOGY, SOILS, AND SEISMIC HAZARDS

The City of Oakley is dominated by the Younger (Holocene) Alluvium that is susceptible to moderate damage during ground shaking. Areas of Oakley along the shoreline, in northeast Oakley, and in the Cypress Corridor Expansion Area are susceptible to high damage because of the modern sediments of San Francisco Bay Estuary and Delta lowlands. A small section of Oakley near the Sellers Ave./East Cypress Ave. intersection and the southern Expansion Area are susceptible to moderately low damage because of Pliocene Bedrock and Older (Pleistocene) Alluvium.

The Planning Area is mostly in an area of generally high liquefaction potential, with a small portion in an area of generally moderate to low liquefaction potential. Generally, high liquefaction means that substantial ground shaking has a high potential to trigger liquefaction in the soils. Generally, low liquefaction potential means that in the event of substantial ground shaking, the soils have a very low to almost none potential to liquefy.

Proposed Project

The entire build out of the Proposed Project (5,541 acres of residential and 1,381 acres of commercial/industrial) is subject to the dangers of seismic activity. However, even though the entire Plan Area is in a seismically active area, with particular concern with liquefaction, this alternative is significantly different from the No Project and High Density Alternatives in that it designates 1,460 acres of land in the Delta Recreational land-use category, which is in the City's northeastern edge, where buildings are susceptible to high damage because of the modern sediments of the Delta lowlands.

No Project Alternative

This alternative would permit development on a large portion of the Cypress Corridor Area, shown on Figure 2-3 of the General Plan, (the area designated M8 in the City adopted County General Plan) which is in areas that are susceptible to high damage because of the modern sediments of the Delta lowlands. This area had been established as a mixed-use area by the County to provide for integrated development through a comprehensive planning process; the area is also subject to development agreements between the City and the property owners.

High Density Alternative

The entire build out of this alternative (6,239 acres of residential and 1,504 acres of commercial/industrial) is subject to the dangers of seismic activity such as liquefaction. Like the No Project Alternative, pursuant to development agreements, this alternative would permit development of a large portion of the Cypress Corridor Area in a typical urban manner. This alternative would allow development in areas that are susceptible to high damage because of the modern sediments of the Delta lowlands.

Low Density Alternative

The build out of this alternative (5,241 acres of residential and only 1,328 acres of commercial/industrial) is the least construction intensive and therefore least affected by the potential for seismic activity. In addition, this alternative involves designation of a large portion of land in the Delta Recreational land-use category (1,615 acres), which is in the City's northeastern edge, where buildings are susceptible to high damage because of the modern sediments of the Delta lowlands.

Conclusion: The High Density Alternative and the No Project Alternative both result in much development in seismically unsafe areas, with the Low Density Alternative and Proposed Project being the best.

4.3-13 NOISE

There are no obvious sources of disruptive noise in the City of Oakley, though ambient noise can be heard, especially in those areas adjacent to major highways, intersections, and rail lines. As development occurs, though, additional noise pollution will emerge as a temporary impact of construction. In addition, the development of new neighborhoods may unintentionally create situations where new residents are introduced to existing noise pollution.

A primary source of noise in the City of Oakley is the sound generated from vehicles traveling over roadways. Roadway noise is a combination of direct noise emission from the vehicle and the sound from the passing of tires over the road surface. There are several measures that can be implemented in new developments, which will lessen the noise impacts on new neighborhoods. These include strategic placement and protection of sensitive uses and the utilization of sound-walls, earth mounds, or other attenuating devices.

Railroad activity is another perceived source of noise in the Plan Area and generally occurs along two tracks. The two tracks are located along the western boundary of the City of Oakley, and generally the east side of S.R.4. Each of the tracks is adjacent to residential areas.

Proposed Project

This alternative has the potential for a proportionally large number of single-family residential developments on or near the main highway and the railroads. Construction requirements prompted by the City's new Noise Element; will demand measures to lessen the noise impacts.

No Project Alternative

This alternative also has the potential for a proportionally large number of single-and multi-family residential developments on or near the main highway and the railroads. Construction requirements prompted by the City's new Noise Element; will demand measures to lessen the noise impacts.

High Density Alternative

This alternative has the least potential for positioning of residential sensitive receptors near the highway and railroad. This seems to be because the residential neighborhoods are more compact and are situated further from the main highway and the railroads.

Low Density Alternative

Although this alternative has less potential for residential development, the spatial location of those units creates an environment in which a proportionally large percent of them are located near the highway and/or railroad.

Conclusion: High Density Alternative is the best for noise effects and all three others are not good.

4.4 ALTERNATIVES ANALYSIS

**Table 4.4-1
Analysis of Alternatives**

	Proposed Project	No Project	High Density	Low Density
Land Use	+	0	0	+
Aesthetics	+	0	0	+
Circulation/ Transportation	-	0	-	0
Air Quality	+	-	0	+
Parks	+	0	0	+
Open Space	+	0	0	+
Agriculture	-	+	-	+
Public Service				
Schools	+	0	0	+
Fire Protection	-	0	0	+
Law Enforcement	+	0	0	+
Waste Collection	+	0	0	+
Public Safety				
Wildfire	-	0	0	+
Hazardous Materials	+	-	0	+
Floods	+	-	0	+
Hydrology/ Water Quality	-	0	0	+
Biology	+	0	0	+
Historic Culture	+	0	-	-
Utilities/Services	+	-	0	+
Geology/Soils/ Seismicity	-	0	0	-
Noise	0	0	+	0

+ : Good, - : Neutral, 0 : Bad

Table 4.4-1 shows the results of the alternatives.

The results are that the Low Density Alternative shows “good” in 16 categories and the Proposed Project only shows “good” in 12. The No Project Alternative and High Density Alternative are both considerably less environmentally conducive.

4.5 OTHER ALTERNATIVES CONSIDERED AND REJECTED

As noted in Section 3.3 of this EIR, the policy development process for the proposed 2020 General Plan began with the review of existing General Plan policies and ended with the drafting of new policies. Five subcommittees of the GPRC held several public meetings to develop new policy recommendations for the proposed 2020 Plan to be drafted as policy by the consultant team. Then, two meetings of the full Commission were held to address additional policy issues and necessary amendments based on further GPRC and public input. During this process of finalizing the policy complement, several policy alternatives were proposed by individual Commissioners and the public. All of these alternatives were considered. Some of these alternatives were integrated into the proposed 2020 Plan and some were rejected. The alternatives rejected did not meet one or more of the following objectives for the 2020 General Plan.

4.6 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

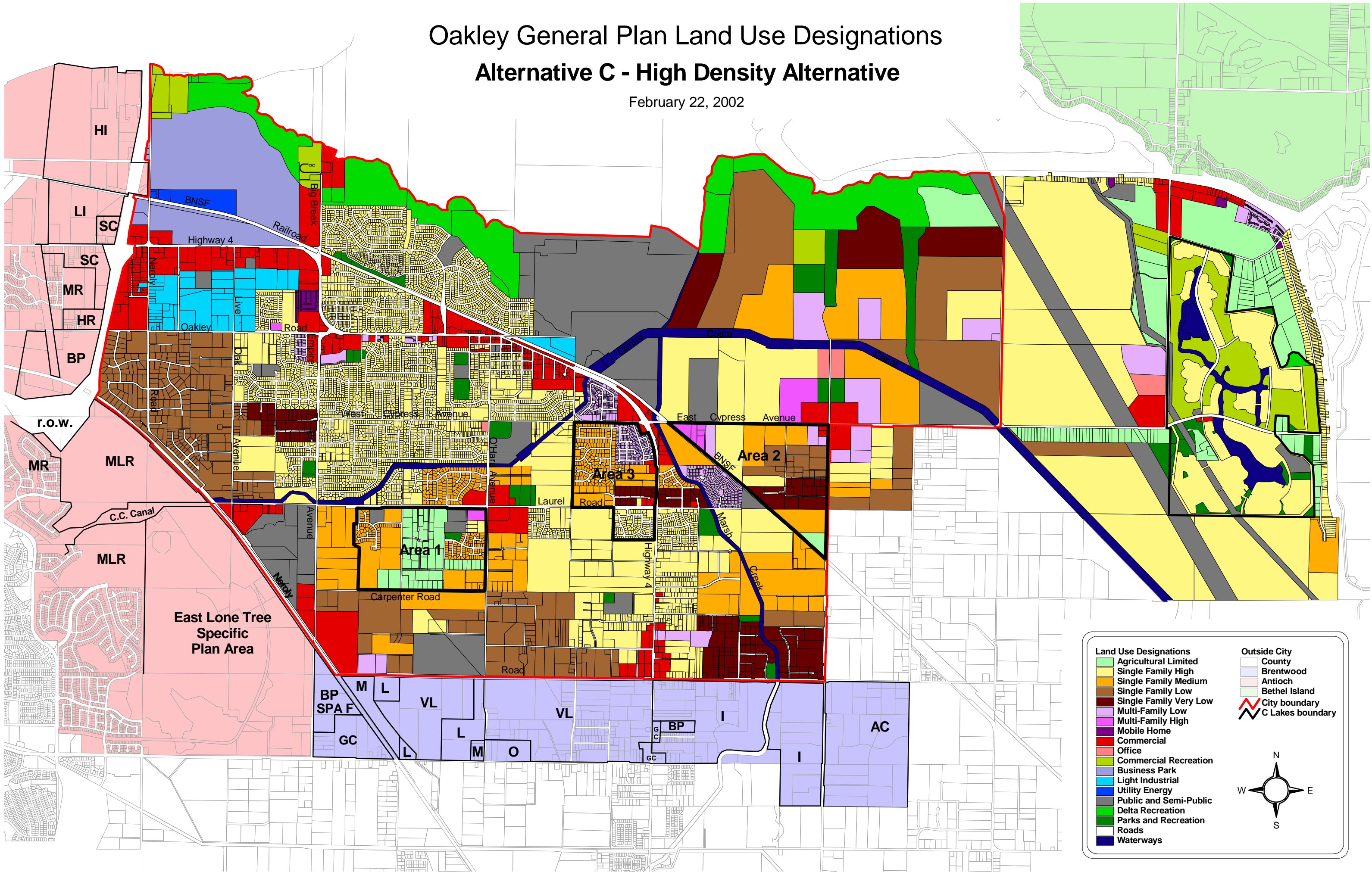
Sections 21002 and 21081 of the California Environmental Quality Act (“CEQA”) require agencies to adopt feasible mitigation measures or feasible environmentally superior alternatives in order to substantially lessen or avoid otherwise significant adverse environmental effects of proposed project, unless specific social or other conditions make such mitigation measures or alternatives infeasible. Where the environmentally superior alternative also is the no project alternative, CEQA Guidelines Section 15126.6(e)(2) requires the EIR to identify an environmentally superior alternative among the other alternatives. The California Court of Appeals has upheld the requirement to examine an environmentally superior alternative when the adoption of all feasible mitigation measures would leave an unmitigated significant impact (Citizens for Quality Growth vs. City of Mount Shasta (3d Dist. 1988) 198 Cal.App.3d 433 [243 Cal.Rptr. 727]).

The environmentally superior alternative is the Low Density Alternative. However, this alternative does not meet several of the goals and objectives set out by the City Council and gathered through public input. These would be the need to attract and retain businesses to the City; to ensure financial stability; to obtain a better a better jobs housing balance and encourage more jobs; and the redevelopment of commercial sites. Therefore this EIR determines the Proposed Project is the environmentally superior alternative that substantially meets the objectives.

Oakley General Plan Land Use Designations

Alternative C - High Density Alternative

February 22, 2002

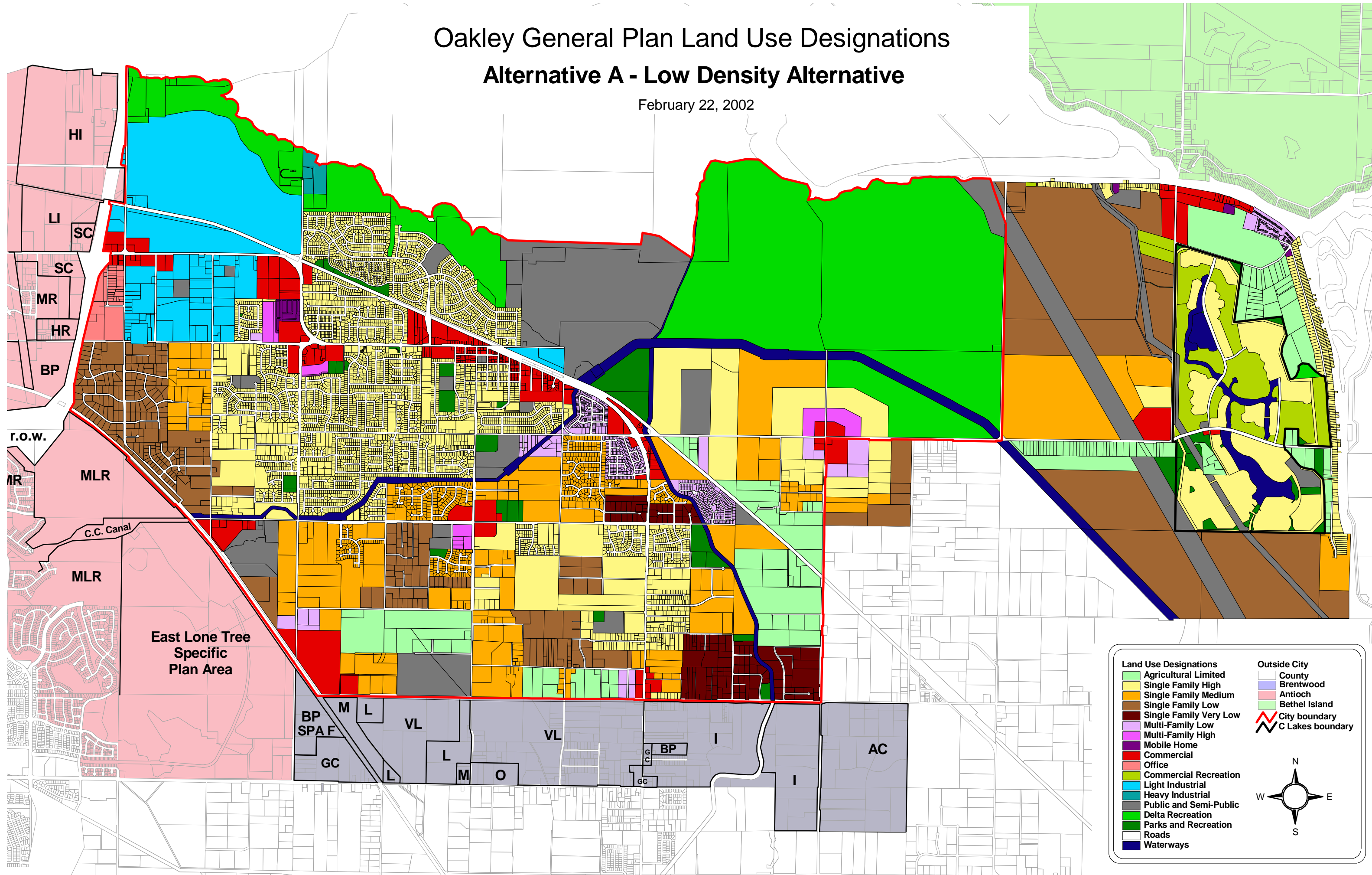


Land Use Designations		Outside City	
	Agricultural Limited		County
	Single Family High		Brentwood
	Single Family Medium		Antioch
	Single Family Low		Bethel Island
	Single Family Very Low		City boundary
	Multi-Family Low		C Lakes boundary
	Multi-Family High		
	Mobile Home		
	Commercial		
	Office		
	Commercial Recreation		
	Business Park		
	Light Industrial		
	Utility Energy		
	Public and Semi-Public		
	Delta Recreation		
	Parks and Recreation		
	Roads		
	Waterways		

Oakley General Plan Land Use Designations

Alternative A - Low Density Alternative

February 22, 2002



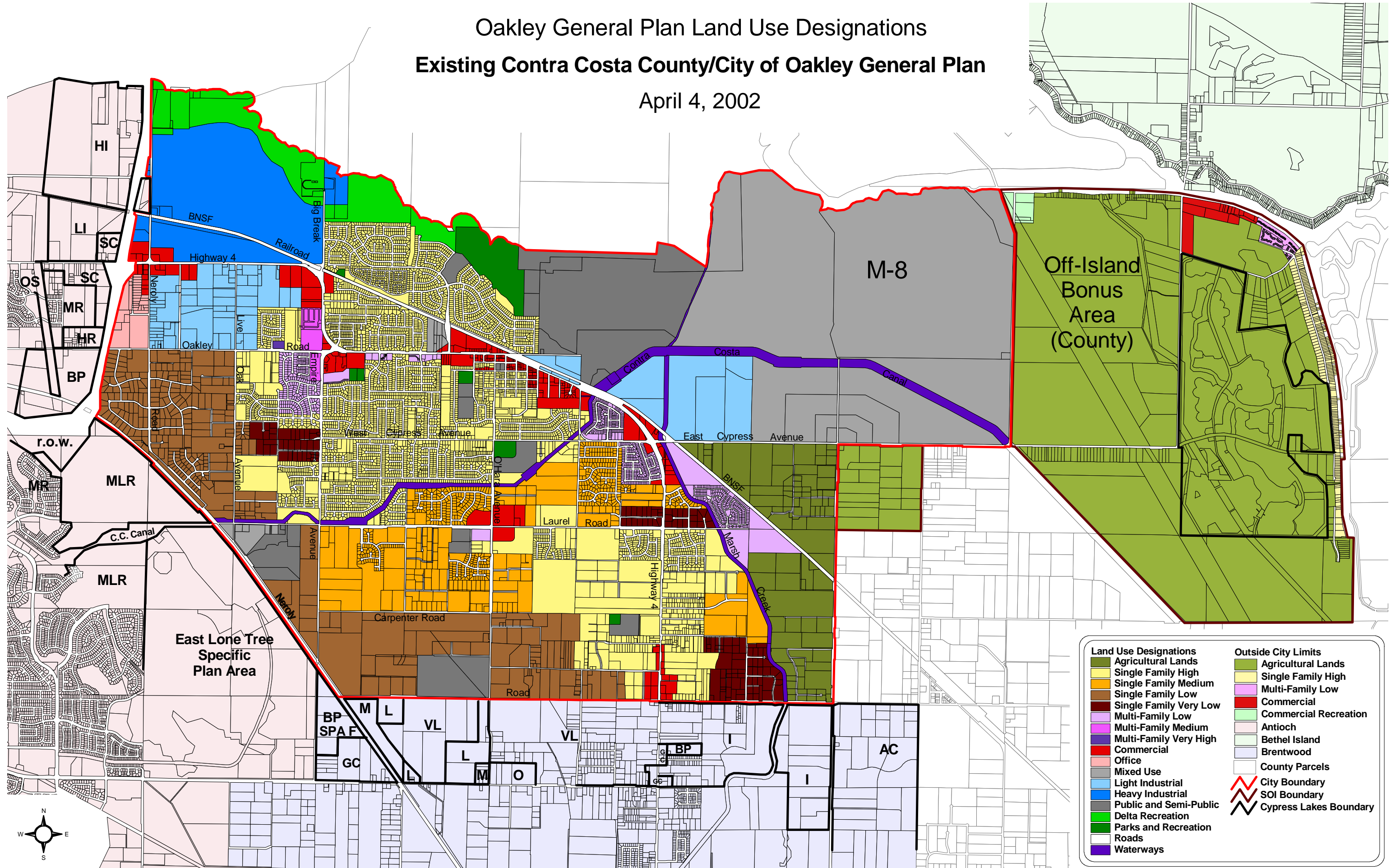
Land Use Designations		Outside City	
	Agricultural Limited		County
	Single Family High		Brentwood
	Single Family Medium		Antioch
	Single Family Low		Bethel Island
	Single Family Very Low		City boundary
	Multi-Family Low		C Lakes boundary
	Multi-Family High		
	Mobile Home		
	Commercial		
	Office		
	Commercial Recreation		
	Light Industrial		
	Heavy Industrial		
	Public and Semi-Public		
	Delta Recreation		
	Parks and Recreation		
	Roads		
	Waterways		

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Oakley General Plan Land Use Designations

Existing Contra Costa County/City of Oakley General Plan

April 4, 2002



Land Use Designations	Outside City Limits
 Agricultural Lands	 Agricultural Lands
 Single Family High	 Single Family High
 Single Family Medium	 Multi-Family Low
 Single Family Low	 Commercial
 Single Family Very Low	 Commercial Recreation
 Multi-Family Low	 Antioch
 Multi-Family Medium	 Bethel Island
 Multi-Family Very High	 Brentwood
 Commercial	 County Parcels
 Office	 City Boundary
 Mixed Use	 SOI Boundary
 Light Industrial	 Cypress Lakes Boundary
 Heavy Industrial	
 Public and Semi-Public	
 Delta Recreation	
 Parks and Recreation	
 Roads	
 Waterways	

CHAPTER 5

CEQA REQUIRED CONCLUSIONS

5.1 SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL IMPACTS

The potential environmental impacts that would result from implementation of the proposed Oakley General Plan are summarized in Table S-1 in the Executive Summary of this EIR. While this EIR identifies some potentially significant impacts, incorporation of the goals, policies and programs proposed in the General Plan would reduce all such impacts to levels that are less than significant.

5.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the CEQA Guidelines requires that an EIR consider significant irreversible environmental changes that would result from the proposed actions should they be implemented. According to the CEQA Guidelines:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvements which provide access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irrecoverable commitments of resources should be evaluated to assure that such current consumption is justified.

Implementation of the proposed General Plan would result in the short-term commitment of nonrenewable and/or slowly renewable energy resources and natural resources including lumber and other forest products, sand and gravel, asphalt, steel, copper, lead, other metals, and water due to construction activities. As the Planning Area develops, both residential and non-residential development would require further commitment of energy resources in the form of natural gas and electricity generated by coal, natural gas or hydroelectric power. Increased motor vehicle travel as a result of the increased commitment of public services would also be required. Other nonrenewable resources that would be affected by growth and development under the General Plan are the conversion of agricultural land to urban uses and potential loss or conversion of oil and gas well fields to urban uses.

Significant impacts resulting from development of the proposed General Plan, for which complete mitigation is unavailable, infeasible, or outside the jurisdiction of the City to implement, are summarized in Section 5.1, Significant Unavoidable Environmental Impacts. No such impacts were identified. Policies and Programs are included in the General Plan to mitigate the loss of use of these resources to acceptable levels.

5.3 GROWTH-INDUCING IMPACTS

An Environmental Impact Report must discuss the ways in which a proposed project could foster economic or population growth or the construction of additional housing in the vicinity of the project, and how that growth will, in turn, affect the surrounding environment (CEQA Guidelines Section 15126.2(d)). Included in this are projects which would remove obstacles to population growth (such as a major expansion of a wastewater treatment plant, which might allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. The EIR must also discuss the characteristics of the proposed General Plan which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. As stated in the CEQA Guidelines, it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

The Oakley General Plan contains several policies that call for intensification of development in Oakley that may result in the alteration of the character of the city. Through the Growth Management Element of the General Plan, the Oakley community has clearly established its commitment to managing new development in a manner that not only ensures adequate public facilities, but also protects the quality of life enjoyed by residents. As such, substantial treatment of growth management issues is provided in various elements of this General Plan, including Land Use, Circulation, Open Space and Conservation, Housing, and Economic Development.

The General Plan clearly defines its goal to use Smart Growth principles throughout the Plan's Goals, Policies, and Programs. For example, the Growth Management Element defines its goals as providing for "levels of growth & development...while preserving the quality of life." This Element lists the components of preserving the quality of life as providing and promoting:

- Quality civic and community facilities;
- A high level of emergency preparedness;
- Traffic levels of service necessary to protect the public health, safety and welfare;
- Adequate primary and secondary schools in optimal locations;
- Safe, efficient, and cost-effective removal of waste from residences, businesses, and industry;
- Potable water availability in quantities sufficient to serve existing and future residents;
- Sewer collection, treatment, and disposal facilities that are adequate to meet the current and projected needs; and
- Protection of persons and property from damaging impacts of flooding.

In addition, the General Plan contains many other policies and programs that mitigate growth-inducing impacts. These are listed in Impact 3.1-B of Chapter Three. It is clear from these policies and programs that the City of Oakley intends that new development will not be permitted unless it is consistent with the City's standards. These standards will mitigate impacts as a result of traffic and population growth. Growth-inducing impacts are therefore concluded to be less than significant with implementation of the proposed General Plan policies and programs.

5.4 CUMULATIVE IMPACTS

“Cumulative impacts” refer to two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts (Section 15355, CEQA Guidelines). The individual effects may be changes resulting from a single project or many separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the project when added to other closely related past, present and reasonably foreseeable future projects. Cumulative impacts can result from impacts taking place over time which are individually minor, but collectively significant.

The potentially significant cumulative impacts identified under each respective subject area in Chapter Three of this EIR are summarized below. This EIR concludes that all potentially significant cumulative impacts will be reduced to a level of significance through implementation of the proposed General Plan policies and programs.

Impact 3.1-E: *The proposed General Plan may result in a cumulative impact on land use and development, regional population growth, and jobs/housing balance. (Potentially Significant)*

Discussion and Conclusion: The General Plan Land Use Map assigns a land use designation to all properties within the Planning Area. If the entire Planning Area were to be developed as depicted on the Land Use Plan Map, the Planning Area would be considered “built out.” The basic projections developed during the General Plan process for the 20-year planning period (to the year 2020) – population, housing units, employment, and demands for land clearly indicate that less than full “build-out” will occur by the Year 2020. Therefore, the EIR addresses the 20-year planning period as the project, and assumes the Plan build out as the cumulative impact. These impacts are mitigated by the Plan's goals, policies, and programs. Therefore, this is a less than significant impact and no mitigation is required.

Impact 3.3-D: *New urban development associated with the proposed General Plan may result in a cumulative effect on traffic, transit, or pedestrian and bicycle facilities. (Potentially Significant)*

Discussion and Conclusion: The City of Oakley, being responsible to the CMP (the most recent CMP referred to as the 2001 CMP Update) and the GMP (called for in Measure C-

1988), must adopt level of service standards for Basic Routes and implement actions and meet Transportation Service Objectives for Routes of Regional Significance. Oakley has adopted LOS D, or a volume-to-capacity (v/c) ratio of 0.89, as the threshold of acceptability for signalized intersections. The only Route of Regional Significance in Oakley, which is evaluated according to different criteria than Basic Routes, is Main Street (State Route 4).

Oakley also must comply with the GMP by continuing implementation of actions included in the East County Action Plan Final 2000 Update, which specifies TSOs and actions for State Route 4 from State Route 160 to the San Joaquin County Line. As mentioned above, two unsignalized Oakley intersections do not currently meet this TSO: Main Street at Delta Road (LOS F).

The City of Oakley has integrated traffic improvement standards primarily in the Circulation Element but also at other locations throughout the Policies and Programs of the General Plan. Examples of these Policies and Programs are listed in Impact 3.3-A. The General Plan Policies and Programs presented here and proposed to be implemented, demonstrate an effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant, and no additional mitigation measures are necessary.

The 2001 CMP Update requires the City of Oakley to establish a seven-year capital improvement program that maintains or improves the performance of the multi-modal system for the movement of people and goods or mitigates regional transportation impacts identified in the land use evaluation program; a program to analyze the impacts of land use decisions made by local jurisdictions on regional transportation systems, including an estimate of the costs associated with mitigating those impacts; and a travel demand element that promotes transportation alternatives to the single occupant vehicle.

The City of Oakley has integrated transit improvement standards primarily in the Circulation Element but also at other locations throughout the Policies and Programs of the General Plan. Examples of these Policies and Programs are listed in Impact 3.3-B. The General Plan Policies and Programs presented here and proposed to be implemented demonstrate an effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and no additional mitigation measures are necessary.

The City of Oakley has integrated pedestrian and bicycle improvement standards primarily in the Land Use and Circulation Element but also at other locations throughout the Policies and Programs of the General Plan. Examples of these Policies and Programs are listed in Impact 3.3-C. The General Plan Policies and Programs presented here and proposed to be implemented demonstrate an effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and no additional mitigation measures are necessary.

Impact 3.4-F: *New stationary and mobile sources of air pollutants caused by build out of the proposed General Plan would cause emissions of ROG, Nox, and PM10 that would be cumulatively considerable. (Potentially Significant)*

Discussion and Conclusion: The State CEQA Guidelines indicate that a project would have a significant and cumulative impact if its contribution would be “cumulatively considerable.” Further, the BAAQMD CEQA Guidelines recommend that lead agencies conclude that a significant cumulative impact would result if the proposed project would individually have a significant air quality impact.

As stated in the Discussion and Conclusion for Impact 3.4-A, upon project build out, operation of the new uses related to the proposed General Plan would cause emissions by generating new motor vehicle trips and by causing energy use and operation of other stationary sources. Workers, residents, occupants, and visitors driving to new land uses in the Planning Area would cause approximately 544,000 average daily trips by the time of build out. New residential and commercial land uses associated with the proposed General Plan would also result in new emissions from the use of electricity and natural gas for site heating, cooling, ventilation, and lighting. These are stationary- and area-source emissions that would be produced either directly in the Planning Area or indirectly through increased use of utilities located elsewhere. Motor vehicle trips, energy use, and other stationary sources would cause emissions of ROG, NOx, and PM10 that would contribute to existing violations of either the state-level or federal ambient air quality standards.

The City of Oakley is firmly committed to participating as much as feasible in the partnership that is necessary to clean the air in the Planning Area. The City recognizes the importance of the local jurisdictions, especially in their land-use processes, as key to providing the overall air pollution solution. The process of a General Plan gives many opportunities to incorporate policies and programs that will affect the individual’s automobile usage, which is the primary source of the air pollution problems in the Bay Area. In addition, other citizen efforts can be directed to reduce the additional sources from additional population. The City also recognizes and is ready to participate with significant partners in the pollution solution, the governmental agencies assigned that responsibility.

The City has included many policies and programs and set and implement standards and actions that attempt to achieve this goal. These are throughout the Policies and Programs of the General Plan. Included by reference are all the Policies and Programs presented in the Discussions and Conclusions on the impacts presented in the Circulation/Transportation Section of this EIR (Section 3.3). Other examples of Policies and Programs for improving air quality are listed in Impact 3.4-A of this EIR. The General Plan Policies and Programs presented here and proposed to be implemented demonstrate an effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level

of less than significant and need no further mitigation measures.

Impact 3.6-F: *New urban development associated with the proposed General Plan may result in a cumulative effect on public services. (Potentially Significant)*

Discussion and Conclusion: New development under the General Plan will increase the need for various government services. The City and/or County offices may require additional staffing or facility space in order to meet these needs.

The City is obviously concerned with this impact. The General Plan includes Policies and Programs to ensure that the public will not be significantly impacted by the growing pains of the City. These Policies and Programs are listed in Impact 3.6-A. The General Plan Policies and Programs presented here and proposed to be implemented demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and no additional mitigation measures are necessary.

The impacts of the potential unification of the three fire districts in Eastern Contra Costa County are unknown at this time, so the analysis presented here will be based on current data available. The location of Station 93 (Oakley) is well situated for meeting the service needs of the City of Oakley until the year 2004. Due to projected growth demands over the next seven years (2001 to 2008), the Chief of the Oakley/Knightsen Fire Protection District has determined that an additional fire station will have to be constructed, staffed, and outfitted with equipment and supplies. The new station, Station 92, is proposed to be located on Live Oak Avenue and Laurel Road, and constructed within the next five years.

Station 92 is currently being evaluated to determine if there is a location better suited to meeting the needs of the Planning Area and to avoid the extreme overlap of coverage. One of the alternate locations being reviewed is the vicinity of the O'Hara Avenue/Carpenter Road area. This site would provide fire protection coverage in the southwest areas of Oakley. It would also provide coverage to the western area of Knightsen. It is anticipated that the construction of the third station may be necessary to service the future expansion of the entire Planning Area.

The Oakley/Knightsen Fire Protection District has a response time goal of five minutes for 80% of the District's area and a current average response time of 6 minutes and 30 seconds. When multiple units are dispatched, all units should arrive within 10 minutes.

The City is concerned that future growth in the Planning Area will not result in adequate coverage of the citizens' fire protection needs and has therefore included Policies and Programs in the General Plan to enhance the goal of providing an efficient fire protection system for the citizens of Oakley. These Policies and Programs are included in Impact 3-6-B. The General Plan Policies and Programs presented here and proposed to be implemented demonstrate a strong effort on the part of the City of Oakley to implement

all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant, and no additional mitigation measures are necessary.

The Police Department has limited ability to fund expanded services due to a limited budget. Oakley is taking steps to secure dedicated future funding for police services. However, it is anticipated that the necessary revenue building may take several years. The City continues to seek grants and other types of funding. The City is concerned that future growth in the Planning Area will not result in adequate coverage of the citizens' police protection needs and has therefore included Policies and Programs in the General Plan to enhance the goal of providing an efficient law enforcement protection system for the citizens of Oakley. These are presented in Impact 3.6-C. The General Plan Policies and Programs presented here and proposed to be implemented demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant, and no additional mitigation measures are necessary.

The four elementary schools in the District are over capacity limits and the two middle schools are over 90 percent. In addition, future growth will further impact these schools. One reason the middle schools are less affected is because the Delta Vista Middle School was recently opened in August of 2001 and dramatically reduced the middle school capacities to acceptable levels.

The City has a goal in the General Plan that will assure the provision of adequate primary and secondary schools in optimal locations to serve planned growth. The City shows its concern by including many provisions for schools in the General Plan's Policies and Programs. The City expects the General Plan to assist in the goal of providing an efficient and complete educational system for the citizens of Oakley. These Policies and Programs are presented in Impact 3.6-D. The General Plan Policies and Programs presented and proposed to be implemented demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant, and no additional mitigation measures are necessary.

Increases in the Oakley service area would necessitate adding personnel and equipment to provide solid waste and recycling services. The pool of drivers and trucks at the Concord and Pittsburg facilities will provide additional personnel and equipment. The PHLF is permitted to accept waste through 2015, with the potential expansion of fifty additional years. Funding for the expansion of additional equipment and drivers would be collected from the increased customer base. Even though the expansion of the PHLF may be customer driven, the citizens of the Planning Area deserve more than just capacity increases. The City of Oakley will ensure their constituents that efforts will be made to get economical, clean, efficient solid waste operations, that will maximize resource recovery through recycling, composting, and waste-to-energy. The City will minimize potential impacts to existing and future residents from solid waste facilities.

The City has also included Policies and Programs in the General Plan to provide good solid waste and recycling operations in the Oakley area. These Policies and Programs are listed in Impact 3.6-E. The General Plan Policies and Programs presented here and proposed to be implemented demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant, and no additional mitigation measures are necessary.

Impact 3.7-E: *Development associated with the proposed General Plan in combination with other growth in east Contra Costa County may lead to potential cumulative impacts to health and safety. (Potentially Significant)*

Discussion and Conclusion: The potential for a 100-year flood, which represents a one percent chance each year, exists in numerous areas throughout the Plan Area. The majority exists along the shorelines of the Delta, within the Cypress Corridor and Cypress Corridor Expansion Special Planning Areas, and along Marsh Creek, with pockets of flood areas scattered throughout the City. Developments within or adjacent to these areas could be vulnerable to flooding.

While much of Oakley is outside the 100-year floodplain, there are issues of localized flooding within the Planning Area. These conditions result from the undulating topography of the City that is generally level with isolated drainage basins and the proximity to the Delta.

Increased development associated with the General Plan build out may lead to an increase in impervious surfaces being created where permeable soils currently exist. Whereas open space or vacant land allows precipitation to infiltrate into the ground, impervious surfaces cause water to pond or run off. Stormwater runoff from developed sites may concentrate and cause increases in runoff volume for the area. Discharge of the concentrated runoff may cause localized flooding at storm drain connections or downstream of the discharge location. Overall, undeveloped lands are generally more permeable than developed lands that include impervious surfaces, such as pavement and concrete.

Some of the development proposed under the Oakley 2020 General Plan would occur on infill sites, which already include impervious surfaces. Emphasis on infill helps the overall drainage, and thusly flooding, concerns. In addition, much of the flood-prone areas in the Plan Area are marshlands, and are not proposed for development under existing plans.

Oakley's mean annual precipitation is 11 inches per year. Oakley slopes gradually to the Delta with the highest points being near the Southern boundaries. Regional waters flow through Oakley using the Marsh Creek corridor and other Delta outfalls. Marsh Creek has limited capacity. As a result, local and regional detention basins exist in Oakley to

control flow into Marsh Creek to minimize the occurrence of flooding.

Much of the overall concern about flooding is managed by providing an effective stormwater drainage system. The implementation of drainage facilities within the City of Oakley is accomplished by both the City and the County Flood Control and Water Conservation District (CFCWCD). CFCWCD has prepared and adopted plans that serve both Oakley and the County. Both groups generally use the same design criteria in sizing and evaluating drainage systems. The current plan for the Planning Area is based upon the CFCWCD plan.

The City takes this responsibility seriously and has included many Policies and Programs to provide an efficient and safe drainage system to protect the citizens of Oakley from the dangers of flooding. These include the Policies and Programs listed in Impact 3.7-A. The General Plan Policies and Programs presented here and proposed to be implemented demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and no additional mitigation measures are necessary.

Various types of fire hazards threaten lives, property, and natural resources throughout the City. These include wildland and urban fires; upset or catastrophic fires; and fires involving hazardous materials.

The urbanized areas of the City of Oakley are in areas of low wildfire hazard. Wildfire is a serious hazard in undeveloped areas and on large lots with extensive areas of unirrigated vegetation because the natural vegetation and dry-farmed grain areas are extremely flammable during the late summer and fall.

The City of Oakley is entirely within the boundaries of critical Fire Weather Class 3, which correlates to 9 ½ or more days per year of moderate, high, and extreme fire hazard. Grassland fires are easily ignited, particularly in dry seasons. These fires are relatively easily controlled if they can be reached by fire equipment. Peat fires in the northeast portion of the Planning Area represent a special hazard area and can be extremely hazardous because once ignited, they are difficult to extinguish. When this area of the City is developed, the risk of a peat fire will be lower.

Gas storage facilities, treatment plants, and railroads have the potential of being significant safety hazards. Accidental explosions or spills can result in fires, noxious gases, bad odors, and pollution.

The City takes this responsibility seriously and has included many Policies and Programs to provide an efficient and rapid fire-response system to protect the citizens of Oakley from the dangers of fires. These Policies and Programs are listed in Impact 3.7-B. The General Plan Policies and Programs presented here and proposed to be implemented demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to

the level of less than significant, and no additional mitigation measures are required.

Traffic from new development could potentially interfere with the evacuation or response routes used by emergency response teams. However, the General Plan includes circulation improvements that will maintain level of service standards. The Emergency Response Plan will need to be updated to include emergency contingency plans for new development under the General Plan. The City prepares to participate fully in the Emergency Response Plan and has included Policies and Programs in the General Plan to implement the system in Oakley. These Policies and Programs are listed in Impact 3.7-C. The General Plan Policies and Programs presented here and proposed to be implemented demonstrate a strong effort on the part of the City of Oakley to participate in mitigating this impact. Therefore, the effects of this impact will be maintained at a level of less than significant, and no additional mitigation measures are required.

If household hazardous waste generation rates remain constant, the amount of household hazardous waste would be expected to increase under General Plan build out as the result of increased housing units and population. The increased amount of hazardous waste suggests an increased potential risk for exposure.

New nonresidential development would also potentially increase hazardous waste levels within the city. Under the General Plan, the Northwest Oakley Special Planning Area will be the primary location for new industrial/commercial uses that would have a higher potential to deal with hazardous materials. Other areas of the Planning Area will focus more on residential, with distributed neighborhood commercial. Therefore, exposure to residents and workers in adjacent areas is not considered significant.

Heavy industrial land uses centered on the northwest portion of Oakley have the potential to present significant risk to public safety because of the hazardous nature of some petroleum and chemical materials. Potential hazards include explosion and flammability of petroleum products and other chemicals, and chemical toxicity. Notwithstanding industrial safety procedures, the presence of large quantities of hazardous materials within the City and the County, particularly close to and/or upwind of populated areas, poses a potential safety hazard at all times.

Many miles of pipelines for the transportation of natural gas, crude oil, and refined petroleum products traverse the Oakley Planning Area, including residential and commercial areas. Such pipelines may cross areas with active fault lines, landslide deposits, unstable slopes, and areas underlain by soft mud and peat. The public safety hazard from a pipeline break would depend on the proximity of the accident to populated areas as well as the nature of the event that produced it.

There are several active gas and oil wells in the City, most of which are far from populated areas in the eastern portion of the City, and many more wells just south of the City. Although there is the risk of a well catching on fire, such incidents have been very few and the risk of such a fire causing a general disaster is remote. There is the

possibility of increased public safety hazards if rural residential areas are permitted to encroach on the gas producing area.

The BNSF Railroad line regularly ships hazardous materials that have the potential to spill cargo upon accidental derailment. The spillage of hazardous materials could have devastating results. The railroad companies do transport munitions to the Concord Naval Weapons Station, which could be an explosive hazard. The City has little to no control over the types of materials shipped via a rail line because the content of shipments may be confidential for reasons of security.

The City takes the responsibility of protecting its citizens from the potential of exposure to hazardous materials seriously and has included Policies and Programs to provide an efficient protection system. These Policies and Programs are listed in Impact 3.7-D. The General Plan Policies and Programs presented here and proposed to be implemented demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and no additional mitigation measures are required.

Impact 3.9-F: *Development associated with the proposed General Plan may lead to the cumulative conversion and loss of plant and animal habitat. (Potentially Significant)*

Discussion and Conclusion: The City of Oakley General Plan Area supports a diverse assemblage of plant and wildlife species throughout several habitat types. The potential for a particular habitat to support special-status species depends on numerous factors including microhabitat, human disturbance levels, and current site conditions. Changes in land use within habitats should analyze associated adverse effects to sensitive habitats and potential habitat for special-status plant and wildlife species.

Since many special-status plant and animal species have been documented as having a high potential to occur in various habitats of the Planning Area, the habitats supporting conditions suitable for these species should be considered sensitive and as such should be surveyed before project development in these areas. If one or any of these species is found within the survey area, the appropriate resource agency should be contacted and species specific management strategies should be developed to ensure the protection of the species and their associated habitat.

Additionally, irrigated pasture, which occurs in the northeastern portion of the Planning Area, appears to support extensive areas of seasonal wetland vegetation. Several areas within these fields may be considered wetlands under General Plan policies. As such, these areas would be protected as wetlands as well as potential habitat for special-status species. Formal wetland delineation would be needed to determine the actual extent of wetlands in the Planning Area.

Marsh habitats are found in association with Delta frontage property along the northern edge of the Planning Area. Because of the diversity of native plant and wildlife species

as well as the high potential for special-status species occurrences, these areas are considered sensitive habitats. In addition, the sloughs and canals within the Planning Area likely support special-status species and may function as wildlife corridors, which are important for the movement of migratory wildlife populations. Corridors provide foraging opportunities and shelter during migration. The California Fish and Game Code Section 1600 protects riparian vegetation associated with rivers and drainage ways. The riparian vegetation associated with Dutch Slough is likely protected by this code and is considered a sensitive habitat by the CDFG.

These water features have not been delineated and additional jurisdictional wetlands or Waters of the United States may occur within the Planning Area. Consequently, wetland delineation must be conducted and verified by the Corps of Engineers before the development of any project proposed within the Planning Area. Encroachment into areas protected under Corps jurisdiction will require authorization from the Corps, and may require Regional Water Quality Control Board water quality certification and a CDFG Streambed Alteration Agreement.

The City has placed much importance on maintaining, preserving, and enhancing the biological diversity within the Planning Area. The General Plan includes Policies and Programs to help satisfy this goal. These Policies and Programs are listed in Impact 3.9-A. The General Plan Policies and Programs presented there and proposed to be implemented demonstrate a strong effort on the part of the City of Oakley to implement all feasible measures to mitigate this impact. Therefore, the effects of this impact will be reduced to the level of less than significant and no additional mitigation measures are required.

Impact 3.10-C: *Development associated with the proposed General Plan in combination with growth elsewhere in eastern Contra Costa County and the western San Joaquin Valley could result in cumulative loss to cultural resources. (Potentially Significant)*

Discussion and Conclusion: Cultural resources include both historical and archaeological sites. Much of the Oakley Planning Area and the surrounding areas, especially within the foothills, contain possible archaeological resources that would be potentially affected from new development associated with the proposed General Plan in combination with growth in eastern Contra Costa County and the western San Joaquin Valley.

Urbanization of Oakley and the surrounding areas could result in the continued loss of historic structures and remove sources that have value both as a scientific resource to understanding our history and as an integral part of establishing identity and maintenance of a sense of place.

Proposed General Plan Policies and Programs listed in Impacts 3.10-A and 3.10-B would help reduce the potentially significant cumulative impacts. Several of these policies are standard practices required through environmental review. In addition, open space elements of community general plans are required to recognize cultural resources as a

valuable component of a local jurisdiction's natural and recreational amenities. Finally, community design guidelines that reflect and incorporate features of the City's historic and architectural heritage can serve to preserve and maintain historic properties, sites, and districts. Implementation and/or adoption of these planning and environmental review practices should reduce the cumulative loss of cultural resources in the east Contra Costa County area and in the western San Joaquin Valley to less than significant, and no additional mitigation measures are required.

The General Plan establishes general uses and densities of land within the City. From the Land Use Diagram, and the undeveloped acreages as presented in Table 3.1-1 of this EIR, it is possible to estimate the maximum number of new homes and population that could result from the General Plan within the Planning Area.

Table 2-4 in the General Plan shows the residential build-out potential, that is if Oakley's residential land were built to its maximum potential, under this General Plan for the existing plus the presently undeveloped lands in the Planning Area would be a population of 68,453 persons. Whereas community design requirements, site-specific constraints, and market factors would almost certainly reduce the potential build-out to a level well below the theoretical calculations, it is significant to note that the calculated maximum development potential under the former Contra Costa County General Plan was 74,918 persons, nearly 6,500 persons greater than the maximum potential under this City of Oakley General Plan.

Table 2-5 in the General Plan shows the potential build-out for non-residential uses, such as commercial, office, business park, industrial, utility energy, and commercial recreation. The 1,379 acres (not including the 1,000 acres of Public/Semi-Public land) designated by the City in this General Plan in the Planning Area for uses with varying level of employment generating potential would generate 34,349 potential new employees.

5.5 IMPACTS NOT FOUND TO BE SIGNIFICANT

Section 15128 of the State CEQA Guidelines requires that an EIR contain a statement briefly indicating the reason why various possible significant effects of a project were determined not to be significant based on the Initial Study prepared for this General Plan EIR and included as Appendix A of this document include the following:

- Substantial damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.
- Exposure of sensitive receptors to substantial air pollutant concentrations.
- Creation of objectionable odors affecting a substantial number of people.

- Conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan.
- Exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides.
- Soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.
- Safety hazards for people residing or working within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport.
- Safety hazards for people residing or working within the vicinity of a private airstrip.
- Impairment of implementation of or physical interference with an adopted emergency response plan or emergency evacuation plan.
- Physical division of an established community.
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
- Loss of availability of a known mineral resource classified MRZ-2 by the State Geologist that would be of value to the region and residents of the state.
- Loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.
- Exposure of people residing or working within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport to excessive noise levels.
- Exposure of people residing or working within the vicinity of a private airstrip to excessive noise levels.
- Displacement of substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

- Displacement of substantial numbers of people, necessitating the construction of replacement housing elsewhere.
- Inadequate parking capacity.

NOTICE OF PREPARATION

To: **CONCERNED CITIZEN**

From: City of Oakley Community Development
3633 Main Street
Oakley, CA 94561
Attn: Barry Hand, Director

Subject: **Notice of Preparation of a Draft Environmental Impact Report**

The City of Oakley Community Development Department will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information, which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (is is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but **not later than 30 days** after receipt of this notice.

Please send your response to Barry Hand at the address shown above. We will need the name for a contact person in your **agency**.

Project Title: Oakley 2020 General Plan

Project Applicant, if any: _____

Date April 25, 2002

Signature 

Title Community Development Director

Telephone (925) 625-7000

OAKLEY 2020 GENERAL PLAN INITIAL STUDY

1. **Project Title:** Oakley 2020 General Plan

2. **Lead Agency Name and Address:**

City of Oakley
Community Development Department
3633 Main Street
Oakley, CA 94561

3. **Contact Person and Telephone Number:**

Barry Hand, Director
Community Development Department
(925) 625-7006

4. **Project Location:**

The City of Oakley is situated in the eastern portion of Contra Costa County, California, along the shore of the Sacramento-San Joaquin Delta, near the cities of Pittsburg, Antioch, and Brentwood. Close to the junction of Highways 4 and 160, with access to San Francisco, the Silicon Valley, and the state capital at Sacramento, Oakley is equidistant from San Francisco and Sacramento. Figures 1 and 2 depict the location of the proposed project in a local and regional context, respectively.

5. **Project Sponsor's Name and Address:**

City of Oakley
3633 Main Street
Oakley, CA 94561

6. **General Plan Designation:**

As proposed (see Figure 3). The City of Oakley was incorporated in 1999 and this will be the City's first General Plan.

7. **Zoning:**

The Contra Costa County Zoning Ordinance was adopted by the City of Oakley in 1999 to serve as the Oakley Zoning Ordinance until completion and adoption of the Oakley General Plan, at which time the Zoning Ordinance will be amended to be consistent with the General Plan.

8. Description of Project:

The current Contra Costa County General Plan was adopted by the City of Oakley in 1999 to serve as the Oakley General Plan until completion and adoption of the Oakley 2020 General Plan. The Contra Costa County General Plan assumed a planning horizon of 1995 – 2010 and addressed growth, development, housing, and recreational use within the Oakley community, as well as the remainder of the unincorporated area of Contra Costa County. The primary function of the General Plan is to prescribe growth within the region in an orderly fashion and to allocate specific areas for development that will cause the least impact to the environment.

9. Surrounding Land Uses and Setting:

The City of Oakley consists of an area that is approximately 12.6 square miles in size and is located within the eastern portion of Contra Costa County. Oakley is located on generally flat land with a gentle slope towards the Delta to the north. General geographic boundaries of Oakley include the Delta to the north, the City of Brentwood to the south, the City of Antioch to the west, and the rural unincorporated area of Contra Costa County to the east. Natural features located within Oakley include the San Joaquin Delta to the north, Marsh Creek running south to north in the eastern portion of the City, and two sloughs in the northeast corner of the City.

The planning area is the city limits of Oakley and contemplated sphere of influence (SOI) expansion areas. The SOI expansion areas are included in the General Plan analysis to facilitate future SOI expansion. Oakley’s city limits are defined by Highway 160 to the west; Neroly Road and Delta Road to the south; Sellers Road, Cypress Road, and Jersey Island Road to the east; and the Delta Shoreline to the north.

The City of Oakley is contemplating an SOI expansion that would increase the City’s sphere area by approximately 2,673 acres. The SOI expansion area is divided into two areas. The primary SOI expansion area corresponds to an area defined by Contra Costa County as the Off-Island Bonus Area and is bounded by Jersey island Road on the west, Delta levees on the north and east, and extends south of Cypress Road south along the Contra Costa Canal. This area includes approximately 2,519 acres. The second SOI expansion area is located at the southeast corner of the intersection of Sellers Road and Cypress Road, and includes approximately 154 acres. Both SOI expansion areas are located within the Urban Limit Line as established by Contra Costa County.

The City of Oakley contains roughly 8,064 acres of land of which approximately 3,585 acres are dedicated to existing developed land uses and approximately 4,316 acres are undeveloped. The SOI expansion areas contain approximately 882 acres of developed land and approximately 1,791 acres that are undeveloped.

Table 2.1 in the *Oakley 2020 General Plan Background Report* (Report) shows the Oakley General Plan land use designations and gross developed and undeveloped acreage.

10. Other public agencies whose approval is required:

No other public agency is required to approve the Oakley General Plan. However, development under the Plan may require approval of state, federal, and responsible

trustee agencies that may rely on the General Plan EIR for decisions in their areas of expertise.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors listed below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- Aesthetics
- Agricultural
- Air Quality
- Biological Resources
- Cultural Resources
- Hazards and Hazardous Materials
- Land Use Planning
- Noise
- Parks and Recreation
- Population and Housing
- Public Services
- Transportation and Circulation
- Utilities and Service Systems

DETERMINATION:

On the basis of this initial evaluation:

I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Signature

Date

Printed Name

For

EVALUATION OF ENVIRONMENTAL IMPACTS:

I. AESTHETICS – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	X			
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	X			
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	X			

The General Plan EIR will address implications that General Plan policies and proposed development may have on the City’s visual and aesthetic character. Even though State Highway 4 from State Highway 160 to Brentwood is on the Eligible List for California State Scenic Highway designation, it is not anticipated that the portion of State Highway 4 that is in the Plan Area will gain official designation. It is anticipated that General Plan policies will address visual resources, aesthetics, and urban design considerations and reduction of light and glare.

II. AGRICULTURAL RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Department of Conservation as an optimum model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	X			
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X

II. AGRICULTURAL RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Department of Conservation as an optimum model to use in assessing impacts on agriculture and farmland. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	X			

General Plan policies may have an impact on agricultural lands as a result of future conversion to urban uses in the Plan Area. The Contra Costa General Plan does not list any Important Agricultural Land in the Plan Area; however, the *Oakley 2020 General Plan Background Report, Chapter 9* lists most of Oakley as being Class II Delhi sand and the California Department of Conservation’s Farmland Mapping and Monitoring Program lists Delhi sand as meeting the criteria for Farmland of Statewide Importance (Appendix A: *Soil Candidate Listing for Prime Farmland and Farmland of Statewide Importance: Contra Costa County, 7/12/95*). The General Plan EIR will quantify and address the conversion of agricultural lands to urban uses. It is anticipated that the General Plan policies will address agricultural lands.

III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable Air Quality Attainment Plan?	X			
b) Violate any air quality standard or contribute to an existing or projected air quality violation?	X			
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	X			
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

Air quality is a regional issue, and several factors and state regulations preempt local authority. Nonetheless, the General Plan EIR will analyze the impact of projected growth and transportation demand on air quality. Individual projects would not expose sensitive receptors to pollutants due to the Bay Area Air Quality Management District's permitting authority and New Source Review Rule requirements. In addition, the *Oakley 2020 General Plan Background Report, Chapter 2* discusses an Antioch General Policy regarding coordinating air quality efforts (*Antioch General Plan Policy AQ-4*) It is anticipated that the General Plan will include policies aimed at improving and maintaining air quality and coordinating with neighboring jurisdictions.

IV. BIOLOGICAL RESOURCES – Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	X			
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?	X			
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	X			
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	X			
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provision of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved, local, regional, or state habitat conservation plan?				X

Development in accordance with the General Plan may have adverse impacts on biological resources and special status species due to habitat destruction, loss of wetlands, or the obstruction of wildlife corridors. A more detailed analysis of the potential effects on the area's biological resources can be found in Chapter 8 of the *Oakley 2020 General Plan Background Report*. It is anticipated that the General Plan policies will be designed to mitigate such impacts. The General Plan EIR will also discuss impacts on the ongoing East Contra Costa County Habitat Conservation Plan (HCP) but since this HCP is not scheduled to be in draft form until Spring of 2004, there is currently no potential for conflict with any adopted or approved local, regional, or state HCP.

V. CULTURAL RESOURCES - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource?	X			
b) Cause a substantial adverse change in the significance of a unique archaeological resource (i.e., an artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it contains information needed to answer important scientific research questions, has a special and particular quality such as being the oldest or best available example of its type, or is directly associated with a scientifically recognized important prehistoric or historic event or person)?	X			
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X			
d) Disturb any human remains, including those interred outside of formal cemeteries?	X			

The proposed programs and projects of the Oakley General Plan, where they require substantial new construction, could result in the alteration or disturbance of historical, archaeological, or paleontological resources. The *Oakley 2020 General Plan Background Report, Chapter 11*, details potential historic sites in the Plan Area and concludes that Oakley's historic resources are generally in need of official recognition. These resources will be identified by means of a records search conducted by the California Archaeological Inventory, Northwest Information Center. It is anticipated that the General Plan policies will address this issue through measures such as contacting the Northwest Information Center before beginning construction; consulting and retaining an archaeologist in corridors where there is moderate to high likelihood of these resources; and ceasing construction and consulting an archaeologist if archaeological resources are found. Such resources could then be preserved and removed if necessary. Projects that have

the potential for impacting historical structures would be required to follow the Secretary of the Interior’s Standards for the Treatment of Historic Properties. These policies would apply to City public works projects as well as private development projects.

VI. GEOLOGY AND SOILS - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	X			
ii) Strong seismic ground shaking?	X			
iii) Seismic-related ground failure, including liquefaction?	X			
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?	X			
c) Be located on strata or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	X			
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	X			
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

State Uniform Building Code standards for earthquake safety must be adhered to as part of any construction or implementation process. New development or intensification of existing land uses will comply with these laws. The *Oakley 2020 General Plan Background Report, Chapter 9*

describes the City of Oakley as on very flat land that gently slopes north to the Delta. It states there are no hillsides or ridges in the Plan Area so it is not anticipated that landslides would be an issue. The General Plan EIR will discuss these issues and will include mapping of potential seismic hazards and liquefaction susceptibility in the Planning Area. It is anticipated that the General Plan policies will address seismic and geologic hazards. No new development will occur that is not connected to the community sewer system.

VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	X			
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	X			
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	X			
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	X			
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X

VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	X			

The *Oakley 2020 General Plan Background Report, Chapter 10*, describe heavy industrial land uses centered in the northwest portion of the Plan Area that would have the potential to present a significant risk to the public safety. The presence of large quantities of hazardous materials near to, and upwind, of populated areas, poses a significant risk at all times. In addition, there are many miles of pipelines for transportation of natural gas, crude oil, and refined petroleum products crisscrossing the Plan Area. There are also several active gas and oil wells in the Plan Area. The *Background Report* lists the two nearest airports as Buchanan Field and Byron Airport, which are 20 miles and 14 miles, respectively, from the Plan Area. The General Plan policies and new development in accordance with the General Plan are unlikely to expose Oakley residents to the hazards listed above, such as hazardous materials, risk of upset, interference with an adopted emergency response plan, etc. However, wildfire is a serious hazard in the undeveloped areas and on large lots with extensive areas of unirrigated vegetation. Peat fires in the northeast portion of the city also represent a special hazard. The General Plan EIR will address the potential fire hazards, but it is anticipated that the General Plan Safety Element policies will address ways to reduce these hazards. The General Plan EIR will also address the risks of hazardous materials and it is anticipated that General Plan policies will be designed to mitigate impacts.

VIII. HYDROLOGY AND WATER QUALITY - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	X			
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	X			
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	X			

VIII. HYDROLOGY AND WATER QUALITY - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	X			
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems?	X			
f) Place housing within a 100-year flood area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	X			
g) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	X			
h) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding because of the failure of a levee or dam?	X			
i) Inundation by seiche, tsunami, or mudflow?	X			

As future development may involve the conversion of non-urban lands to urban uses, the existing drainage patterns of the Plan Area could be impacted. The *Conceptual Drainage Master Plan for the City of Oakley*: prepared by Santina & Thompson in July 2001 for the *Oakley 2020 General Plan Background Report* details the concerns on stormwater drainage in the Plan Area. The *Background Report* states that the Delta is the most important waterway in California and Oakley's most important asset. The *Drainage Master Plan (Figure 2)* also shows areas in the Plan Area that are in FEMA's 100-Year Flood Plain. Review of existing groundwater supplies within the Plan Area will be evaluated against the Plan's proposed expansion. Current General Plan policies require creek setbacks and call for water conservation and runoff control. Changes in these policies will be evaluated. Proposed General Plan policies are not expected to result in significant impacts on groundwater supplies but it is anticipated that General Plan policies will be designed to mitigate flood and stormwater drainage impacts. In addition, since the Plan Area ranges in elevation from sea level to 18 feet above sea level (*Background Report, Chapter 9*) and is located near the Pacific Coast, the General Plan EIR will address the potential impacts from potential tsunami.

IX. LAND USE AND PLANNING - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?			X	
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?			X	

Proposed General Plan policies are unlikely to physically divide an established community. While the proposed Oakley General Plan will result in changes in land use designations from the Contra Costa County General Plan, it is not anticipated that these changes will result in adverse environmental effects. The General Plan EIR will also discuss two areas established by Contra Costa County prior to the incorporation of the City of Oakley: the Oakley Redevelopment Plan Area/Planned-Unit District and the M-8 Planning Area. There is no adopted Habitat Conservation Plans (HCP) or Natural Community Conservation Plans that apply in the Plan Area at present, but the Contra Costa County Board of Supervisors authorized (July, 17, 2001) preparation of an HCP in the eastern portion of the county. This East Contra Costa County HCP is scheduled to be available in draft form in Spring 2004. The City of Oakley is currently, and plans to continue to be, an active participant in this HCP process, along with the cities of Antioch, Clayton, and Pittsburg and the Contra Costa Water District and the East Bay regional Park District.

X. MINERAL RESOURCES - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource classified MRZ-2 by the State Geologist that would be of value to the region and residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

The proposed General Plan is not expected to impact mineral resources. The *Oakley 2020 General Plan Background Report, Chapter 9* lists the only mineral resource currently mined in

the City of Oakley as sand. It also states that Contra Costa County has crushed rock, shale, and sand and sandstone deposits but they are located far enough from the City of Oakdale as to have no impact.

XI. NOISE - Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	X			
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	X			
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X			
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X			
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Development under the proposed General Plan may include both noise-sensitive and noise generating uses. Airports/airstrips are currently not a source of noise in the Plan Area. The *Oakley 2020 General Plan Background Report, Chapter 12*, describes two railroad tracks bordering the Plan Area that are adjacent to residential areas that create ground borne vibrations and noise. The *Background Report* conducted an analysis of the existing noise environment to be used as a benchmark for evaluating noise associated with future growth. The General Plan EIR will analyze the effects of General Plan policies on the creation of new or the expansion of existing noise sources, such as roads, and development that may increase ambient noise levels. It is anticipated that General Plan Noise Element policies will be designed to avoid future noise impacts.

XII. POPULATION AND HOUSING - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	X			
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

The General Plan EIR will identify development resulting from the General Plan, and will analyze the impacts of population and employment growth on infrastructure and other resources. See also XVI: Utilities and Service Systems. It is not anticipated that General Plan policies will directly induce population growth in Oakley, except where new development consistent with the General Plan is anticipated, in which case the Plan would accommodate population growth. In fact, under Measure C, the General Plan must consider urban growth boundaries and encourage smart growth by promoting mixed-use infill development to discourage urban sprawl.

With respect to the context for the General Plan, according to the Association of Bay Area Governments' (ABAG) Projections '2000, the population of Oakley could reach 37,900 in the year 2020, an increase of 31 percent over the current population, and an increase by ABAG above its earlier projections. ABAG also projects that Oakley is expected to add approximately 14,370 jobs by 2020, representing an increase of 260 percent, more than any other city in Contra Costa County. The General Plan and the General Plan EIR will address the issue of jobs/housing balance.

XIII. PUBLIC SERVICES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	X			
Police protection?	X			

XIII. PUBLIC SERVICES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Schools?	X			
Parks?	X			
Other public facilities?	X			

The *Oakley 2020 General Plan Background Report, Chapter 5*, documents existing conditions, capacities, and estimated projections of such as schools, libraries, fire protection, law enforcement, and other public facilities. In addition, the *Background Report, Chapter 7*, discusses the existing park sites and opportunities for future sites. The General Plan EIR will address any effects the General Plan may have on various public services, including the potential for increased demand and the possible need for additional facilities and funding to maintain the City’s level of service standards for public services, as required under Measure C, the County’s Transportation Improvement and Growth Management Program.

XIV. RECREATION:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	X			
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	X			

Chapter 7 of the *Oakley 2020 General Plan Background Report* discusses the needs for future recreational facilities. The General Plan EIR will address any effects the General Plan may have on park development, including the potential for increased demand and the possible need for additional facilities and funding or programs to maintain the City’s level of service standards for parks and recreation, as established in the General Plan, and as required under Measure C, the County’s Transportation Improvement and Growth Management Program.

XV. TRANSPORTATION/TRAFFIC- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	X			
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	X			
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	X			
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	X			
e) Result in inadequate emergency access?	X			
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	X			

In general, Oakley’s transportation system can adequately serve the existing travel demand. Chapter 4 of the *Oakley 2020 General Plan Background Report* assesses existing conditions and existing travel characteristics in the Plan Area; estimates long-range traffic conditions; and recommends changes to existing planned improvements. The General Plan EIR will address impacts to both regional and local street networks resulting from the General Plan. The General Plan EIR will address any effects the Oakley 2020 General Plan may have on transportation/traffic, including the potential for increased demand and the possible need for additional facilities/capacity to maintain the City’s level of service standards for transportation/traffic, as required under Measure C, the County’s Transportation Improvement and Growth Management Program. In addition, the General Plan EIR will evaluate methods of promoting alternative modes of transportation and supporting transit services to mitigate anticipated impacts.

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	X			
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	X			
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?	X			
d) Are sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	X			
e) Has the wastewater treatment provider that serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	X			
f) Is the project served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	X			

The *Public Facilities Background Report* prepared for the *Oakley 2020 General Plan Background Report* by Santana & Thompson, concludes that significant refinement of the storm drain infrastructure in the Plan Area is required. It recommends the preparation of a Drainage Master Plan (see Section VIII - Hydrology and Water Quality). The *Public Facilities Background Report* describes that the City of Oakley is entirely within the Diablo Water District and concludes that an adequate supply of water will be available at project build-out. The *Public Facilities Background Report* reports that the Ironhorse Sanitary District, wastewater service provider in the area, will need to add treatment and disposal facilities to accommodate build-out conditions. The General Plan EIR will address any effects the Oakley 2020 General Plan may have on utilities and service systems, including the potential for increased demand and the possible need for additional facilities/capacity to maintain the City's level of service standards for public services, as required under Measure C, the County's Transportation Improvement and Growth Management Program. Compliance with AB939 requirements for waste reduction also will be evaluated.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	X			
b) Does the project have the potential to achieve short-term to the disadvantage of long-term, environmental goals?	X			
c) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	X			
d) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	X			



DIABLO
WATER
DISTRICT

May 6, 2002

2107 Main St.
P.O. Box 127
Oakley, CA 94561-0127
925 • 625 • 3798
Fax 925 • 625 • 0814

Directors:

John H. deFremery
President
Howard Hobbs
Vice President
Kenneth L. Crockett
Edward Garcia
Richard Head

General Manager

& Secretary:
Mike Yeraka

Attorney:

Frederick Bold Jr.

Mr. Barry Hand
City of Oakley
P.O. Box 6
Oakley, CA 94561

RECEIVED

MAY 08 2002

CITY OF OAKLEY

Subject: Oakley 2020 General Plan - Notice of Preparation

Dear Barry:

Thank you for sending us the NOP for the subject project. This letter is to inform you that Diablo Water District has ample water treatment plant capacity and supply to serve the City's General Plan Area and extended Sphere of Influence at build-out. Additionally, the District has a policy of over sizing water mains close to the treatment plant in order to provide adequate capacity to serve the entire area at build-out.

If you have any questions or would like us to provide you with any input for the project, please do not hesitate to call me at (925) 625-6159.

Sincerely,

Mike Yeraka, P.E.
General Manager

JIM CUTLER

PLANNING, MEDIATION AND ENVIRONMENTAL SERVICES
P.O. BOX 967
WEST POINT, CA 95255

Phone 209 293-4024

Fax 209 293-4024

May 6, 2002

City of Oakley
Mr. Barry Hand
Community Development Department
3633 Main Street
Oakley, CA 94561

RECEIVED

MAY 13 2002

CITY OF OAKLEY

Dear Barry:

Thank you for the opportunity to review the Notice of Preparation on the Oakley 2020 General Plan. As with all community-wide NOPs it is hard to discern how individual potential significant impacts will relate to the Leshner Trust property. Consequently, I offer the following thoughts in the hope that your consultants will be able to consider them in the conceptual fashion that this type of EIR mandates.

1. It seems strange that all the Leshner Trust property isn't shown in the same Residential Land Use designation in the "Preferred Alternative" Land Use designation. Our northwest parcel is shown as Single Family Low while the remainder of our holdings are shown as Single Family Medium. Was this a graphics error? There is no difference between our land across this property line and with Multiple Family Low just to the west.

The Draft Low Density Alternative 7B that was being circulated showed the entire site as Single Family Medium. Those attending the meeting of City Council did not indicate that they mandated this change from the Draft shown at the Off-Island property owners meeting.

2. The NOP does not discuss alternatives to the "Preferred Alternative." Presumably the High Density alternative and the Owner Request Alternative will be used in the Draft EIR. It would appear that the EIR should consider those alternatives in sufficient detail to allow City Council to select higher land use density on any property from one of those alternatives.
3. An additional alternative needs to be developed based on the "Preferred Alternative" but modified to reflect the M-8 Cypress corridor mixed Development/Recreation Proposal. It is clear to many that this proposal for CAL-

FED to improve the habitat north of the Contra Costa Canal has a high potential to be funded and to occur. Many would argue that it is “reasonably foreseeable” in the context of CEQA. The alternative to be developed should reflect an updated version of the Conceptual Restoration Map presented to City Council on November 13, 2001.

4. Traffic Model analysis needs to be prepared for this new CAL-FED/Preferred Alternative so that the impacts of this proposal on existing roadways can be easily seen. This would have an impact on the traffic volumes on Cypress Road and on Off-Island area improvement responsibilities.
5. The issue of wetlands delineation is very difficult to deal with on lands such as ours, whose current use is for irrigated pasture. The EIR consultant needs to use great care not to casually determine or map what could potentially be considered wetlands. As you know such true delineation efforts exceed the cost that you have budgeted for in this entire planning area wide analysis. Past air photo analysis based maps submitted to the County have caused historic difficulties due to their inaccuracies. Hopefully, the City won’t repeat such an inaccurate approach.
6. The Off-Island Bonus Density Area found in the County’s General Plan allows for clustered units if they are offset by provision of on-site recreation facilities; this is accomplished through the use of the Planned Unit District (P-1) zoning.

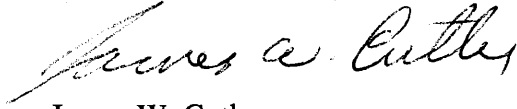
The Draft EIR should discuss this approach to development and explain how projects similar to the Cypress Lakes development relate to the proposed City General Plan categories and the density categories to be utilized in the City General Plan. The potential to cluster units should specifically be discussed.

7. While CEQA does not require discussion of economic consequences of various actions, it would appear appropriate for the EIR to discuss the types of development that can be anticipated in the proposed SOI area. Cypress Lakes sets the standard by creating elevated development area surrounding man-made lakes and a golf course. Given that this area is within the FEMA 100-year flood plain, levee improvements are also required and are very expensive to develop. We feel this SOI area could become a Lakes District of Oakley. Water and recreation areas surrounded by high quality homes will provide a balance to the production housing common in Oakley. The impact of this type of construction needs to be addressed, even if cursorily, in the Draft EIR.
8. The EIR should contain a table that shows how each proposed City General Plan category relates to the adopted County General Plan category in terms of allowable density. This is especially critical if the City converts to the use of units per gross acre since the public is used to the County’s units per net acre system.

9. The Dutch Slough Natural Gas field covers much of the eastern planning area. This should probably be discussed under mineral resources.

Please feel free to contact me if we can be of service in the preparation of the Draft EIR.

Sincerely yours,

A handwritten signature in cursive script that reads "James W. Cutler".

James W. Cutler

cc: Patti Curtin at Crosby, Heafey, Roach and May

Community Development Department

County Administration Building
651 Pine Street
4th Floor, North Wing
Martinez, California 94553-0095

Phone: (925) 335-1240

Contra Costa County



Dennis M. Barry, AICP
Community Development Director

RECEIVED
MAY 13 2002
CITY OF OAKLEY

May 9, 2002

Barry Hand, Community Development Director
City of Oakley
3633 Main Street
Oakley CA 94561

Dear Mr. Hand:

Thank you for sending the Notice of Preparation of a Draft Environmental Impact Report on the Oakley 2020 General Plan.

The Contra Costa County Community Development Department offers the following comments regarding the scope and content of the DEIR.

Comment #1. The transportation analysis should reflect, to the extent possible, the commuter transit recommendations that are being developed through the East County Transit Study. This would include evaluation of the potential for any transit-oriented development around any Oakley transit stops. Such development can make better use of our transit investments and reduce automobile use. The EIR could consider such development policies as a project alternative if transit oriented development is not contemplated in the proposed project. This study is expected to be completed, and a preferred alternative chosen, by fall 2002. Councilmember Brad Nix is Chair of the Policy Advisory Committee overseeing the transit study. Detailed information about the study may be obtained from the study's project manager, Susan Miller of the Contra Costa Transportation Authority, at (925) 256-4736.

Comment #2. In the DEIR analysis of traffic impacts, the analysis should include forecasts indicating whether each alternative under study will hinder the ability to maintain the traffic standards known as "traffic service objectives" (TSOs) for regionally significant routes in Oakley. This analysis is a required element of the countywide Measure C Transportation Planning and Growth Management Program. The one regionally significant route in Oakley is Main Street (State Route 4). The TSOs include a level-of-service standard and a delay index standard, as listed in the *East County Action Plan for Routes of Regional Significance* developed by TRANSPLAN.

Comment #3. The County's General Plan currently includes an extension of Laurel Road east of State Route 4, to Cypress Road. The extension was necessary ensure compliance with the TSO at the State Route 4/Cypress Avenue intersection. The County's General Plan evaluated two alternatives. One alternative included widening the western approach to Cypress Road, however the railroad crossing limited the capability to store vehicles during red lights. The other alternative involved constructing a grade separation to carry Cypress road over the railroad. However, the bridge blinded westbound vehicles to any queues that would extend from the signal at State Route 4. The EIR should specifically evaluate the proposed General Plan's ability to meet the TSO and recommend any mitigation as appropriate.

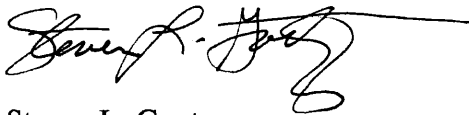
Comment #4. The County General Plan includes the extension of Byron Highway north to Bethel Island Road as an arterial. The proposed General Plan does not acknowledge this extension. The EIR should evaluate the impacts of not including the extension in the Oakley General Plan.

Comment #5. The County General Plan includes the widening of State Route 4 to four lanes from the State Route 160 interchange to Brentwood. A particular problem area was the need to provide additional capacity on this corridor between Norcross Lane and Rose Avenue in order to meet Measure C Traffic Service Objectives. It is not clear if the proposed Oakley General Plan includes such widening. If not, the EIR should determine if Traffic Service Objectives can be met on State Route 4 in Oakley without such future road widening.

Comment #5. The DEIR should reflect the planned East County bikeway network through Oakley, as outlined in the East County Bikeway Plan. This bikeway plan was approved by all East County jurisdictions, including Oakley, in 2001. County staff has been working with the staffs of the East County cities to pursue grant funds to help implement the bikeway network, and the County plans to amend the bikeway network described in the East County Bikeway Plan into the County General Plan in the future

If you have questions about these comments, please contact me at (925) 335-1240.

Sincerely,



Steven L. Goetz
Deputy Director, Transportation Planning Division

G:\Transportation\Steve\eastcounty\oakley.gp.nop.doc

cc: D. Barry, Community Development Director
J. Greitzer, TRANSPLAN staff
S. Miller, Contra Costa Transportation Authority
P. Roche, Community Development Dept.
C. Tunison, State Route 4 Bypass Authority
J. Yee, County Public Works Dept.



Department of Toxic Substances Control



Edwin F. Lowry, Director
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

Winston H. Hickox
Agency Secretary
California Environmental
Protection Agency

May 15, 2002

Gray Davis
Governor

RECEIVED

MAY 20 2002

CITY OF OAKLEY

Mr. Barry Hand
City of Oakley Community Development
3633 Main Street
Oakley, California 94561

Dear Mr. Hand:

The Department of Toxic Substances Control (DTSC) provides the following comment pertaining to the *Notice of Preparation (NOP) for the Oakley 2020 General Plan draft Environmental Impact Report (EIR)*, SCH# 2002042134.

Comment:

The third figure of the Initial Study for the Oakley 2020 General Plan (Preferred Alternative – February 22, 2002) indicates that the property at 139 Hill Avenue will have a land use designation of "Single Family High". The property was the location of a former battery recycling operation (aka: Cook Battery Site), where DTSC consolidated lead contaminated soil and installed an asphalt cap to prevent exposure to the soil. Please note that high levels of lead (up to 300,000 parts per million) remain in the soil beneath the cap. Therefore, the property should not be considered for residential use.

If you have any questions regarding this letter, please contact Mr. Bill Brown of my staff at (510) 540-3841.

Sincerely,

Barbara J. Cook, P.E., Chief
Northern California – Coastal Cleanup Operations Branch

cc: See next page

Mr. Barry Hand

May 15, 2002

Page 2

cc: Planning and Environmental Analysis Section
CEQA Tracking Center
1001 I Street, 22nd Floor
P.O. Box 806
Sacramento, California 95812-0806

Office of Planning and Research
State Clearinghouse
1400 Tenth Street
P.O. Box 3044
Sacramento, California 95812-3044

DELTA PROTECTION COMMISSION

14215 RIVER ROAD
P.O. BOX 530
WALNUT GROVE, CA 95690
Phone (916) 776-2290
FAX (916) 776-2293
E-Mail: dpc@citlink.net Home Page: www.delta.ca.gov



May 15, 2002

Barry Hand, Director
City of Oakley Community Development
3633 Main Street
Oakley, CA 94561

RECEIVED
MAY 16 2002
CITY OF OAKLEY

Subject: Oakley 2020 General Plan Initial Study

Dear Mr. Hand,

I have reviewed the above document, and am submitting general comments on behalf of the Delta Protection Commission. The Commission itself has not had the opportunity to review this document, so these are staff comments only.

The preferred alternative (Figure 3 in the document) appears to be consistent with the Delta Protection Commission's mandate as it relates to the Delta Primary Zone, which includes some areas along the northern boundary of the City. The Delta Recreation and Commercial Recreation designations are consistent with the Commission's recommendation to cities for the provision of public access along the Delta's waterfront areas.

I noticed there is also some land that is designated Commercial, just east of Big Break Road, but understand that this property is a construction yard that has been in existence for some time.

Under the Delta Protection Act of 1992, all existing and any new cities containing lands within the Delta Primary Zone must adopt a resolution stating that their General Plans are in conformance with the Commission's Land Use and Resource Management Plan for the Primary Zone of the Delta (adopted in 1995). Once the Oakley City Council is able to make this determination (after completion of the General Plan) and formally adopts such a resolution, that resolution must be submitted to the Delta Protection Commission for concurrence that the General Plan is in conformance with its land use plan. For more information on the Commission and its land use plan, go to www.delta.ca.gov.

Thank you for the opportunity to review the Initial Study. If you have any questions about the Commission, its land use plan, or Oakley's future conformance process, please contact me at (916) 776-2290 or loridpc@citlink.net.

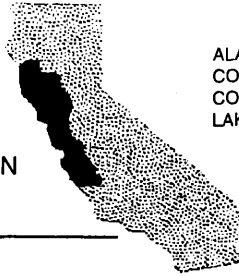
Sincerely,

A handwritten signature in cursive script that reads "Lori Clamurro".

Lori Clamurro,
Environmental Scientist

Cc: Patrick N. McCarty, Chairman
Katie Shulte-Joung, Governor's Office of Planning and Research

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Northwest Information Center
Sonoma State University
1303 Maurice Avenue
Rohnert Park, California 94928-3609
Tel: 707.664.0880 • Fax: 707.664.0890
E-mail: nwic@sonoma.edu

20 May 2002

File # 01-CC-148E

Attn: Barry Hand, Director
City of Oakley Community Development
3633 Main Street
Oakley, CA. 94561


RECEIVED
MAY 22 2002
CITY OF OAKLEY

re: Oakley 2020 General Plan

Dear Mr. Hand:

Thank you for including the Northwest Information Center in the environment review process for the proposed project. We examined the above-referenced document and due to the high to moderate sensitivity of the areas being considered this office is recommending a project- by- project evaluation.

Thank you for your continued concern for protecting our historical heritage.

Sincerely,

K. Thorne, for
Leigh Jordan, M.A.
Coordinator

ANTIOCH UNIFIED SCHOOL DISTRICT

510 "G" Street - P.O. Box 768, Antioch, California 94509-0904 (925) 706-4100- FAX. (925) 757-2937

DENNIS GOETTSCH
SUPERINTENDENT OF SCHOOLS

DONNA BECNEL
ASSOCIATE SUPERINTENDENT: PERSONNEL SERVICES

LYNN STRAIGHT, Ph.D.
ASSOCIATE SUPERINTENDENT: EDUCATIONAL SERVICES



JERRY MACY
DEPUTY SUPERINTENDENT: BUSINESS SERVICES

DANE RUDDELL
ASSISTANT SUPERINTENDENT FACILITIES & OPERATIONS

CALVIN MC GEE, J.D.
DIRECTOR: PERSONNEL COMMISSION

May 21, 2002

RECEIVED

MAY 22 2002

CITY OF OAKLEY

Mr. Barry Hand
Community Development Director
City of Oakley Community Development
3633 Main Street
Oakley, CA 94561

RE: Notice of Preparation of a Draft Environmental Impact Report

Dear Mr. Hand:

The Antioch Unified School District has noted no exceptions to the Draft Environmental Impact Report for the Oakley 2020 General Plan.

Please note that the contact person for the school district should be Dennis Goettsch, Superintendent.

If you have any questions or concerns, please do not hesitate to call us at (925) 776-2073.

Sincerely,

A handwritten signature in black ink that reads "Dane Ruddell, mab". The signature is written in a cursive style.

Dane Ruddell
Assistant Superintendent Facilities

DR:mab

**BETHEL ISLAND MUNICIPAL ADVISORY COUNCIL
P.O. BOX 1338, BETHEL ISLAND, CA 94511-1338
925 684-3254**

May 21, 2002

Barry Hand
Community Development Director
City of Oakley
3633 Main Street
Oakley, CA 94561

RECEIVED
MAY 23 2002
CITY OF OAKLEY

Dear Mr. Hand:


The Bethel Island Municipal Advisory Council, (BIMAC) received the Notice Of Preparation of a Draft Environmental Impact Report for the Oakley 2020 General Plan.

As Chair, I reviewed the plan, and presented the general outline of the plan at the May 13, 2002 BIMAC public meeting. It was agreed that I would write this letter, stating that in general the BIMAC agrees that nearly everything the City of Oakley plans to do in the next twenty years will have a "Potentially Significant Impact" not only on Oakley, but on the surrounding communities.

When that Environmental Impact Report is prepared we will review it and will make comment when it is solicited from the Public.

Thank you for keeping us informed of your cities plans.

Very truly yours,


Marguerite Lawry, Chair BIMAC



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MAY 28 2002

CITY OF OAKLEY

May 22, 2002

Mr. Barry Hand
 Community Development Director
 City of Oakley
 3633 Main Street
 Oakley, CA 94561

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 Ward 5

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Jean Siri
 Secretary
 Ward 1

Beverly Lane
 Ward 6

Carol Severin
 Ward 3

John Sutter
 Ward 2

Pat O'Brien
 General Manager

RE: NOP / DEIR for Oakley General Plan

Dear Mr. Hand:

Thank you for forwarding a copy of the Notice of Preparation for the Oakley General Plan EIR to the East Bay Regional Park District. As you are aware, the District owns and manages shoreline along Oakley's northern boundary at the Big Break Regional Recreation Area and the Antioch-Oakley Pier, as well as sections of the Marsh Creek and Delta DeAnza Regional Trails. The District is interested in working with the City to maximize the benefit of these recreational resources for Oakley residents to develop Delta access and recreational opportunities.

The Oakley City Council has shown a strong interest in regional recreational amenities. For example, the council recently indicated the desire to facilitate improvements at the Delta Science Center at Big Break, and also to develop public park land and trails as part of the Dutch Slough restoration project. We believe that the City, in its new general plan, has a unique opportunity to integrate regional parks, trails and natural resource open space with its plans for future development; and we would offer to work with City staff to prepare an effective Open Space Element and zoning ordinance while complying with State general plan requirements (Government Code, sec. 65560 and 65910). In particular, we would like to explore with your staff effective methods to maintain permanent open space and facilitate development of recreational facilities as they relate to regional parklands and trails, for example, at the interface of the Big Break Regional Shoreline with the Cypress Corridor / Dutch Slough project.

Land Use Map

The map, *Oakley General Plan Land Use Designations, Preferred Alternative (Feb. 22, 2002)* appears to be inconsistent in indicating public park land and open space. The Antioch-Oakley Pier is indicated as either Parks and Recreation or Limited Agricultural (difficult to tell because of the color coding). Just as land use designations within the Cities of Antioch and Brentwood



and Bethel Island are shown outside the city limits, park land at Big Break Regional Shoreline, should be shown on the City's northern boundary in order to provide context and continuity for adjacent Parks, Recreation, Delta Shoreline and Public/Semi-public uses. Likewise, the alignments of the Delta DeAnza and Marsh Creek Trails, shown on the map as utility corridors, and waterways, should be indicated on this map, or on a Parks, Open Space and Trails map, in the General Plan and EIR. I have enclosed a copy of the District's 1997 Master Plan map for the Oakley area to assist you with the locations of District facilities. The General Plan EIR should address consistency with the District's 1997 Master Plan and map

Additionally, the land use map should be revised to reflect the City Council's recent decision to work with CALFED in the Dutch Slough restoration area.

Open Space Element / Action Plan

The Open Space Element should address open space for the preservation of natural resources and wildlife habitat, managed production of resources and outdoor recreation. The *Open Space Action Plan* should outline specific programs and policies for public and private open space conservation, including adoption of an open space zoning ordinance to discourage "premature and unnecessary conversion of open-space land to urban uses...and non-contiguous development patterns..."

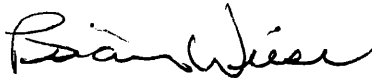
Both the general plan's Open Space Element and the EIR should identify the District's regional park and trail facilities in the context of the City's Action Plan for the acquisition, preservation and management of other open space within the city. The plan should address the impacts of agricultural and open space land conversion to urban uses and how those impacts will be mitigated by the protection of habitat and natural resource areas, and provision of recreational open space opportunities. The Land Use map should show open space and resource conservation zoning categories. We highly recommend the publication *Putting Action into the Open Space Element*, by the Governor's Office of Planning and Research (available on the web at http://ceres.ca.gov/planning/open_space). This publication focuses on non-regulatory approaches to both fee acquisition and conservation easements, and operational financing, and is extremely valuable in putting together an open space action strategy.

Agricultural Land Conversion

The Initial Study states that "*the Contra Costa General Plan does not list any Important Agricultural Land in the plan area,*" based solely on soil suitability criteria. On the Land Use Map, the locations of a number of historic vineyards (100 + years old) are shown in the *Commercial, Business Park, or Residential* land use categories. Historic vineyards and orchards are a part of the rich agricultural heritage of Eastern Contra Costa County, and should be addressed in the general plan and EIR as potential areas of state-wide significance from both the agricultural and cultural standpoint. The Open Space Action Plan should discuss potential means to preserve these areas as agricultural open space.

We would again like to extend an offer to work with City Staff to coordinate open space planning in the general plan and afterward. Please send forthcoming copies of the Draft General Plan and EIR to my attention; and feel free to contact me at (510) 544-2623 or Interagency Planning Manager Larry Tong at 544-2621. Brad Olson, our Environmental Programs Manager (544-2622) may also be a helpful contact for resource planning issues and the Habitat Conservation Plan.

Sincerely,

A handwritten signature in cursive script that reads "Brian Wiese".

Brian Wiese
Interagency Planning

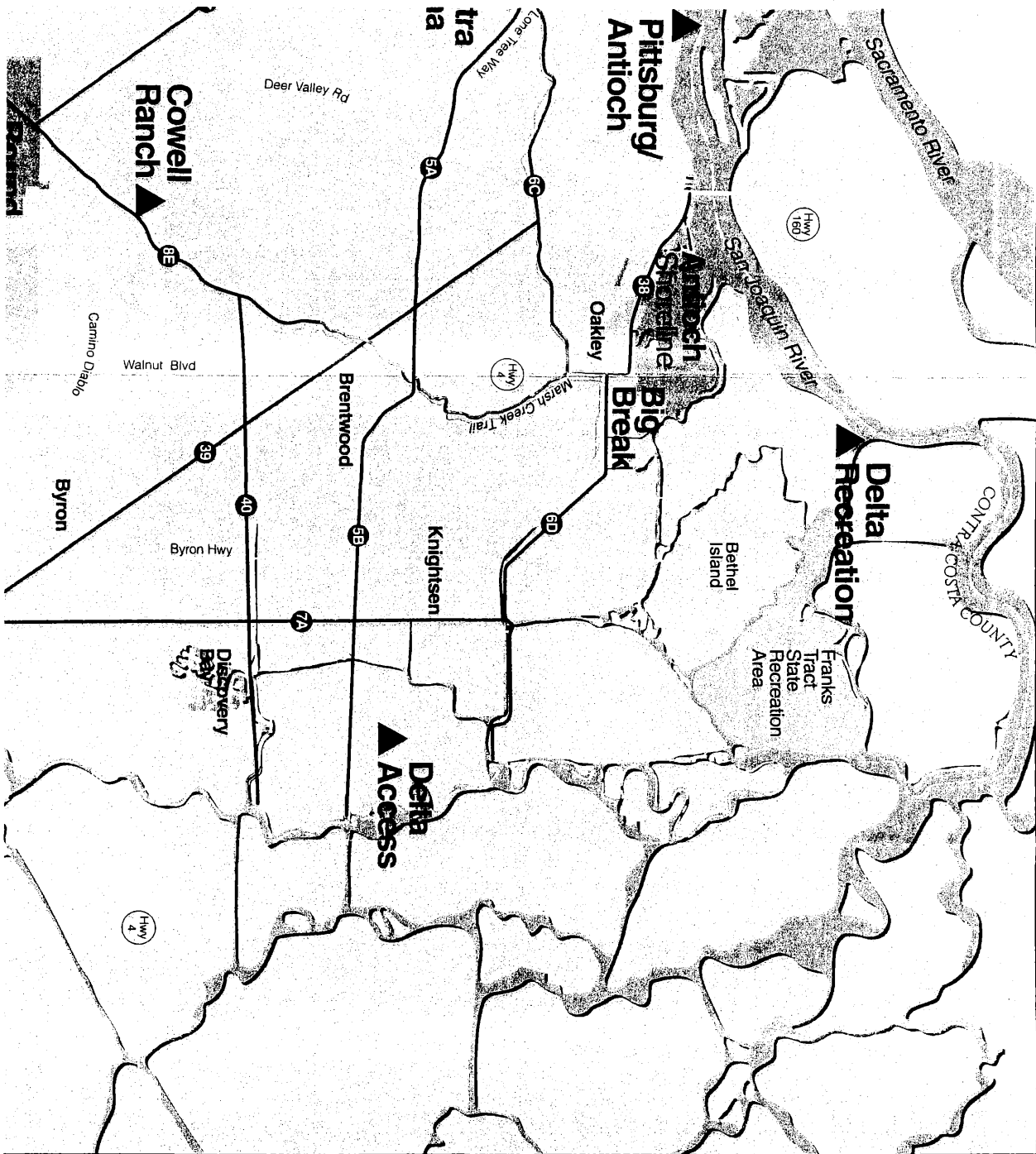


East Bay Regional Park District

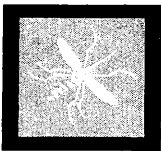
Existing and Potential Parklands and Trails

Potential Regional Trails (or partially completed)

- 1 San Francisco Bay Trail **
- 1A Santa Clara County to Coyote Hills
- 1B Coyote Hills to Hayward Shoreline
- 1C Hayward Shoreline to Oyster Bay
- 1D Oyster Bay to Martin Luther King Jr
- 1E Martin Luther King Jr to Eastshore State Park
- 1F Eastshore State Park
- 1G Pt Isabel to Miller/Knox
- 1H Miller/Knox to Wildcat Creek
- 1I Wildcat Creek to Pt Pinole
- 1J Pt Pinole to Carquinez Strait
- 1K Carquinez Strait to Martinez Shoreline
- 1L Martinez Shoreline to Pt Edith
- 2 Bay Area Ridge Trail **
- 2A Mission Peak to Vargas Plateau
- 2B Vargas Plateau to Carin/Dry Creek Pioneer
- 2C Carin/Dry Creek Pioneer to Chabot
- 2D Kennedy Grove to Sobrante Ridge
- 2E Sobrante Ridge to Carquinez Strait
- 2F Briones to Martinez Shoreline
- 3 Calaveras Ridge Trail **
- 3A Sunol to Pleasanton Ridge
- 3B Pleasanton Ridge
- 3C Pleasanton Ridge to Las Trampas
- 3D Las Trampas to Briones
- 3E Delta Del Ariza Trail



58 Big Break
Silicon Valley



CONTRA COSTA MOSQUITO AND VECTOR CONTROL DISTRICT

155 MASON CIRCLE ■ CONCORD, CA 94520 ■ (925) 685-9301 ■ FAX: 685-0266 ■ www.ccmvcd.dst.ca.us

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CITY OF OAKLEY

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Mr. Barry Hand
Community Development Director
City of Oakley
3633 Main Street
Oakley, CA 94561

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Ronald Tervelt

CONCORD
Earl Mortenson

CONTRA COSTA COUNTY
Russ Belleci
Jim Pinckney
Heather Gibson

SUBJECT: NOTICE OF PREPARATION (NOP) OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE OAKLEY 2020 GENERAL PLAN

DANVILLE
David Jameson, Ph.D.

HERCULES
Johnny Poon

Dear Mr. Hand:

LAFAYETTE
David Carpenter

We have received the N.O.P. of a Draft Environmental Impact Report for the Oakley 2020 General Plan, dated April 25, 2002. After review of this document, Contra Costa Mosquito and Vector Control District (District) staff have some comments regarding this report. Based on the Evaluation of Environmental Impacts checklist, the following are the major concerns of the District:

MORAGA
Myrto Petreas, Ph.D.

ORINDA
Charles Lupsha

OAKLEY
Richard Head

XIII. PUBLIC SERVICES

PINOLE
Tim McDonough

Our first concern is the potential for public health problems. In 1993, 1996 and 1997, the encephalitis virus was detected in Contra Costa County. The encephalitis virus is transmitted by the *Culex tarsalis* mosquito and there are no available vaccines or specific treatments for human cases of encephalitis.

PITTSBURG
Vacancy

PLEASANT HILL
Richard Means

SAN PABLO
Vacancy

This District already maintains an extensive program of source surveillance in and around the City of Oakley area; and all sources in the area are inspected and treated on a regular basis. It is important to note that there will be an increase in the level of service required from this District under the plan because of additional mapping, source inspections, public service requests and treatments required as development increases.

SAN RAMON
Dick Vesperman

WALNUT CREEK
Nancy Brownfield

IV. BIOLOGICAL RESOURCES

Generally, proposed mitigation to compensate for the loss of wetlands is required. If new wetlands or stream alterations are required or proposed in the General Plan guidelines, the mitigation should include the necessity of monitoring and accessibility by this District to determine necessary corrective measures to remedy undesirable trends in the establishment of these environments.

If new terraced wetlands, backwater channels or detention basins are created this District should be consulted in their construction to determine necessary corrective measure to remedy undesirable trends in the establishment of the wetlands, creeks, channels and basins. In addition, tules and willow should not be used for re-vegetation of detention basins as they tend to migrate into the basins and create productive mosquito habitat.

VIII. HYDROLOGY AND WATER QUALITY:

Any time large development is created on previously vacant land there can be problems with urban runoff. The necessary drainage ditches, detention ponds and channels can cause problems with *Culex tarsalis* mosquitoes; as they prefer shallow water with emergent vegetation. When new drainage ditches and ponds are built, they should be as deep as possible and have steep sides to minimize mosquito production. Water levels should be kept as constant as possible to avoid production of floodwater *Aedes* mosquitoes and deep enough to support mosquitofish. Whenever possible, emergent vegetation should be minimized, as this provides a protective and nutritive habitat for immature mosquitoes. It is also imperative that this District have access to all potential mosquito breeding sources in the project area.

XII. POPULATION AND HOUSING:

Any buildout in Contra Costa County causes concern for the District, as additional buildout will result in an increase in the number of people who will be exposed to mosquitoes. Over the past 40 years there have been over 500 cases of Western Equine Encephalitis in California and over 600 cases of St. Louis Encephalitis. Unfortunately people have been lulled into believing that there is no danger of disease from these mosquitoes.

In closing, this office has the expertise, and is available for consultation, regarding the design and management of wetlands, flood control systems and drainage patterns. We recommend that Contra Costa Mosquito and Vector Control District be consulted on the proper procedures to best control mosquito problems within the General Plan area. Please call our office should you have any comments or questions.

Sincerely,



Ray Waletzko
Administrative Analyst

RW

BIGGS FAMILY TRUST



MAY 23, 2002

CITY OF OAKLEY
MR. BARRY HAND
COM DEV DEPT
3633 MAIN ST
OAKLEY CA 94561

DEAR BARRY:

I just recently reviewed the new "Preferred Alternative" Land use designation, it shows my property east of the power lines as medium density all property west of power lines low density which consist of 351 acres total, for identify the parcel numbers are APN 020-140-007-4 & APN 020-150-003-0. My property borders Rock Slough to the south, Sandman Slough to the east, Contra Costa Canal to the west. I would like to see the west of the power lines high density residential and 10 acres for multi family units.

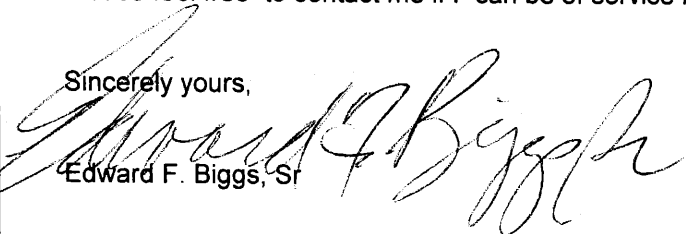
I'm sure you are aware that the cost of improvements in this area is going to be very costly due to this area being within the FEMA 100-year flood plain. Levee improvements are required, therefore we need more density. I would like to see the entire parcel be Planned Unit District (P-1) zoning.

Since there is going to be improvements at Cypress Rd and Bethel Island Rd this could effect my ingress and egress to my property. I would appreciate notification of any work or plans done for this area.

The issue of wetlands delineation is very difficult to deal with on lands such as ours, whose current use is for irrigated pasture. The EIR consultant needs to use great care not to casually determine or map what could potentially be considered wetlands. As you know such true delineation efforts exceed the cost that you have budgeted for in this entire planning area wide analysis. Past air photo analysis based maps submitted to the County have caused historic difficulties due to their inaccuracies. Hopefully, the city won't repeat such an inaccurate approach.

Please feel free to contact me if I can be of service in the preparation of the Draft EIR.

Sincerely yours,


Edward F. Biggs, Sr

cc: Public Works Dept
Transportation Dept

DEPARTMENT OF FOOD AND AGRICULTURE

May 28, 2002

Mr. Barry Hand
City of Oakley Community Development
3633 Main Street
Oakley, CA 94561

Dear Mr. Hand:

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Oakley 2020 General Plan - SCH #2002042134

The California Department of Food and Agriculture (CDFA) has reviewed the NOP for the Oakley 2020 General Plan (NOP). CDFA's mission is the promotion and protection of California agriculture and the natural resources upon which it depends. We offer the following recommendations for the preparation of the DEIR with respect to the project's potential agricultural resource impacts.

The California Department of Conservation's Important Farmland Series maps for Contra Costa County show that Oakley is bounded to the northeast and east by Prime and Statewide Important Farmland. Therefore, we concur with the NOP Initial Study's conclusion that the impact of the project on agricultural land is potentially significant.

The Initial Study states that the DEIR will "quantify and address the conversion of agricultural uses to urban land." In addition, we recommend that DEIR address the project's cumulative impact on agricultural land conversion. Perhaps the best way to document past conversion is with the use of the previously mentioned Important Farmland Series maps. The Department of Conservation has been producing these maps and their accompanying Farmland Conversion Reports since 1984. Therefore, we recommend that these maps and reports be used to document agricultural land conversion in eastern Contra Costa County over the past 16 years.

We suggest that the DEIR also address growth inducing impacts of the project on adjacent agricultural lands. Particularly, the DEIR should assess elements of the plan that would remove future barriers to urban growth in the area, or that would create land use conflicts with agricultural uses, thereby reducing agricultural properties values relative to urban property values.

We recommend that the DEIR consider at least one project alternative that would lessen or eliminate agricultural land impacts. Similarly, where agricultural land impacts cannot be

Mr. Barry Hand
May 28, 2002
Page 2

avoided the DEIR should consider an array of potential mitigation measures, including impact avoidance and compensation.

The Initial Study's summary of the project's potential impacts on agricultural lands concludes with the statement that the conversion of agricultural lands will likely be addressed in the General Plan's policies. We agree that the general plan is the best place for mitigating the impacts of urbanization on agricultural resources. Therefore, we recommend that identified mitigation measures be incorporated into the General Plan's land use, conservation and open space policies. Among the mitigation measures that could be considered, follow.

1. Buffers or setbacks to minimize potential land use conflicts between agricultural and urban land use.
2. Mitigation fees for the conversion of agricultural land, whereby developers pay a fee for each acre of agricultural land converted. The fee could be deposited to a mitigation bank that would subsequently fund the purchase of agricultural land conservation easements as partial mitigation for the loss of agricultural land due to the project's implementation.
3. Right-To-Farm Ordinances to inform urban land users about agricultural practices, and to protect agricultural land users from frivolous nuisance complaints.
4. Transfer of development rights programs to effectively place conservation easements on priority farmland while conveying the foregone development rights to agricultural land slated for development by the General Plan in the form of density credits.
5. Clustering of planned development in order keep a greater portion of the plan area in agricultural production.
6. Establish policies to protect a secure water supply for continuing agricultural uses in the area.

A recently published report from the Institute for Local Government, *Farmland Protection Action Guide*, lists eighteen other strategies that could be employed as mitigation policies in a community plan. The Guide can be ordered from www.ilsg.org.

Thank you for circulating the NOP to CDFA for review and comment. If you questions on our comments, please call me at (916) 657-4956.

Sincerely,



Steve Shaffer

Director, Office of Agriculture and Environmental Policy

cc: Edward P. Meyer,
Contra Costa County Agricultural Commissioner

SS:kt



**CONTRA COSTA
WATER DISTRICT**

1331 Concord Avenue
P.O. Box H20
Concord, CA 94524
(925) 688-8000 FAX (925) 688-8122

RECEIVED

MAY 30 2002

CITY OF OAKLEY

May 29, 2002

Via Fax 925/625-9194

Directors
James Pretti
President

Noble O. Elcenko, D.C.
Vice President

Elizabeth R. Anello
Bette Boatman
Joseph L. Campbell

Walter J. Bishop
General Manager

Barry Hand, Director
Community Development Department
City of Oakley

3633 Main Street
Oakley, California 94561

Subject: Notice of Preparation Response: Oakley 2020 General Plan

Dear Mr. Hand:

Thank you for the opportunity to provide a Response to the Notice of Preparation (NOP) of a Draft EIR on the City of Oakley 2020 General Plan. Contra Costa Water District's (CCWD's) responses address both the Evaluation of Environmental Impacts (i.e., checklist) and a review of the Oakley General Plan Land Use Designations for the Preferred Alternative.

The City of Oakley comprises approximately 12.6 square miles of generally flat land with a gentle slope toward the San Joaquin Delta to the north. Oakley is also bounded by the cities of Antioch to the west and Brentwood to the south, with unincorporated Contra Costa County areas to the east and southeast. The project area, based on the Preferred Alternative map, is primarily within the existing CCWD service area boundaries.

CCWD provides surface water supplies from the Sacramento-San Joaquin Delta to the Diablo Water District (DWD) primarily from its Central Valley Project (CVP) contract with the U.S. Bureau of Reclamation. The raw water supply is conveyed from the Contra Costa Canal, which traverses the planning area from east to west, and the water is treated at the Randall-Bold Treatment Plant (in the City of Oakley) for distribution to the Oakley community. The Randall-Bold Treatment Plant is jointly owned by CCWD and DWD.

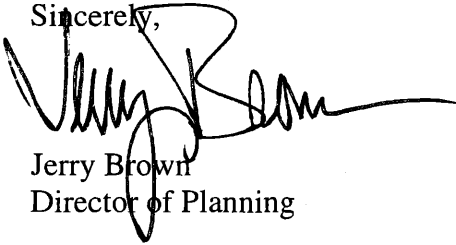
CCWD's primary issues that need to be addressed in the Draft EIR include:

- describing the process for securing water service to new development areas, and
- identifying that the Contra Costa Canal must be protected from the impacts of development. The extent of protective measures will be determined on a project-by-project basis and may include funding portions of lining or encasement of the canal.

Specific comments on these issues are covered in Attachment 1 in the responses to checklist elements IV. Biological Resources, VII. Hydrology and Water Quality, and XVI. Utilities and Service Systems.

If you have any questions on the comments, or require further information on the CCWD, including the Contra Costa Canal or the Randall-Bold Treatment Plant, please contact Dennis Pisila at 925/688-8119.

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Brown", written over the typed name and title.

Jerry Brown
Director of Planning

cc: Cay Goude, Assistant Field Supervisor, U.S. Fish and Wildlife Service, Sacramento
Jan Knight, Chief, Endangered Species Division, U.S. Fish and Wildlife Service, Sacramento

Attachment 1: Detailed Responses to Oakley 2020 General Plan NOP

ATTACHMENT 1

SPECIFIC RESPONSES ON THE NOTICE OF PREPARATION (NOP) FOR THE OAKLEY 2020 GENERAL PLAN

Evaluation of Environmental Impacts: IV. Biological Resources, pages 6 and 7. It is acknowledged in the NOP that "development in accordance with the General Plan may have adverse impacts on biological resources and special status species due to habitat destruction, loss of wetlands, or the obstruction of wildlife corridors". It is also noted that the "General Plan EIR will discuss impacts on the ongoing East County Habitat Conservation Plan."

Please ensure that the Draft EIR describes the process for including projects within the Central Valley Project (CVP) contractual service area. See Attachments A through C, and comments on XVI, below, for details. Also include that the process requires evidence of compliance with federal laws, including the Endangered Species Act (ESA). Applicants representing projects outside the CVP service area (see Attachment B, a two-page U.S. Bureau of Reclamation map copy identifying the CVP service area and Oakley boundaries) should undertake early ESA section 10 consultation with the U.S. Fish and Wildlife Service (USFWS). All inclusion applications must be submitted to the CCWD for coordination with Reclamation. A complete inclusion application submitted to CCWD must include, as a minimum, section 10 compliance, either in the form of a section 10 permit, or other written verification of consultation from the USFWS. Section 10 consultation must be addressed even if a project's CEQA documentation clearly shows that listed species are not impacted.

VIII. Hydrology and Water Quality, pages 11 and 12. Potentially significant impacts are acknowledged on several checklist issues that relate directly to the Contra Costa Canal. The Canal conveys raw water from Rock Slough in the Sacramento-San Joaquin Delta which ultimately is treated and distributed to approximately 450,000 residents in central and eastern Contra Costa County. The four mile length of the Canal from the Rock Slough intake to Pumping Plant No. 1 in Oakley is contained in earthen levees. Other issues potentially impacting the Canal besides those listed in the checklist are; increased likelihood of security breaches or safety incidents, drainage from surrounding development introducing pollutants into the Canal from seepage, possible degradation of the structural integrity of the levees. Please ensure that these issues and the other checklist items are addressed specifically in the Draft EIR in the context of impacts from development on the Canal.

Implementation of the Preferred Alternative Land Use [Plan] Designations could result in significant impact on District facilities. Please ensure that the Draft EIR and the General Plan itself identify that the Contra Costa Canal must be protected from impacts of development. The extent of protective measures will be determined on a project-by-project basis and may include funding portions of lining or encasement of the Canal. The District would like to meet with the City staff during development of the Draft EIR to develop

acceptable language. As development proceeds along the canal, it is imperative that the City and the District work together to prevent degradation of our water supply. Please contact Fran Garland at 925/688-8312 to schedule a meeting.

XVI. Utilities and Service Systems, pages 17 and 18. Checklist issue (b) indicates that a **Potentially Significant Impact** would result from the construction of new or expanded water or wastewater treatment facilities necessary for the project implementation. Currently, the Randall-Bold Treatment Plant serves most of Oakley (i.e., through the Diablo Water District or DWD distribution system), and augments supplies for both Antioch and Brentwood. It is projected that the facility will need to be expanded after 2010 in order to meet future East County demands. The Draft EIR should identify the scope and timing of expected Randall-Bold Plant expansion needed to support the Oakley General Plan, and any "significant environmental effects" that might result from the expansion.

Checklist issue (d) indicates that sufficient water supplies are available to serve the project from existing entitlements and resources. The explanation references the *Public Facilities Background Report* which incorporates the DWD Facilities Plan Update (1998) document (Table 6-7) for buildout water demands. Since CCWD provides most of DWD's water supply, the Draft EIR should also include an analysis of the projected water demands in the context of CCWD's water supply planning. CCWD's Future Water Supply Study (FWSS) is currently being updated and will be available for a cumulative analysis of water demands and supplies this summer.

Please ensure this section discusses institutional issues related to water supply. CCWD's process and procedures regarding annexations and inclusions are set forth in Code of Regulations Section 5.04.120 (Attachment C). The City of Oakley should refer applicable parties to the CCWD Planning Department for additional information early in project planning. As an example of where this issue would be applied, refer to Attachment A which shows that approximately two square miles in several areas in the eastern portion of the Preferred Alternative Land Use Plan lie outside the CCWD service area, and sphere of influence (SOI) established by the Contra Costa Local Agency Formation Commission (LAFCO). Approximately seven square miles of the Plan area are outside CCWD's current CVP contractual service area. This includes 3.5 square miles inside the current City of Oakley boundaries (Attachment B). No CVP water can be served to these areas (primarily the Burroughs, Emerson and Gilbert ranches and Ironhouse Sanitary District lands) until their inclusion is approved by Reclamation.

- Attachment A: Water District Boundaries & Oakley Planning Area
- B: CCWD CVP Contract Service Area & Oakley Boundaries
- C: CCWD Code of Regulations Section 5.04.120 Annexation and Water Service

CSA M28

LEGEND

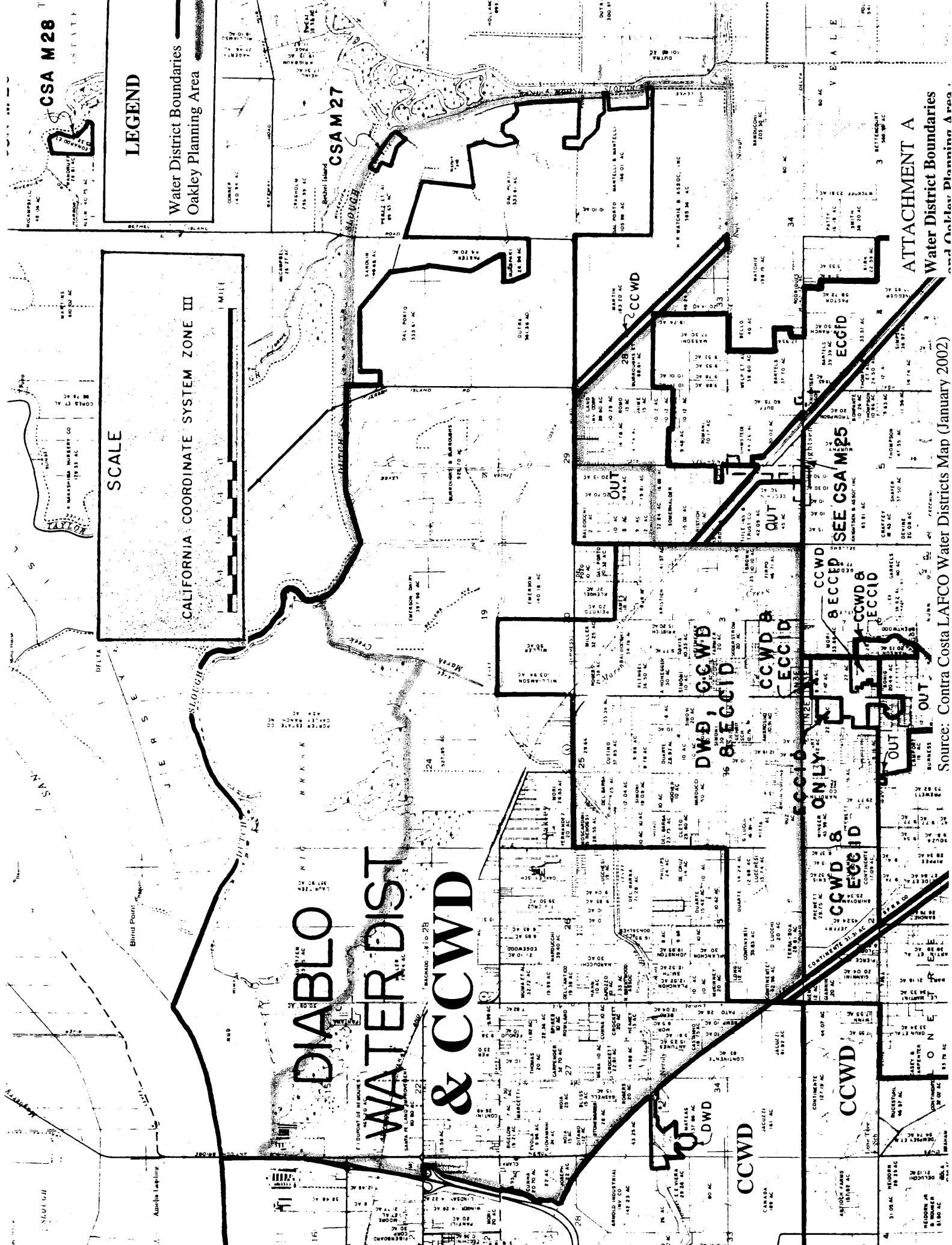
Water District Boundaries
Oakley Planning Area

SCALE

CALIFORNIA COORDINATE SYSTEM ZONE III

DIABLO WATER DISTRICT & CCWD

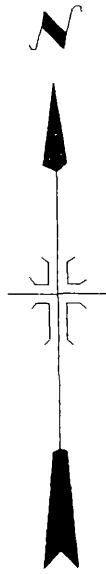
ATTACHMENT A Water District Boundaries and Oakley Planning Area



Source: Contra Costa LAFCO Water Districts Map (January 2002)

ATTACHMENT B

CCWD Central Valley Project
Contract Service Area and
City of Oakley Boundaries
and Planning Area






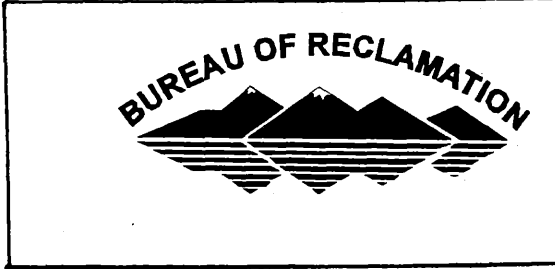
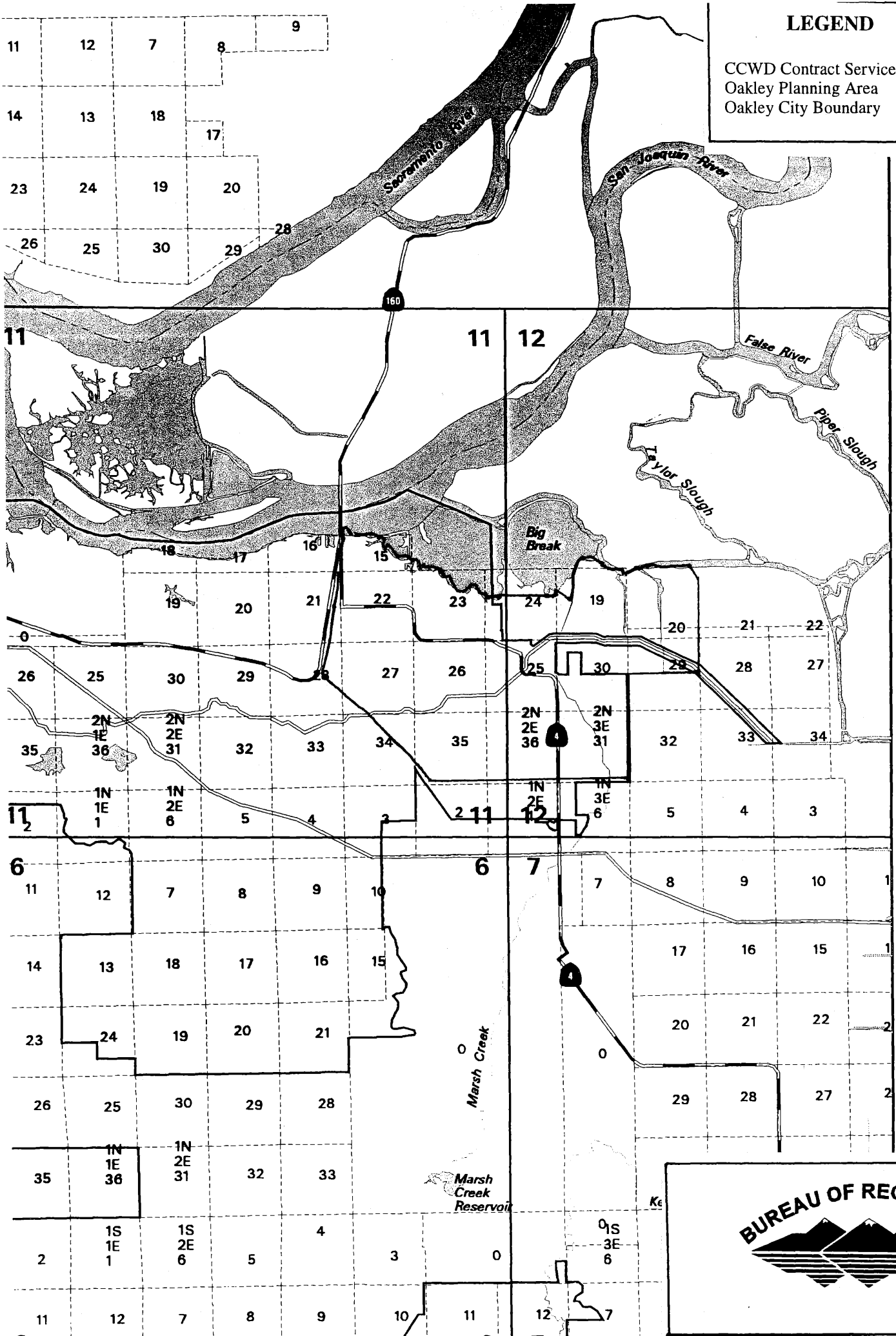
UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

CONTRA COSTA WATER DISTRICT
INDEX MAP

DECEMBER 4, 2001

LEGEND

- CCWD Contract Service Area 
- Oakley Planning Area 
- Oakley City Boundary 



5.04.110 Unauthorized use of water.

Anyone using water without having made application to the district for water service shall be held liable for the service from the date of any previous meter reading that most nearly coincides with the actual date the service was first used by such customer. (Res. 90-84 Exh. A (part))

5.04.120 Annexation of land to the district and provision of water service to annexed lands.

The annexation of lands to the district is governed by the provisions of the Cortese/Knox Local Government Reorganization Act of 1985 (California Government Code Section 56000 et seq., cited in this section as the "Act"). This regulation supplements the provisions of the Act. In the event of any conflict between the provisions of the Act and this regulation, the former shall control.

The provision of water service to annexed land is governed by the regulations codified in this section. Subsection A contains the processes for annexation of lands to the district. Subsection B contains the processes for obtaining water service for annexed lands from either the district or from one of its wholesale municipal customers and applies to lands that are inside or outside either the district Central Valley Project (CVP) service area or the Los Vaqueros Project (LVP) service area. The regulation applies to requests for annexation to or detachments from CCWD, or annexation to CCWD as part of a reorganization, whether through requests directly to the district or by application to the Local Agency Formation Commission (LAFCO). The regulation also provides fees to offset the costs associated with administering these requirements.

Under the terms of the district's contract with the U.S. Bureau of Reclamation (Bureau) for CVP water, the Secretary of the Interior or the Secretary's duly authorized representative (Secretary) must formally consent to inclusion of newly annexed lands into the district before such lands can receive CVP water. The "CVP service area" refers to all those lands within the district that have received such consent.

The district's LVP is a water quality and reliability project. Water from LVP facilities is approved for use in a defined area as set forth in the permits and environmental documentation for the project. That area is referred to in this section as the "LVP service area" and includes the planning area for the LVP as defined in the Los Vaqueros Project Final Environmental Impact Report/Environmental Impact Statement (Draft Stage 2 EIR/EIS for the Los Vaqueros Project, February 1992, pp. 1-6—1-7) and any lands to which the district's board of directors has consented to service from LVP facilities. The district must approve the addition of any lands to the LVP service area before such lands can receive service from LVP facilities in order to ensure that such service is consistent with the permits, environmental documentation, objectives and planning for the LVP.

A. Annexation of Lands to the District.

1. The district will initiate proceedings (including annexations, detachments and reorganization) if: (a) evidence satisfactory to the district is presented that all, or a substantial portion, of the resident voters or property owners of the affected lands desire the action, (b) a map and legal description of the affected lands are submitted to the district, (c) the proponents of the proceedings pay the fees provided, and (d) the proponents agree to comply with the provisions of this regulation related to annexation of lands which are not within the district's CVP service area and/or not within the LVP service area. The initiation of proceedings by the board shall not restrict or impair the powers of the board in subsequent proceedings for annexation of the lands or any part thereof.

2. The fee for annexation of lands shall be a flat amount of eight hundred dollars for annexations that are not subject to the CVP inclusion process and one thousand two hundred dollars for annexations that are subject to the CVP inclusion process. This district fee is separate from any other fees which may be required by other agencies, including Bureau fees for processing an inclusion request. In addition, the district will be reimbursed for any direct costs e.g., legal description verification, attorney review costs, document reproduction costs, public notices, etc. Payment will be requested upon the proponent's formal applica-

tion to LAFCO or the district, and shall be made within thirty calendar days. The appropriate fee applies to proponents requesting annexation to or detachments from CCWD, or annexation to CCWD as part of a reorganization, whether through requests directly to the district or by application to the LAFCO.

B. Provision of Water Service to Annexed Lands.

1. No water shall be provided by the district to annexed lands unless and until a water supply is available for use on such lands, as confirmed in writing by the district. No water furnished by the CVP shall be provided by the district or any of its wholesale municipal customers for use on lands which are not in the district's CVP service area unless and until the Secretary gives written consent to the inclusion of such land in the district's CVP service area. A confirmation letter will be issued by the district for water service based upon a CVP water supply under the provisions of either subsection B1a or B1b set forth below; a confirmation letter for water service based on a non-CVP supply will be issued by the district under the provisions of subsection B1c set forth below.

a. At the time annexation is sought for the purpose of receiving treated water from the district, or an application is made for treated water service for lands previously annexed to the district, the district will notify the proponent of the annexation or the applicant for water service that the written consent of the Secretary is required before CVP water can be made available for use on the subject land. It shall be the responsibility of the proponent of the annexation or the applicant for water service to develop and provide the necessary environmental or other documentation necessary for such written consent. The district will pursue timely and prompt written consent decisions based on this documentation. The district will promptly issue the confirmation letter for treated water service utilizing CVP water after such consent has been received. No meter will be issued by the district for treated water service until a confirmation letter has been issued.

b. At the time annexation (or annexation to CCWD as part of a reorganization) is sought for the purpose of receiving water service from one of the district's wholesale municipal customers, or an application is

made to such a customer for water service for lands already annexed to the district, the wholesale municipal customer shall notify the district of the request. The district will notify the proponent of the annexation or the applicant for service and the wholesale municipal customer that written consent of the Secretary is required before CVP water can be made available for use on the subject land. It shall be the responsibility of the proponent of the annexation or the applicant for water service or the wholesale municipal customer to develop and provide the necessary environmental or other documentation necessary for such written consent. The district will pursue timely and prompt written consent decisions based on this documentation. The district will promptly issue a confirmation letter to the wholesale municipal customer authorizing water service utilizing CVP water purchased from the district after such written consent has been received.

c. If the district determines that a non-CVP water supply has been identified and is available or can be made available by the district in a timely manner to provide the water service requested, the district will issue a confirmation letter to the proponent of the annexation or the applicant for water service, and if necessary the wholesale municipal customer, describing the water supply available and any conditions and/or restrictions that might apply to its use on the subject land. Provision and delivery of such water shall be made subject to the conditions and/or restrictions that apply to use of such water supply.

2. Water service from LVP facilities will not be provided to lands outside the LVP service area by the district or its wholesale municipal customers. This subsection describes the process by which the LVP service area can be adjusted by the district, and applies both to lands outside the LVP service area for which annexation to the district (either directly or through reorganization) is sought, and to lands previously annexed to the district which are outside the LVP service area and for which an application for water service is made to the district or to one of its wholesale municipal customers (which shall immediately inform the district when any such application is received). The district shall inform the annexation proponent, water service applicant and wholesale

municipal customer that the district will not provide service from LVP facilities unless the district determines that:

a. The requested wholesale or retail service can only be provided from district facilities which cannot feasibly be separated from LVP facilities;

b. The impact of the requested wholesale or retail water service on the LVP is de minimis; and

c. All necessary environmental documentation for the expansion of the LVP service area to include the land proposed for annexation to the district has been provided by the proponent of the annexation or the applicant for water service and approved by the appropriate regulatory agency.

A determination of de minimis will be made if the cumulative increase in demand from the subject annexation and all other past and pending annexations is less than five percent of the demands presented in the LVP EIR/EIS (Draft Stage 2 EIR/EIS for the Los Vaqueros Project, February 1992, as summarized in Attachment A). The district's determinations pursuant to this section will be transmitted in a confirmation letter to the applicant for water service or the proponent of the annexation and, if necessary, the wholesale municipal customer. If the district determines that a wholesale municipal customer is using LVP facilities to provide water service to lands outside the LVP service area prior to the district's determination to adjust the LVP service area, it will direct the wholesale municipal customer to immediately cease this unauthorized use of district facilities. The water supply available to the wholesale municipal customer will be subject to immediate reduction by the district in the amount the district determines was improperly delivered to lands outside the LVP service area, and the wholesale municipal customer will be required to pay the full cost of service from LVP facilities (including fixed and variable costs and recovery of capital investment) as well as the actual costs of administering this regulation, for the water which was improperly served outside the LVP service area. (Res. 00-01 Exh. A (part); Res. 97-36 Exh. A (part); Res. 95-7 Exh. A (part))

5.04.130 Encroachment onto district right-of-way.

The following charges shall be paid by those individuals encroaching onto the district's right-of-way:

A. An encroachment permit fee of ninety-five dollars with an annual renewal charge of fifty-five dollars. (Res. 95-7 Exh. A (part))

DEPARTMENT OF TRANSPORTATION

P. O. BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
(510) 286-4454 TDD

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MAY 31 2002

CITY OF OAKLEY



*Flex your power!
Be energy efficient!*

May 29, 2002

CC-General
CC000201
SCH# 2002042134

Mr. Barry Hand
City of Oakley
Community Development
3633 Main Street
Oakley, CA 94561

Dear Mr. Hand:

Oakley 2020 General Plan – Notice of Preparation for a Draft Environmental Impact Report

Thank you for including the California Department of Transportation in the environmental review process for the above-referenced project. We have reviewed the Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR), and offer the following comments:

We recommend that a Traffic Impact Study be prepared. Please include the following information in the study:

- a. Information on the project's traffic impacts in terms of trip generation, distribution, and assignment. The assumptions and methodologies used in compiling this information should be addressed.
- b. Average Daily Traffic and AM and PM peak hour volumes on all significantly affected streets and highways, including crossroads and controlling intersections.
- c. Schematic illustration of the traffic conditions for: 1) existing, 2) existing plus project, and 3) cumulative for the intersections in the project area.
- d. Calculation of cumulative traffic volumes should consider all traffic-generating developments, both existing and future, that would affect the facilities being evaluated.
- e. Mitigation measures that consider highway and non-highway improvements and services. Special attention should be given to the development of alternative solutions to circulation problems which do not rely on increased highway construction.
- f. All mitigation measures proposed should be fully discussed, including financing, scheduling, implementation responsibilities, and lead agency monitoring.

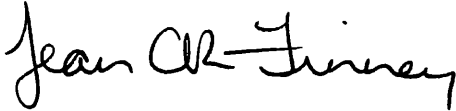
Mr. Barry Hand
May 29, 2002
Page 2

We have reviewed the NOP, and look forward to reviewing the DEIR for this project. We do expect to receive a copy from the State Clearinghouse, but in order to expedite our review, you may send two copies in advance to:

Rick Kuo
Office of Transportation Planning B
Department of Transportation, District 4
P.O. Box 23660
Oakland, CA 94623-0660

Should you require further information or have any questions regarding this letter, please call Rick Kuo, of my staff at (510) 286-5988.

Sincerely,



JEAN C. R. FINNEY
District Branch Chief
IGR/CEQA

c: Katie Shulte Joung (State Clearinghouse)



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO, CALIFORNIA 95814-2922
June 12, 2002

RECEIVED

JUN 14 2002

CITY OF OAKLEY

Regulatory Branch (200200358)

Barry Hand
City of Oakley
Community Development Department
3633 Main Street
Oakley, California 94561-5779

Dear Mr. Hand:

I am responding to your request for comments regarding the Draft Environmental Impact Report (EIR) for the proposed Oakley 2020 General Plan.

The Corps of Engineers' jurisdiction within the study area is under the authority of Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States. Waters of the United States include, but are not limited to, rivers, perennial or intermittent streams, lakes, ponds, wetlands, vernal pools, marshes, wet meadows, and seeps. The Corps of Engineers' also has jurisdiction under Section 10 of the Rivers and Harbors Act for any work in, over, or under any Federally navigable waterway. Project features that result in the discharge of dredged or fill material into waters of the United States will require Department of the Army authorization prior to starting work.

The range of alternatives considered in the plan and EIR should include alternatives that avoid impacts to wetlands or other waters of the United States. Every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for the unavoidable losses resulting from project implementation.

Please refer to identification number 200200358 in any correspondence concerning this project. If you have any questions, please write to William Guthrie at the letterhead address, email William.H.Guthrie@usace.army.mil, or telephone 916-557-5269.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Finan".

Michael Finan
Chief, Delta Office

OAKLEY 2020 DRAFT GENERAL PLAN

Goals, Policies, and Implementation Programs

LAND USE ELEMENT – GOALS

- 2.1 Guide development in a manner that creates a balanced and desirable community that maintains and enhances the character and best qualities of Oakley.
- 2.2 Create new residential developments and reinforce existing neighborhoods to reflect the high quality of life in Oakley.
- 2.3 Support the retention and expansion of existing commercial establishments, and to encourage new, high-quality commercial development in the City.
- 2.4 Promote economic growth within the City of Oakley to ensure employment opportunities and goods and services are available within the community.
- 2.5 Encourage the protection of historic, landmark or other structures significant to the Community or to individual neighborhoods.
- 2.6 Ensure that open space areas are properly managed and designed to both conserve natural resources, as well as enhance the community's character and provide passive recreational opportunities
- 2.7 Provide a system of multi-use trails that connects residential districts, employment centers and natural areas, throughout Oakley, including the Delta.
- 2.8 Encourage projects exhibiting excellent design and sensitivity to the community, while preserving the community character of the City of Oakley.
- 2.9 Establish a sense of entry at Oakley's boundaries, to enhance individual identity of Oakley's neighborhoods and to establish unified design themes throughout the City.

LAND USE ELEMENT – POLICIES

- 2.1.1 Promote a combination of employment and residential uses that provide both jobs and housing for Oakley's residents.
- 2.1.2 Consider the fiscal impacts of development in order to ensure the City has adequate financial resources to fund community projects and programs.
- 2.1.3 Promote commercial and residential development that supports the small town character of Oakley. Key elements include scale of buildings, landscaped open areas within projects, and safe and accessible multi-use trails.
- 2.1.4 Promote the placement of the most intensive development in the Northwest Oakley Planning Area as defined in Figure 2-3.
- 2.1.5 Preserve open space areas, of varying scales and uses, both within development projects and at the City's boundary.
- 2.1.6 Ensure a strong physical connection to the Delta including convenient public access and recreational opportunities.
- 2.1.7 Assure that all development in the City pays for its fair share of the cost of necessary public service and facilities.
- 2.1.8 Avoid Development that results in land use incompatibility. Specifically, avoid locating sensitive uses (residential) adjacent to existing potentially objectionable uses and avoid locating potentially objectionable uses adjacent to sensitive uses.
- 2.1.9 Maintain a separation between the City of Oakley and the City of Brentwood in order to retain an individual character of Oakley.
- 2.2.1 Recognize Oakley's predominantly single family residential character and distinctive qualities in planning and development decisions.
- 2.2.2 Require that new development be generally consistent with the scale, appearance, and small town character of Oakley.
- 2.2.3 Protect existing residential areas from intrusion of incompatible land uses and disruptive traffic to the extent reasonably possible.
- 2.2.4 Promote, in areas where different land uses abut one another, land use compatibility by utilizing buffering techniques such as landscaping, setbacks, screening and, where necessary, construction of sound walls.
- 2.2.5 Promote the transition from higher density centers to lower densities at City boundaries. Where high density residential is directly adjacent to low density residential or agricultural uses, buffers should be provided.

OAKLEY 2020 DRAFT GENERAL PLAN

Goals, Policies, and Implementation Programs

LAND USE ELEMENT – POLICIES

- 2.2.6 Encourage higher density residential development at locations within convenient walking distance of Downtown, shopping centers, and bus routes.
- 2.2.7 Consider modified development standards for large-lot development that reflects the rural nature of the development. This may include reducing or eliminating the need for traditional sidewalks, street lighting or other subdivision improvements. If the absence of such improvements will not result in conflicts with adjacent land uses and treats to the public health, safety and welfare.
- 2.2.8 Preserve the limited areas planned for multi-family residential development and discourage General Plan amendments and rezoning of such areas or other uses.
- 2.2.9 Consider the cumulative effects of development on community facilities and services, such as transportation and schools, throughout the planning process.
- 2.2.10 Require the establishment of lighting and landscaping districts, as appropriate, for new residential developments.
- 2.2.11 Encourage exceptional design and amenities for mobile home parks.
- 2.2.12 Prohibit the development of “gated” communities in Oakley, unless overriding public safety considerations exist.
- 2.2.13 Restrict or require increased setbacks for residential development proposed and adjacent to industrially or agriculturally designated or developed land to minimize conflicts.
- 2.2.14 All residential development should be required to construct and dedicate to the City and pay impact and other fees that represent their respective fair share of necessary public services and facilities
- 2.3.1 When reviewing requests for commercial uses in residential neighborhoods, ensure that the integrity of the neighborhood is not compromised.
- 2.3.2 The City shall promote renewal and retention of businesses and commercial districts within Oakley.
- 2.3.3 Promote the location of commercial centers to allow for easy access to arterial streets that serve the City. The centers should be located in centralized areas capable of serving the greatest number of households with the least travel, and providing the best access to alternate modes of transportation and highways.
- 2.3.4 Promote the location of regional commercial uses, such as factory outlets, malls, and hospitals on major roads or at major intersections and would typically be located in the Northwest Oakley Planning Area.
- 2.3.5 Promote the location of highway commercial uses, such as gas stations, convenience stores, and restaurants, to take advantage of, and to provide necessary services for, the traveling motorist.
- 2.3.6 Neighborhood commercial centers should be central to the neighborhood area they serve. Adequate access, compatibility with surrounding uses, and consistent design with a community theme are necessary. These centers should maximize access for bicycles and pedestrians.
- 2.3.7 Encourage businesses that support and contribute to an economically vital and diverse downtown Oakley.
- 2.3.8 Consider separate standards for individual commercial areas, including business parks, downtown, or other employment centers. The commercial areas may provide for a mix of residential and commercial uses as determined appropriate by the City.
- 2.3.9 Ensure that, to the extent feasible, business areas are provided with adequate pedestrian, bicycle, and parking facilities.
- 2.3.10 Where appropriate, encourage the use of shared circulation and parking facilities for new and existing businesses.
- 2.3.11 Encourage the reuse of vacant underutilized commercial buildings for more economically productive purposes, including new businesses, housing, and mixed-use development.
- 2.3.12 Ensure the provision of sufficient and adequately distributed parking with the Downtown area to help promote an economically viable Downtown business district.
- 2.3.13 Require that all commercial developments construct, and dedicate land to the City, and pay impact and other fees that represent their respective fair shares of necessary public services and facilities.
- 2.3.14 Establish high and low density Zoning Districts for the Business Park designation. No more than 30 acres of Business Park High shall be approved in the City under this General Plan.

OAKLEY 2020 DRAFT GENERAL PLAN

Goals, Policies, and Implementation Programs

LAND USE ELEMENT – POLICIES

- 2.4.1 Avoid development which results in land use incompatibility. Specifically, avoid locating objectionable land uses within residential neighborhoods and protect areas designated for existing and future industrial uses from encroachment by sensitive (residential) uses.
- 2.4.2 Ensure there is adequate land available to accommodate industrial development.
- 2.4.3 Incorporate design buffers between potentially incompatible land uses and avoid, to the extent feasible, new land uses that compromise existing businesses and operations.
- 2.4.4 Coordinate economic development efforts with other public agencies and organizations promoting economic development in the region.
- 2.5.1 Review all development proposals involving historic buildings to ensure that modifications are consistent with the overall historic architecture and authenticity of the building.
- 2.5.2 Continue to support redevelopment and rehabilitation efforts for significant structures in the community.
- 2.5.3 Review infill development for consistency with architectural character in the surrounding neighborhood.
- 2.5.4 Consider reducing or waiving some development requirements to encourage the reuse of existing older structures.
- 2.5.5 In historic areas, promote land uses that are consistent with the historic nature of the area.
- 2.6.1 All public recreational areas and facilities shall be accessible by a publicly maintained road.
- 2.6.2 Development shall not be permitted on lands designated by FEMA as flood-prone until a risk assessment and other technical studies have been prepared and have shown that the risk is acceptable.
- 2.6.3 All approved entitlements and ministerial permits shall conform to the requirements of the Floodplain Management Ordinance that are incorporated into this General Plan by reference.
- 2.6.4 All entitlements shall include conditions of approval that require a “flood-prone area” notification statement be included in the deeds for all affected properties, and recorded on the face of all subdivision maps, along with the specific elevations that will be required of all new building pads and habitable floors.
- 2.6.5 Dock and marina projects may, if determined appropriate by the City, be allowed within Delta Recreation areas based upon the following criteria:
 - a) Projects should generally can be clustered and located adjacent to similar uses.
 - b) Proposed locations should be along waterways having an adequate channel width as defined by the State Harbors and Navigation Code.
 - c) Adequate public vehicular access and parking must be provided.
 - d) Off-site improvements, such as required access roads, must be capable of supporting the proposed development.
 - e) Adequate on-site sewage disposal must be provided.
 - f) Adequate access for emergency response vehicles must be available.
 - g) Such uses should not conflict with adjacent agricultural uses.
 - h) Adequate potable water must be provided, as appropriate, for all recreational uses.
- 2.6.6 Preserve, enhance and restore selected existing natural habitat areas, as feasible.
- 2.6.7 Create new wildlife habitat areas in appropriate locations, which may serve multiple purposes of natural resource preservation and passive recreation, as feasible.
- 2.7.1 The City will promote a comprehensive trail program throughout the Oakley community and give preference to developments that incorporate the design of the trails and associated open space into their design.
- 2.8.1 The City should place substantial emphasis on the improvement of the downtown area.
- 2.8.2 The downtown area should be developed at a pedestrian scale, with adequate and safe sidewalks, street crossings, and pedestrian resources.
- 2.8.3 Street trees should be incorporated in the downtown area to shade the sidewalks and to provide a physical separation between the street and the pedestrian sidewalks. In the downtown area, off-street parking should be discrete and in the rear setback, where possible.

OAKLEY 2020 DRAFT GENERAL PLAN

Goals, Policies, and Implementation Programs

LAND USE ELEMENT – POLICIES

- 2.8.4 New construction in the downtown area should be designed at a scale and character that is consistent with the historic resources downtown.
- 2.8.5 Sidewalks and bicycle lanes of sufficient width should be included in major street improvement programs wherever feasible.
- 2.8.7 Residential neighborhoods and adjoining land uses should be connected by streets and multiuse trails, as appropriate. Fragmentation of neighborhoods is strongly discouraged.
- 2.8.8 New development should continue the existing adjacent neighborhood concepts, including street pattern, street trees, setbacks, and scale, as appropriate. Gradual transition of uses shall be strongly encouraged.
- 2.8.9 Commercial development should provide opportunities for interaction between patrons and pedestrians. Examples include storefront display windows, sidewalk cafes and exterior seating, and pedestrian-scale signage.
- 2.8.10 Commercial areas should be clustered so as to provide a destination for shoppers and to limit vehicular trips.
- 2.8.11 Monument or similar signs should be provided at appropriate gateways to residential districts, commercial areas, or other significant landmarks.
- 2.8.12 Conflicting levels of public improvements adjacent to neighboring developments and land uses should be mitigated through fee programs and construction and dedication of facilities and land, as appropriate.
- 2.9.1 Pursue the construction of community entry monuments at key locations, including but not limited to: Highway 4/Main Street immediately east of Highway 160; Neroly Road and Empire Avenue; Neroly Road and O’Hara Avenue; Highway 4 and Delta Road; and, Cypress Avenue at a location to be determined.
- 2.9.2 Require the construction of project monumentation to clearly identify the location and entry to major residential and commercial development projects, as deemed appropriate. Such monumentation shall be generally consistent with Figures 2-5 through 2-7 of this Element.
- 2.9.3 Monumentation at the entry to major commercial projects shall generally be constructed at intersections with arterial streets, or in some cases, at entry roads connecting to collector streets. Design of monuments shall generally be consistent with Figures 2-5 through 2-7.

LAND USE ELEMENT – IMPLEMENTATION PROGRAMS

- 2.1.A Complete a comprehensive revision of the City’s Zoning Code within one year of adoption of the General Plan. Establish new zoning districts for the General Plan designations of Business Park, Utility Energy and Agricultural Limited.
- 2.1.B Review and revise the Zoning Map, within the comprehensive Zoning Code update, to establish consistency with the General Plan Use Diagram.
- 2.1.C Consider, during the review of development projects, the financial impacts to the City of providing required public facilities and services and assure that each project properly compensates for the full cost of providing those facilities and services through fee and other programs.
- 2.1.D Consider and adopt as determined appropriate, guidelines for the fiscal analysis of development proposals.
- 2.1.E Prepare and adopt fee and other programs that assure that the need of residents for services and facilities is adequately served.
- 2.2.A Develop a procedure for reviewing development applications to ensure, prior to entitlement, compliance with all policies established in the General Plan.
- 2.2.B Within the five (5) years following the adoption of the General Plan, develop and adopt residential subdivision design guidelines.
- 2.2.C Within the five (5) years following the adoption of the General Plan, develop and adopt standards for the construction of multiple family housing.
- 2.2.D Within the five (5) years following the adoption of the General Plan, develop and adopt design guidelines and performance standards for the development and operation of mobile home parks.

OAKLEY 2020 DRAFT GENERAL PLAN

Goals, Policies, and Implementation Programs

LAND USE ELEMENT – IMPLEMENTATION PROGRAMS

- 2.2.E Amend the zoning ordinance to support a minimum square footage per unit, and multiple units per parcel size.
- 2.2.F Establish policies and standards that facilitate the free movement of handicapped persons, in accordance with the Americans with Disabilities Act (ADA).
- 2.2.G When reviewing development proposals along the City’s southern boundary (Neroly Road and Delta Road) require a buffer generally consistent with Figure 2-3, Oakley/Brentwood Buffer.
- 2.3.A Within five (5) years, prepare and adopt design guidelines for commercial structures and signage. The guidelines shall specifically address commercial shopping centers, business parks, the Downtown area, neighborhood commercial areas, and all other commercial uses.
- 2.3.B Study the potential for centralized parking in the Downtown area and the possible establishment of a parking district.
- 2.3.C Within the City’s new Zoning Code, to be adopted within one year of General Plan adoption, establish a Business Park High designation that allows up to 2.0 FAR, and a Business Park Low designation that allows up to 1.0 FAR.
- 2.3.D Within the City’s Zoning Map, to be adopted following General Plan adoption, designate up to 30 acres of Business Park High, with the balance of this General Plan designation to be identified as Business Park Low on the Zoning Map.
- 2.4.A Periodically review the industrial and commercial land use designations within the General Plan Land Use Diagram to ensure that there is an adequate mix of parcel sizes, zoning and infrastructure to accommodate new development.
- 2.4.B Within five (5) years, develop design guidelines and performance standards for the development and operation of industrial uses in the City of Oakley. The design guidelines will consider building and site design, signage and other physical features of the project. The performance standards will address noise, odor, visual and similar impacts and will provide a standard under which industrial uses in the City must operate.
- 2.4.C When possible, pursue State and Federal funds for activities and infrastructure improvements that will promote economic growth.
- 2.5.A Develop a process of review for all development applications involving the modification of historically significant structures.
- 2.5.B Support and facilitate grant applications for inventorying, renovating, and restoring significant commercial and residential structures throughout the City.
- 2.6.A Pursue opportunities, including grants to purchase rights of way, easements or other instruments that would ensure access to the Delta, parkland, open space or waterways.
- 2.7.A Adopt and regularly update a City of Oakley Comprehensive Trail Plan.
- 2.7.B Require dedications from developers proposing projects located adjacent to designate trail alignments.
- 2.7.C Seek grant funding and participation from regional, state, and federal entities and agencies to support implementation of the City’s Trail Plan.
- 2.8.A The City will review development regulation and modify as appropriate to evaluate and promote projects exhibiting superior design features.
- 2.8.B The City will pursue grants and other public and private sources of funding to implement the redevelopment of the downtown area.
- 2.8.C The City will develop a series of design guidelines, ordinances or regulations to describe architectural expectations, permissible signage, and appropriate land uses in the downtown area.
- 2.8.D The City will develop standards for accessible sidewalks, street trees, and bicycle lanes for new streets or significant improvement of existing streets.
- 2.9.A As a minimum, require dedication of land at community entries sufficient to provide monumentation consistent with Figures 2-3 and 2-4 of this Element.
- 2.9.B Dependent upon the size of the individual development project, require developer participation in the construction of community entry monumentation or monumentation at the entry to a specific development project.

OAKLEY 2020 DRAFT GENERAL PLAN

Goals, Policies, and Implementation Programs

CIRCULATION ELEMENT – GOALS

- 3.1 Provide an efficient and balanced transportation system.
- 3.2 Promote and encourage walking and bicycling.
- 3.3 Provide adequate, convenient, and affordable public transportation.
- 3.4 Minimize the intrusion of through traffic on residential streets.
- 3.5 Monitor, improve, and enhance traffic safety and reduce the potential for traffic accidents.
- 3.6 Participate in regional transportation and land use planning to promote and protect the interests and objectives of Oakley residents and workers.
- 3.7 Coordinate land use and transportation planning to maximize use of limited transportation resources.

CIRCULATION ELEMENT – POLICIES

- 3.1.1 Strive to maintain Level of Service D as the minimum acceptable service standard for intersections during peak periods (except those facilities identified as Routes of Regional Significance).
- 3.1.2 For those facilities identified as Routes of Regional Significance, maintain the minimum acceptable service standards specified in the East County Action Plan Final 2000 Update, or future Action Plan updates as adopted.
- 3.1.3 Keep roadway facilities in optimal condition.
- 3.1.4 Consistent with the California Vehicle Code, direct trucks to appropriate truck routes.
- 3.1.5 Encourage a multi-modal circulation system that supports non-automobile travel.
- 3.1.6 Address future roadway needs through both new road construction and management of existing and planned roadway capacity.
- 3.1.7 Create and maintain fee and other programs adequate to assure sufficient financing and land to maintain and achieve prescribed Levels of Service.
- 3.1.8 Mitigate conflicts between new roadway improvements and existing rural roadways when the identified conflicts threaten public health, safety and welfare.
- 3.2.1 Provide maximum opportunities for bicycle and pedestrian circulation on existing and new roadway facilities.
- 3.2.2 Enhance opportunities for bicycle and pedestrian activity in new public and private development projects.
- 3.2.3 Create a bicycle and pedestrian system that provides connections throughout Oakley and with neighboring areas, and serves both recreational and commuter users.
- 3.2.4 Design new roadway facilities to accommodate bicycle and pedestrian traffic. Include Class I, II, or III bicycle facilities as appropriate. Provide sidewalks on all roads, except in cases where very low pedestrian volumes and/or safety considerations preclude sidewalks.
- 3.3.1 Design new roadways and facilities to accommodate public transit.
- 3.3.2 Ensure that new public and private development supports public transit.
- 3.3.3 Encourage transit providers to improve transit routes, frequency, and level of service to adequately serve the mobility needs of Oakley residents, including those dependent on public transit.
- 3.4.1 Direct non-local traffic onto collector streets and arterials.
- 3.4.2 Maintain traffic speeds and volumes on neighborhood streets consistent with residential land uses.
- 3.4.3 Provide adequate capacity on collector and arterial streets to accommodate travel within the City.
- 3.5.1 Provide consistent, comprehensive traffic safety law enforcement throughout Oakley.
- 3.5.2 Design a roadway system that maximizes safety for all users.
- 3.5.3 Maintain roadway facilities to maximize safety.

OAKLEY 2020 DRAFT GENERAL PLAN

Goals, Policies, and Implementation Programs

CIRCULATION ELEMENT – POLICIES

- 3.6.1 Ensure that Oakley is represented in all East County regional and sub-regional forums.
- 3.6.2 Work with other agencies to address multi-jurisdictional issues affecting Oakley.
- 3.6.3 Ensure that roadway facilities that serve Oakley and neighboring communities are planned for consistency at City boundaries.
- 3.6.4 Ensure that Oakley obtains its fair share of regional improvements (such as the State Route 4 Bypass) that are funded from impact fees collected within Oakley.
- 3.7.1 To the extent feasible, protect existing and future land uses from the noise, visual, and other impacts of major roadway construction projects.
- 3.7.2 Ensure that the density and mixture of future land uses (both public and private) encourage transit usage, walking and bicycling.
- 3.7.3 Provide sufficient parking, while considering the effect of parking supply on the use of alternate modes.
- 3.7.4 Mitigate development impacts and ensure that new development pays its own way.
- 3.7.5 Mitigate potential circulation conflicts between new roadways and existing rural roadways adjacent to new development.
- 3.7.6 Encourage site planning that promotes all modes of transportation, and that minimizes vehicular trips between different land uses.
- 3.7.7 Pursue a mix of both new housing and additional jobs in Oakley, as part of the overall strategy to balance jobs and housing in East County.

CIRCULATION ELEMENT – IMPLEMENTATION PROGRAMS

- 3.1.A Prior to approval of all projects, demonstrate that traffic levels of service and performance standards will be maintained, or that a funding mechanism and timeline has been established which will provide the infrastructure to meet the standards. Ensure that developers fund traffic impact studies that identify on-site and off-site effects and mitigations, and that they contribute appropriate funding for on-site and off-site improvements.
- 3.1.B If it cannot be demonstrated prior to project approval that levels of service will be met per Program 3.1.A, the City may consider the development but defer its approval until the standards can be met or assured. In the event that a signalized intersection exceeds the applicable level of service standard, the City may approve projects if the City can establish appropriate mitigation measures, or determine that the intersection or portion of roadway is subject to a finding of special circumstances, or is a route of regional significance, consistent with those findings and/or action plans adopted by the Contra Costa Transportation Authority pursuant to Measure C-1998. Mitigation measures specified in the action plans shall be applied to all projects that would create significant impacts on such regional routes, as defined by the Authority in consultation with local agencies and as permitted by law.
- 3.1.C Monitor intersection Levels of Service on a biannual basis at key reporting intersections.
- 3.1.D Implement circulation improvements required to mitigate the effects of growth and to maintain the Level of Service standard. Prioritize roadway improvement projects based on traffic volume, traffic safety, availability of funding, and other measures of need as appropriate.
- 3.1.E Maintain a pavement management program, and identify and prioritize projects in the City's Capital Improvement Program to maintain the quality and integrity of the City's roadway system. Street maintenance should include regular cleaning and upkeep of bicycle routes to remove debris and alleviate poor pavement conditions that discourage bicycle riding.
- 3.1.F Install and maintain truck route signing and marking to direct truck traffic onto designated truck routes.
- 3.1.G During the planning and development review processes for new development and new roadways, incorporate provisions for bicycle, pedestrian, and public transit modes, where appropriate.
- 3.1.H Encourage and promote vanpools, alternative work hours, employee shuttles, and other incentives to reduce single-occupant vehicle trips.

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Goals, Policies, and Implementation Programs

CIRCULATION ELEMENT – IMPLEMENTATION PROGRAMS

- 3.2.A During the site plan review process; require new development to incorporate design features that support bicycling and walking, particularly in those areas that could provide access to and between major destinations. This could include: bicycle racks, lockers, showers, and other support facilities; continuous sidewalks; an internal pedestrian circulation plan; and at least one major entrance adjacent to a sidewalk, wherever possible.
- 3.2.B Develop a comprehensive Bicycle and Pedestrian Master Plan, including design standards for bicycle and pedestrian facilities, evaluation of current bicycle promotion programs, analysis of bicycle and pedestrian accidents, and a capital improvement program to ensure adequate maintenance of bicycle and pedestrian facilities. Develop a strategic approach to pursuing state and federal funding for bicycle and pedestrian improvement projects, working closely with neighboring jurisdictions.
- 3.2.C Coordinate with the Antioch Unified School District, Liberty Union High School District, and Oakley Union Elementary School District to create well-designed Routes to Schools maps for bicyclists and pedestrians, and to provide adequate facilities to store bicycles.
- 3.2.D Actively participate in the adoption and implementation of the Contra Costa Countywide Bicycle Plan.
- 3.3.A When reviewing development proposals, coordinate with Tri-Delta Transit on appropriate standards for bus bays, bus turnouts, bus shelters, and other public transit amenities in new roadway design.
- 3.3.B Coordinate with the Antioch Unified School District, Liberty Union High School District, and Oakley Union Elementary School District to promote access and roadway designs that support school bus requirements.
- 3.3.C During the development review process, require provisions in site plans for public transit vehicle stops and turning maneuvers, where appropriate.
- 3.3.D Pursue opportunities to provide additional funding for public transit service within Oakley, and between Oakley and surrounding communities.
- 3.3.E Participate in the development of the Tri-Delta Transit Short Range Transit Plan to ensure that adequate fixed route transit service is provided within Oakley, and between Oakley and surrounding communities, and that the public transit system provides convenient transfers between transit services and other modes of travel.
- 3.3.F Explore potential locations for Park-and-Ride facilities within Oakley.
- 3.3.G Coordinate with the Bay Area Rapid Transit District (BART) and the Contra Costa Transportation Authority regarding potential opportunities for BART or light rail service to Oakley.
- 3.4.A During the development review process, design neighborhood street systems to discourage “cut-through” traffic on residential streets.
- 3.4.B Design residential streets to balance vehicular movement and safety with slower speeds, through the inclusion of traffic calming measures such as bulb-outs, narrower streets, and traffic circles, where appropriate.
- 3.4.C Identify and eliminate potential future “short-cut” routes. Ensure that there is sufficient vehicular capacity on collector streets and arterials to facilitate travel between neighborhoods and other areas. During the development review process, coordinate access from neighborhoods to collectors and arterials to minimize “cut-through” traffic.
- 3.4.D Develop traffic management guidelines for the City as a tool for consistent responses to neighborhood concerns about traffic speed and volume issues.
- 3.5.A Allocate adequate resources for traffic enforcement activities.
- 3.5.B As part of the Capital Improvement Program, identify and prioritize projects that enhance and improve vehicular, bicycle, and pedestrian safety.
- 3.5.C Ensure that new roadways are designed to minimize conflicts due to driveway access and parking.
- 3.5.D Ensure that adequate funding is available to maintain roadway marking, signs, and striping in optimal condition.
- 3.5.E Enhance safety at railroad grade crossings.
- 3.5.F Coordinate with Oakley-Knightsen Fire Protection District and law enforcement agencies on emergency response routes and plans.
- 3.6.A Attend and participate in regularly scheduled TRANSPLAN meetings.
- 3.6.B Provide written comments on environmental documents, plans, and programs prepared by neighboring agencies.

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CIRCULATION ELEMENT – IMPLEMENTATION PROGRAMS

- 3.6.C Secure representation on the Contra Costa Transportation Authority Board when appropriate.
- 3.6.D Actively participate in all activities related to the East Contra Costa Regional Fee and Financing Authority and the East County Transportation Improvement Authority.
- 3.6.E Coordinate with CCTA, Caltrans, and other transportation agencies to ensure that Oakley’s transportation planning objectives are included during the roadway planning and design process.
- 3.6.F To maintain compliance with the Contra Costa Transportation Authority Growth Management Program, implement all actions assigned to Oakley in the East County Action Plan.
- 3.6.G Participate in sub-regional efforts towards transportation demand management, consistent with the East County Action Plan.
- 3.7.A Work with public and private agencies to minimize the effect of major roadway construction projects, such as the State Route 4 Bypass, on nearby land uses.
- 3.7.B During the development review process, size streets and intersections to accommodate planned land uses consistent with the Level of Service standard, to the extent feasible. Consider the effects of pedestrian- and transit-oriented land uses when determining appropriate infrastructure size and configuration.
- 3.7.C Maintain compliance with the Contra Costa Transportation Authority Growth Management Program by reviewing Oakley General Plan Amendments for consistency with the East County Action Plan Final 2000 Update, or future Action Plan updates as adopted.
- 3.7.D Develop parking requirements that are consistent with the goals for increased use of alternative transportation modes, and that acknowledge opportunities for shared parking. During the development review process, ensure that development plans are consistent with the parking requirements in the Oakley zoning code.
- 3.7.E Collect development impact and other fees and require any necessary roadway improvements and properly dedications to ensure that each development project contributes its fair share toward necessary transportation improvement projects.
- 3.7.F Develop streetscape design standards that recognize the role of streets not only as vehicle routes but also as part of an extensive system of public spaces where people live, neighbors meet, and businesses operate.
- 3.7.G Review site plans and area plans to encourage mixed uses, thereby decreasing the number of vehicle trips required between uses. Promote land use patterns that maximize trip-linking opportunities. Locate mixed uses within walking or bicycling distance, and ensure that there are not physical barriers to walking and bicycling.

GROWTH MANAGEMENT ELEMENT – GOALS

- 4.1 Provide for the levels of growth and development depicted in the Land Use Element, while preserving and extending the quality of life through the provision of public facilities and ensuring traffic levels of service necessary to protect the public health, safety, and welfare.
- 4.2 Provide responsive and sufficient funding for the future development and improvement of public facilities that serve the City of Oakley.
- 4.3 Assure that high quality civic and community facilities are provided to meet the broad range of needs of Oakley residents.
- 4.4 Promote a high level of emergency preparedness to protect public health and safety in the event of a natural or human-caused disaster.
- 4.5 Provide a high standard of police protection services for all citizens and properties throughout Oakley.
- 4.6 Assure the provision of adequate primary and secondary schools in optimal locations to serve planned growth.
- 4.7 Assure the provisions of safe, efficient, and cost-effective removal of waste from residences, businesses, and industry.
- 4.8 Assure the provision of potable water availability in quantities sufficient to serve existing and future residents.
- 4.9 Assure the Provision of sewer collection, treatment and disposal facilities that are adequate to meet the current and projected needs of existing and future residents.

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GROWTH MANAGEMENT ELEMENT – GOALS

- 4.10 Protect persons and property from damaging impacts of flooding.

GROWTH MANAGEMENT ELEMENT – POLICIES

- 4.1.1 New development shall not be approved in any areas of the City unless the applicant can demonstrate that traffic levels of service and performance standards outlined in the Circulation Element will be maintained, or that a funding mechanism and timeline has been established which will provide the infrastructure to meet the standards.
- 4.1.2 If it cannot be demonstrated prior to project approval that levels of service will be met per Policy 4.1.1, the City may consider the development but defer its approval until the standards can be met or assured. In the event that a signalized intersection exceeds the applicable level of service standard, the City may approve projects if the City can establish appropriate mitigation measures, or determine that the intersection or portion of roadway is subject to a finding of special circumstances, or is a route of regional significance, consistent with those findings and/or action plans adopted by the Contra Costa Transportation Authority pursuant to Measure C-1998. Mitigation measures specified in the action plans shall be applied to all projects which would create significant impacts on such regional routes, as defined by the Authority in consultation with local agencies and as permitted by law.
- 4.1.3 Analyze conformity with the growth management standards for all development projects, such as subdivision maps or land use permits.
- 4.1.4 Require from all new development, including major modifications to existing development, the construction of all necessary on- or off-site infrastructure and public services needed to serve the project in accordance with City standards
- 4.1.5 Direct growth toward areas with existing infrastructure.
- 4.2.1 Permit development only when financing mechanisms are in place or committed which assure that adopted performance standards for public facilities will be met.
- 4.2.2 Ensure that all future development projects provide public infrastructure and public services that fully serve the needs of the project and address any impacts created by such projects.
- 4.2.3 Ensure that new development does not adversely affect public facilities or services.
- 4.2.4 Ensure that future development projects are included in special districts (i.e., lighting, landscaping, etc.), when applicable.
- 4.2.5 Require new development to pay its fair share of the cost of all existing public facilities and services it utilizes, based upon the demand for these facilities and services that can be attributed to new development.
- 4.2.6 Require new development to pay all costs of upgrading existing public facilities, constructing new facilities or expanding services that are needed to serve new development.
- 4.2.7 Financial impacts of new development on public facilities and services should generally be determined during the project review process and may be based on the analysis contemplated under the growth management program (Land Use Element) or otherwise. As part of the project approval, specific findings shall be adopted which relate to the demand for public facilities and services and how the demand affects the service standards included in the growth management program.
- 4.2.8 Review and update a Capital Improvement Program, which forecasts and prioritizes specific improvements to public facilities that will be built in the City.
- 4.2.9 Include a compressive financing plan, which assures that needed public facilities and services are adequately financed, in all new specific plans adopted by the City
- 4.2.10 Recover all costs for administrative and technical services provided in the development review process through the use of fees and charges.
- 4.2.11 Apply for State, federal, and regional funding sources that have been set aside to finance infrastructure costs.
- 4.2.12 If the City requires developments to install off-site facilities in excess of their fair-share, the City shall establish a funding mechanism to reimburse the developer for the excess amount, from further developments that benefit from such improvements. Reimbursements shall not be made from the City's General Fund.

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GROWTH MANAGEMENT ELEMENT – POLICIES

- 4.3.1 Evaluate the need for public assembly and meeting space. The availability of public space shall be assured through coordinated actions of existing service providers.
- 4.3.2 Pursue a balance between social, cultural, and recreational needs of the community when developing new general-purpose public facilities.
- 4.3.3 Encourage the development of facilities and services to serve the needs of the elderly within the community.
- 4.3.4 Ensure that high quality library services are maintained for the residents of Oakley.
- 4.3.5 Encourage the development of quality childcare and pre-school facilities in appropriate locations, especially in conjunction with park and private common areas, schools, and church facilities.
- 4.3.6 Encourage or develop a coordinated telecommunications system which enhances the availability of information to the Community.
- 4.4.1 Support and encourage the high service level of fire protection services within Oakley.
- 4.4.2 Require that new development pay its fair share of costs for new fire protection facilities and services.
- 4.4.3 Identify needed upgrades to fire facilities and equipment during project environmental review and planning activities.
- 4.4.4 Incorporate analysis of optimum fire and emergency service access into circulation system design to maximize the effectiveness of existing and proposed fire protection facilities.
- 4.4.5 Require special fire protection measures in high-risk uses (i.e., mid-rise buildings, and those developments where hazardous materials are used and/or stored) as conditions of approval.
- 4.4.6 Require the provision of fire fighting equipment access to open space areas in accordance with the Fire Protection Code and to all future development in accordance with Fire Access Standards.
- 4.5.1 Police patrol beats shall be configured to assure minimum response times and efficient use of resources.
- 4.5.2 Incorporate police protection standards and requirements into the land use planning process.
- 4.5.3 Encourage public participation in crime prevention activities.
- 4.5.4 The City shall strive to provide sufficient personnel and capital facilities to ensure adequate police protection and appropriate response times.
- 4.5.5 Require that the Community Development Department refer, as appropriate, development proposals to the Police Department for review and comments.
- 4.6.1 Encourage the efficient multi-purpose uses of school facilities.
- 4.6.2 Encourage school districts to seek and receive their fair share of state and/or federal funds for school facilities.
- 4.6.3 To the extent possible, new residential development, General Plan Amendments, or Rezoning shall, in the absence of the Planning Agency's satisfaction that there are overriding considerations (i.e., provision of low or moderate cost housing), be required to adequately mitigate impacts on primary and secondary school facilities.
- 4.6.4 Support the development of quality schools, to the extent possible, by coordinating development review with local school districts including such activities as designating school sites, obtaining dedications of school sites, and supporting appropriate local fees, special taxes, and bond issues intended for school construction.
- 4.6.5 Ensure that school facility impact fees are collected and shall work with developers and school districts to establish mitigation measures to ensure the availability of adequate school facilities.
- 4.6.6 Work with the school districts to consider alternative funding programs for school facility construction and provision of educational programs.
- 4.6.7 The hearing body reviewing residential projects shall consider the availability of educational facilities and impact on school capacities.
- 4.6.8 School site donation by developers may be encouraged through the use of density transfer or other appropriate land use alternatives.
- 4.6.9 To the extent possible, the development of school facilities should be sited in conjunction with and adjacent to local parks and trails.

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Goals, Policies, and Implementation Programs

GROWTH MANAGEMENT ELEMENT – POLICIES

- 4.6.10 Adequate provision of schools shall be assisted by coordinating review of new development with school districts and other service providers through the project review process, the environmental review process, and through joint planning with local school districts.
- 4.6.11 Ensure that adequate land is available for acquisition of school sites within one mile of Proposed School Locations as identified on Figure 4-1, Public Facilities and Services.
 - 4.7.1 Reduce the amount of waste disposed of in landfills by: 1) reducing the amount of solid waste generated (waste reduction); 2) reusing as much of the solid waste as possible (recycling); 3) utilizing the energy and nutrient value of the solid waste (waste to energy and composting); and 4) properly disposing of the remaining solid waste (landfill disposal).
 - 4.7.2 Divert as much waste as feasible from landfills through recovery and recycling.
 - 4.7.3 Assure the development of waste transfer, processing, and disposal facilities which satisfy the highest established environmental standards and regulations.
 - 4.7.4 Minimize the potential impacts of waste collection, transportation, processing, and disposal facilities upon residential land uses.
 - 4.7.5 Consider solid waste disposal capacity in land use planning and permitting activities, along with other utility requirements, such as water and sewer service.
 - 4.7.6 Encourage solid waste resource recovery (including recycling, composting, and waste to energy) so as to extend the life of sanitary landfills, reduce the environmental impact of solid waste disposal, and to make use of a valuable resource, provided that specific resource recovery programs are economically and environmentally desirable.
 - 4.7.7 Locate new waste disposal facilities to minimize potential impacts to existing and future residents. Waste disposal and processing facilities shall be designed, developed, and operated in a manner that is compatible with surrounding land uses.
 - 4.7.8 Solid waste disposal sites shall be designed and operated to provide useful sites after completion of disposal operations. Re-use of sites for outdoor recreation and open space, where feasible, shall be encouraged.
 - 4.7.9 Avoid solid waste hauling on collectors and local streets through residential areas.
- 4.7.10 The handling and storage of hazardous materials shall be identified and monitored by the local fire agencies.
 - 4.8.1 Coordinate future development with all water agencies to ensure facilities are available for proper water supply.
 - 4.8.2 Encourage the development of locally controlled supplies to meet the growth needs of the City.
 - 4.8.3 Encourage the conservation of water resources throughout the City.
 - 4.8.4 Ensure that new development pays the costs related to the need for increased water system capacity.
 - 4.8.5 Ensure that water service systems be required to meet regulatory standards for water delivery, water storage, and emergency water supplies.
 - 4.8.6 Encourage water service agencies to establish service boundaries and to develop supplies and facilities to meet future water needs based on the growth policies contained in the General Plan.
 - 4.8.7 Encourage urban development within the existing water Spheres of Influence adopted by the Local Agency Formation Commission; expansion into new areas within the Urban Limit Line beyond the Spheres should be restricted to those areas where urban development can meet all growth management standards included in this General Plan.
 - 4.8.8 Discourage the development of rural residences or other uses that will be served by well water or an underground water supply, if a high nitrate concentration is found following County Health Services Department testing.
 - 4.8.9 Encourage rural residences currently served by well water to connect to municipal water service when it becomes available. Upon connection to municipal water service, any water well(s) shall be abandoned consistent with Contra Costa County regulations.
- 4.8.10 Identify and develop opportunities, in cooperation with water service agencies, for use of non-potable water, including ground water, reclaimed water, and untreated surface water, for other than domestic use.
- 4.8.11 Identify, monitor, and regulate land uses and activities that could result in contamination of groundwater supplies to minimize the risk of such contamination.

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GROWTH MANAGEMENT ELEMENT – POLICIES

- 4.8.12 Reduce the need for water system improvements by encouraging new development to incorporate water conservation measures to decrease peak water use.
- 4.8.13 Encourage the use of reclaimed water as a supplement to existing water supplies.
- 4.9.1 Coordinate future development with the Ironhouse Sanitary District to ensure facilities are available for proper wastewater disposal.
- 4.9.2 Wastewater treatment should preserve, and to the extent feasible, enhance water quality and the natural environment.
- 4.9.3 Encourage beneficial uses of treated wastewater, including marsh enhancement and agricultural irrigation. Such wastewater reclamation concepts shall be incorporated into resource management programs and land use planning.
- 4.9.4 Reduce the need for sewer system improvements by requiring new development to incorporate water conservation measures, which reduce flows into the sanitary sewer system.
- 4.10.1 Work cooperatively with Contra Costa County Flood Control and Water Conservation District (CFCWCD) to ensure and enhance flood protection in the City of Oakley.
- 4.10.2 Pursue and achieve compliance with all regional, State, and Federal regulations related to flood control, drainage, and water quality.
- 4.10.3 Recognize the unique flooding constraints of the areas north and east of the Contra Costa Canal.
- 4.10.4 Pursue responsible and adequate financing for implementation of the Drainage Plan.
- 4.10.5 Improve and expand the functionality of Marsh Creek as a major drainage corridor.
- 4.10.6 Develop new drainage facilities and/or improvements to existing facilities to provide additional recreational or environmental benefit, where possible.
- 4.10.7 Land use planning and zoning should be the primary means for flood management in preference to structural improvements, where possible.
- 4.10.8 Detention basins should be designed for multiple uses such as parks and playing fields when not used for holding water, where possible.
- 4.10.9 Open bypass channels, detention basins, and all drainage facility rights of way should be developed as an asset to the development or adjacent neighborhood, e.g. as a secondary recreation use.

GROWTH MANAGEMENT ELEMENT – IMPLEMENTATION PROGRAMS

- 4.2.A Review the Transportation Area of Benefit Fee Ordinance to assure consistency with AB-1600. Future ordinance amendments should assure that new developments fund a fair share of transportation improvements that are required to serve new development.
- 4.2.B Regularly update the Capital Improvement Program to fund the capital improvements planned for construction over a five-year period, including cost estimates, the phasing of specific improvements and associated costs, and methods with which specific improvements will be financed.
- 4.2.C Comment to the sponsoring agency, such as Contra Costa County, adjacent cities, or special districts, on any proposed capital improvements to be located in, or directly adjacent to, Oakley that are found to be inconsistent with the City's General Plan.
- 4.2.D Amend the development review and plan preparation process to include consideration of project impacts upon public facilities and services, and proposed financing methods. Where negative fiscal impacts are indicated, include specific mitigation measures as conditions of project approval, or carefully consider the appropriateness of approval, consistent with the standards established in this Growth Management Element.
- 4.3.A Utilize Section 65402 of the Government Code to determine if public land acquisitions, sale, or building of new structures are in conformity with the General Plan.
- 4.3.B Pursue a full range of methods to finance needed public facilities.

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GROWTH MANAGEMENT ELEMENT – IMPLEMENTATION PROGRAMS

- 4.3.C Include places of worship and religious buildings and child-care facilities as conditionally allowable uses in all residential districts in the Zoning Ordinance, subject to provisions of vehicular access and effective buffering from noise, traffic, and other impacts.
- 4.3.D Continue to collect a childcare fee from residential development projects and qualifying commercial projects.
- 4.4.A Fire stations and facilities shall be considered consistent with all land use designations in the General Plan and all zoning districts. The architectural design and landscaping of new fire stations shall be complementary with surrounding land uses.
- 4.4.B Participate in discussions regarding fire district annexations, consolidations, and other service management programs.
- 4.4.C Request the Fire District to update its five-year plan to maintain consistency with the Oakley General Plan.
- 4.4.D Afford fire protection agencies the opportunity to review development projects and submit conditions of approval for consideration to determine whether: 1) there is adequate water supply for fire fighting; 2) road widths, road grades, and turnaround radii are adequate for emergency equipment; and 3) structures are built to the standards of the Uniform Building Code, the Uniform Fire Code, other State regulations, and local ordinances regarding the use of fire-retardant materials and detection, warning, and extinguishment devices.
- 4.4.E The Community Development Department shall submit building and development plans for all new construction, including remodeling, to the fire agency to assure that fire safety and control features are included that meet the adopted codes and ordinances of that agency.
- 4.4.F Continue to levy fire facility fees for new development in accordance with five-year plan.
- 4.4.G Consider establishment of benefit assessment districts or other funding mechanisms for fire protection purposes. In areas where operating shortfalls will result from increased service requirements related to new growth or the new service standards, the City shall establish and/or increase fees generated from the benefit assessment districts.
- 4.5.A Support citizen participation within programs such as Neighborhood Watch and Community Oriented Policing and Problem Solving (COPPS).
- 4.5.B Consider the use of community service officers to provide law enforcement outreach programs to schools and other institutions.
- 4.5.C Consider and recommend, as determined appropriate, guidelines for defensible space design of buildings and major subdivision projects. Such guidelines would address the review of development projects to assure that crime-inviting features are reduced or eliminated.
- 4.5.D Seek additional State and Federal funding to augment Oakley law enforcement services.
- 4.6.A Lobby for State financing of new schools within the City.
- 4.6.B Work with the interested school districts to ensure that new development contributes, to the extent allowable under State law, its fair and full share of the cost of additional facilities when necessary.
- 4.6.C Prepare an education facilities plan, in consultation with the school districts, by year 2005 recommending locations for future school facilities.
- 4.6.D During the review of General Plan Amendments, Rezones, Tentative Maps, and Specific Plans within one mile of the Proposed School Sites shown in Figure 4-1, the City shall analyze the potential for reserving real property for the appropriate Proposed School Site. Specific sites for schools in undeveloped portions of the Oakley Planning Area, such as the Cypress Corridor Area and the Cypress Corridor Expansion Area, should be identified by the appropriate school district and designated Public/Semi Public in the General Plan by amendment prior to development of 50 percent of the land within a one-mile radius of each designated Proposed School Site
- 4.6.E Amend the General Plan to designate future school site properties to Public/Semi Public once local school districts acquire properties for future school sites.
- 4.6.F All Specific Plan applicants must consult with affected school districts to address Proposed Schools and Specific Plans shall designate specific properties for school facilities locations.

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GROWTH MANAGEMENT ELEMENT – IMPLEMENTATION PROGRAMS

- 4.6.G All predominantly residential development proposals involving more than 200 acres of land must analyze the need for and designate as appropriate school facility sites based upon identified Proposed School Sites. The City must determine that appropriate consultation has occurred between the developer and the affected school district(s) and that adequate provisions have been made to accommodate designated Proposed Schools.
- 4.7.A Encourage and promote school and community programs that promote recycling.
- 4.7.B Ensure that solid waste activities in Oakley are carried out in accordance with the Contra Costa County Solid Waste Management Plan and are coordinated with other jurisdictions.
- 4.7.C Prepare recycling and composting plans to show how the City intends to help meet the goals in the Contra Costa County Solid Waste Management Plan.
- 4.7.D Ensure the health and safety of the public by inspecting solid waste facilities and equipment on a regular basis.
- 4.7.E Review, and amend if necessary, the Zoning Ordinance and other code sections to ensure that waste disposal facilities are regulated to preclude all nuisance and unsightly conditions.
- 4.7.F Review and amend existing ordinances and procedures to ensure that the review and approval of development applications is carried out in accordance with the applicable goals, policies, and implementation measures in the Contra Costa County Solid Waste Management Plan.
- 4.8.A At the project approval stage, the City shall require new development to demonstrate that adequate water quantity and quality can be provided. The City shall determine whether 1) capacity exists within the water system if a development project is built within a set period of time, or 2) capacity will be provided by a funded program or other mechanism. This finding will be based on information furnished or made available to the City from consultations with the appropriate water agency, the applicant, or other sources.
- 4.8.B Encourage water service agencies to meet all regulatory standards for water quality before approval of any new connections to that agency.
- 4.8.C Encourage water service agencies to meet all regulatory standards for water quality prior to approval of any new connections to that agency.
- 4.8.D Encourage water serving agencies to prepare written drought contingency plans and hold public hearings on these plans. These plans should identify the size of needed drought capacity reserves. In requests for capacity verification for new development, the City shall require that the serving agency exclude these reserves from its operating capacities for the purpose of the verification.
- 4.9.A Require new development to pay its fair share of the cost of on- and off-site infrastructure. This shall include installation of necessary public facilities, payment of impact fees, and participation in a Capital Improvement Program.
- 4.9.B Encourage sewer service agencies to establish service boundaries and develop treatment facilities to meet the future service needs based on the growth policies contained in the City of Oakley General Plan.
- 4.9.C Discourage development of rural residences served by septic tank and leach fields.
- 4.9.D At the project approval stage, require new development to demonstrate that wastewater treatment capacity can be provided. The City shall determine whether 1) capacity exists within the wastewater treatment system if a development project is built within a set period of time, or 2) capacity will be provided by a funded program or other mechanism. This finding will be based on information furnished or made available to the City from consultations with the appropriate sewer service agency, the applicant, or other sources.
- 4.9.E Identify and develop opportunities, in cooperation with sewer service and water service agencies, for using reclaimed wastewater.
- 4.10.A Implement and update, as necessary, the Contra Costa County Drainage Plan for the City of Oakley.
- 4.10.B Actively participate in the Joint Municipal National Pollutant Discharge Elimination System (NPDES) program with the City of Antioch, City of Brentwood and East Contra Costa County.
- 4.10.C Pursue improvement of existing levees within the City and, as appropriate, compliance and certification from the United States Army Corps of Engineers.
- 4.10.D Develop and adopt a Specific Drainage Plan for areas north and east of the Contra Costa Canal.
- 4.10.E Adopt and update, as necessary, development fees for drainage improvements for all new development in the City.

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GROWTH MANAGEMENT ELEMENT – IMPLEMENTATION PROGRAMS

- 4.10.F Pursue funding from public agencies and other grant sources to plan, design, and implement flood control improvements.
- 4.10.G Require, upon development, the dedication of property or drainage easement adjacent to Marsh Creek to be used to increase width and capacity of the stream corridor.
- 4.10.H Coordinate a study of Marsh Creek to determine appropriate strategies for improving, expanding and managing the stream corridor to enhance aesthetic, biological and recreational qualities, as well as providing drainage and flood control.

ECONOMIC DEVELOPMENT ELEMENT – GOALS

- 5.1 Retain existing businesses and expand Oakley’s economic base
- 5.2 Establish a diverse and balanced Oakley economy.
- 5.3 Remove or reduce constraints to economic development.
- 5.4 Encourage local financial participation in the community as a means of facilitating economic development.

ECONOMIC DEVELOPMENT ELEMENT – POLICIES

- 5.1.1 Promote economic development within Oakley through preparation and implementation of an Economic Development Plan.
- 5.1.2 Involve community members and business leaders in preparing and implementing the EDP.
- 5.1.3 Actively recruit businesses and industries that are compatible with the General Plan’s land use and implementation goals and policies and with the EDP.
- 5.1.4 Utilize Oakley’s skilled labor force as an economic development and business attraction tool.
- 5.1.5 Implement the recommendations of the City of Oakley Strategic Economic Assessment regarding specific locations in Oakley for targeted economic development activities.
- 5.2.1 Strive to add a balanced mix of commercial, office, and light industrial businesses to the City to ensure a variety of employment and business opportunities.
- 5.3.1 Provide or assist businesses in ensuring necessary infrastructure improvements are provided to support new or expanding businesses in Oakley.
- 5.3.2 Improve the appearance of the City as a means of attracting new businesses to Oakley.
- 5.4.1 Work with local financial institutions to encourage investment in Oakley’s economic development future.

ECONOMIC DEVELOPMENT ELEMENT – IMPLEMENTATION PROGRAMS

- 5.1.A Prepare an Economic Development Plan (EDP) that:
 - Identifies the needs of existing businesses and acknowledges the important contributions existing businesses provide to the community.
 - Identifies specific goals or targets for business retention and development over the next twenty years.
 - Includes targets for economic development in five-year increments and implementation steps to be undertaken to help achieve specific goals.
- 5.1.B Identify the top ten local businesses (both in terms of employment base and tax revenues provided to the City). City representatives should meet with these business managers to discuss business needs and opportunities.

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ECONOMIC DEVELOPMENT ELEMENT – IMPLEMENTATION PROGRAMS

- 5.1.C Recruit businesses and land uses that are consistent with long-term economic development goals, including employment generation and businesses, which have the potential to generate increases to the City’s tax base. Uses that meet the intent of this include, but are not limited to, the following:
- Retail commercial
 - Restaurants
 - Professional and medical offices
 - Specialty commercial operations, including those fitting within the desired character of the Downtown and along Highway 4/Main Street
 - Specialty stores intended to attract customers from the entire sub-region
 - Commercial operations providing services to the residential community
 - Light Industrial uses that generate minimal impacts on the community, surrounding uses, and the environment.
 - Business and technology parks
 - Small-scale and entrepreneurial businesses consistent with the above.
- 5.1.D Within the EDP, include a targeted Business Attraction Program, incorporating a focused market effort, and with a goal of assisting businesses in relocating to Oakley. This effort may include:
- Preparing and distributing of marketing information to developers, business interests and commercial real estate brokers identifying the City’s prioritization of economic development, as well as availability of potential sites in Oakley for development.
 - Promoting of Oakley as a desirable, small community with a positive lifestyle and high quality of life.
 - Attending business development fairs and expositions to promote Oakley as a community focused on business development.
 - Hosting promotional events and inviting prospective business interests to Oakley.
 - Stressing customer service throughout City Hall as a means of encouraging business development.
- 5.1.E Identify specific incentives that the City might offer through the Redevelopment Agency, including but not limited to financial assistance with infrastructure improvements, development fees, land acquisition, project design enhancement, façade improvements and costs of leasing land and/or buildings.
- 5.1.F Identify development standards that the City would consider modifying to attract highly desirable businesses, possibly including on-site parking, building setbacks, building height, and lot coverage. Consider provisions for very unique circumstances where the City Council may consider adjustments to impact fees where it can be demonstrated that the development project will be provided with all necessary services and infrastructure improvements.
- 5.1.G Provide financial incentives through the Redevelopment Agency for projects located within the redevelopment Project Area to offset costs of establishing, expanding or enhancing local businesses.
- 5.1.H Through the EDP, explore means to assist local businesses in expanding operations. This may include pursuit of financial assistance grants, identification and removal of local impediments to business growth, and assigning key City staff positions to serve in liaison positions with local business operators.
- 5.1.I In concert with programs outlined above, include and recognize Oakley’s sizable skilled labor force as an economic development advantage for new and expanding businesses.
- 5.1.J Support those businesses that meet Federal Affirmative Action goals and objectives and state redevelopment law requirements.
- 5.1.K Encourage job training for skilled labor through employer sponsored training or continuing educational programs.
- 5.1.L Continue to recognize the importance of making an adequate supply of land available for economic development. Specific properties and targeted land uses include:
- DuPont Property, north of Highway 4 between Bridgehead Road and Big Break Road: Economic development land uses designated within this area include Business Park, Commercial and Light Industrial. Anticipated uses include professional and medical offices, research and development, hotel/motel, general commercial, service retail and light industrial activities. Where feasible, development of the DuPont property may be pursued through a comprehensive business park master plan or Planned Unit Development zone. Infrastructure improvements are required to fully utilize this property.

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- Commercial land South of Highway 4: These lands are targeted for commercial uses that would benefit from exposure to vehicular traffic upon Highway 4/Main Street. Potential uses include, but are not limited to, retail commercial, service commercial and professional offices. Where feasible, this area would be developed through a comprehensive development plan or Planned Unit Development zone. Infrastructure improvements are required to fully utilize this property and some existing light industrial and industrial uses will require relocation.
 - Downtown and Main Street Realignment Properties: The City of Oakley Downtown Design and Development Plan will guide development activities within the Oakley downtown. Properties in the downtown area and along Highway 4/Main Street are envisioned for on-going economic development purposes, including specialty retail and commercial uses. Underutilized properties are recognized as providing substantial opportunity for redevelopment and intensification of commercial operations where appropriate site development standards are met and when the new or expanded uses can be shown to be compatible with adjoining residential uses. Streetscape improvements can be used to help achieve a unique and desired character for downtown development, perhaps with financial assistance provided by the City's Redevelopment Agency. Development efforts in the downtown should individually and collectively reinforce the image of the downtown as a destination location for residents and visitors to the City.
 - Highway 4 Bypass Properties: As plans for the Highway 4 Bypass proceed in the coming years, the City recognizes that properties in proximity to future Highway 4 on- and off-ramps will provide desirable opportunities for economic development. However, in order to avoid inappropriate or untimely establishment of land uses, the location and extent of acreage targeted for economic development and site-specific land use designations and zoning districts should be determined by the City Council only when dates for construction and completion of the Highway 4 Bypass have been firmly established. Such determinations shall be made by City Council after assessing the extent to which the City has met targeted economic development goals pursuant to its Economic Development Plan.
- 5.2.A Periodically review the General Plan to ensure that there is an adequate supply of land designated for economic development, with flexibility in the Business Park, Commercial and Industrial land use designations to allow a wide range of targeted businesses. This program is intended to avoid or minimize delays associated with amendments to the General Plan when new businesses seek development sites within Oakley.
- 5.2.B Consider adjustments to the development application process and permitting requirements, and where appropriate shall streamline the review steps to facilitate attraction of targeted business operations.
- 5.3.A Work proactively with those businesses interested in expanding existing businesses or establishing new businesses to install necessary infrastructure improvements. City actions may include:
- Sharing of engineering studies and plans on water supply and treatment capacities, wastewater collection, conveyance and treatment capacities, storm water drainage and roadway improvements.
 - Working jointly with developers where City Capital Improvement Plans call for extension or upgrades to City infrastructure.
 - Pursuing financing options through the Redevelopment Agency, including possible tax credits, deferred fee payment programs, reimbursement of costs for infrastructure improvements and amortization of infrastructure fees, to assist developers with providing necessary infrastructure improvements.
 - Allowing for phased extension or upgrades to infrastructure in conjunction with approved phasing plans for site development.
- 5.3.B Prepare and adopt a Community Preservation and City Beautification Ordinance. Partial funding for Ordinance implementation within the Redevelopment Project Area shall be provided by the Oakley Redevelopment Agency.
- 5.3.C Undertake amendments to the Zoning Ordinance and other sections of the Oakley Municipal Code in order to establish clear property maintenance standards, applicable to residential, commercial, office and industrial properties. The standards should focus on maintenance of appearance of all properties in Oakley. Further, disallow keeping of nonpermitted junk yards on all properties, require screening of all outdoor storage of materials and equipment from public streets and establish restrictions on the allowed height of outdoor storage. This action may also include amendments to the City's Sign Code to encourage or require removal of old, obsolete signs which detract from the appearance of main City thoroughfares.

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ECONOMIC DEVELOPMENT ELEMENT – IMPLEMENTATION PROGRAMS

- 5.3.D With appropriate amendments to the City’s Municipal Code in place, ensure the Community Development Department’s Code Enforcement Division is adequately staffed to implement the City’s development Code and, in concert with the City Attorney’s Office, prepared to take appropriate enforcement actions in response to Code violations. This action may require designation of certain types of Code violations as misdemeanors and imposition of a non-compliance penalty fee program (through issuance of citations) where City efforts to obtain voluntary compliance with Code requirements have failed.
- 5.3.E Identify blighted properties and structures in Oakley requiring beautification efforts. Seek property owner involvement with the City in improving the appearance of such properties. The City may pursue grants and other funding mechanisms (outside of use of General Funds) to help improve the appearance of these properties.
- 5.4.A Develop a program to increase the amount of private lending and investment in Oakley, particularly in the downtown and along the Highway 4/Main Street corridor, by banks and other financial institutions, public-private financing partnerships, and small business assistance. This Program item will require close coordination with the Redevelopment Agency.
- 5.4.C Actively support the use of Assessment Districts and other financing tools to support economic development where it can be demonstrated that the financing mechanism does not create an adverse financial impact to the City or City residents.

OPEN SPACE AND CONSERVATION ELEMENT – GOALS

- 6.1 Allow agriculture to continue as a viable use of land that reflects the community’s origins and minimizes conflicts between agricultural and urban uses.
- 6.2 Maintain or improve air quality in the City of Oakley.
- 6.3 Protect and preserve important ecological and biological resources.
- 6.4 Preserve and protect cultural resources within the Plan Area.
- 6.5 Preserve and enhance selected historic structures and features within the community.
- 6.6 Preserve and enhance existing open space resources in and around Oakley and balance open space and urban areas to meet the social, environmental and economic needs of the City now and for the future.
- 6.7 Preserve the scenic qualities of the Delta Waterway, Marsh Creek, and views of Mount Diablo.

OPEN SPACE AND CONSERVATION ELEMENT – POLICIES

- 6.1.1 Participate in regional programs that promote the long-term viability of agricultural operations within the City.
- 6.1.2 Reduce the negative impacts resulting from urban uses and neighboring agricultural uses in close proximity.
- 6.1.3 Encourage the promotion and marketing of locally grown agricultural products.
- 6.1.4 Incorporate parks, open space and trails between urban and agricultural uses to provide buffer and transition between uses.
- 6.2.1 Support the principles of reducing air pollutants through land use, transportation, and energy use planning.
- 6.2.2 Encourage transportation modes that minimize contaminant emissions from motor vehicle use.
- 6.2.3 Interpret and implement the General Plan to be consistent with the regional Bay Area Air Quality Management Plan (AQMP), as periodically updated.
- 6.2.4 Ensure location and design of development projects so as to conserve air quality and minimize direct and indirect emissions of air contaminants.
- 6.2.5 Encourage air quality improvement through educational outreach programs; such as Spare the Air Day.
- 6.3.1 Preserve important ecological and biological resources as open space.

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OPEN SPACE AND CONSERVATION ELEMENT – POLICIES

- 6.3.2 Develop open space uses in an ecologically sensitive manner.
- 6.3.3 Use land use planning to reduce the impact of urban development on important ecological and biological resources identified during application review and analysis.
- 6.3.4 Preserve and enhance the natural characteristics of the San Joaquin Delta and Dutch Slough.
- 6.3.5 Preserve and enhance Delta wetlands, significant trees, natural vegetation, and wildlife populations.
- 6.3.6 Preserve portions of important wildlife habitats that would be disturbed by major development, particularly adjacent to the Delta.
- 6.3.7 Preserve and expand stream corridors in Oakley, restoring natural vegetation where feasible.
- 6.4.1 Preserve areas that have identifiable and important archaeological or paleontological significance.
- 6.5.1 Promote the compatibility of new development located adjacent to existing structures of historic significance with the architecture and site development of the historic structure.
- 6.5.2 Respect the character of the building and its setting during the remodeling and renovation of facades of historic buildings.
- 6.5.3 Encourage the use of the State Historic Building Code for historic buildings and other structures that contribute to the City's historic character. Use flexibility when applying zoning regulations to historic sites and buildings.
- 6.5.4 Recognize the value of Oakley's historic resources as an economic development tool.
- 6.5.5 Ensure that the integrity of historic structures and the parcels on which they are located are preserved through the implementation of applicable design, building, and fire codes.
- 6.5.6 Work with property owners to preserve historic features within the community.
- 6.6.1 Establish buffers from adjoining land uses to protect the natural open space resources in the City.
- 6.6.2 Preserve and enhance the watershed, natural waterways, and areas important for the maintenance of natural vegetation and wildlife populations.
- 6.6.3 Encourage access and improvements along the City's waterways, particularly the San Joaquin Delta, Marsh Creek and Dutch Slough.
- 6.6.4 Where feasible and desirable, major open space components shall be combined and linked to form a visual and physical system in the City.
- 6.7.1 Preserve and enhance views of the Delta and Mount Diablo to the extent possible.
- 6.7.2 New development and redevelopment along the Delta, adjacent to Marsh Creek and throughout the City should take advantage of view opportunities and visual impacts to the waterway and Mount Diablo, respectively.

OPEN SPACE AND CONSERVATION ELEMENT – IMPLEMENTATION PROGRAMS

- 6.1.A Identify and map those properties that include prime productive agricultural soils (Class I and II capability according to the U.S. Soil Conservation Service) for use in the review of development applications.
- 6.1.B Encourage consolidated development; with appropriate land use buffers of parks open space and trails, for proposed major subdivisions of prime agricultural lands
- 6.1.C Modify the agricultural zoning classifications and allowed use provisions and development standards to reflect current agricultural uses and land use compatibility.
- 6.1.D Require adequate setbacks for any non-agricultural structures adjacent to cultivated agriculture.
- 6.1.E Continue to implement (and refine as necessary) the Right to Farm Ordinance, which protects ranchers and farmers within an agricultural district from nuisance complaints and unreasonable restrictions and regulations on farm structures or farming practices.
- 6.1.F Encourage agricultural landowners to work closely with the U.S. Soil Conservation Service and local Resource Conservation Districts to reduce soil erosion and to encourage soil restoration.

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OPEN SPACE AND CONSERVATION ELEMENT – IMPLEMENTATION PROGRAMS

- 6.2.A Minimize impacts of new development by reviewing development proposals for potential impacts pursuant to CEQA and the BAAQMD Air Quality Handbook. Apply land use and transportation planning techniques such as:
- Incorporation of public transit stops;
 - Pedestrian and bicycle linkage to commercial centers, employment centers, schools, and parks;
 - Preferential parking for car pools;
 - Traffic flow improvements; and
 - Employer trip reduction programs.
- 6.2.B Control dust and particulate matter by implementing the AQMD's fugitive dust control measures, including:
- Restricting outdoor storage of fine particulate matter;
 - Requiring liners for truck beds and covering of loads;
 - Controlling construction activities and emissions from unpaved areas; and
 - Paving areas used for vehicle maneuvering.
- 6.2.C Work with the Bay Area Air Quality management District (BAAQMD) and the Association of Bay Area Governments (ABAG) and, to the extent feasible, meet federal and State air quality standards for all pollutants. To ensure that new measures can be practically enforced in the region, participate in future amendments and updates of the AQMP.
- 6.3.A Prior to development within identified sensitive habitat areas, the area shall be surveyed for special status plant and/or animal species. If any special status plant or animal species are found in areas proposed for development, the appropriate resource agencies shall be contacted and species-specific management strategies established to ensure the protection of the particular species. Development in sensitive habitat areas should be avoided to the maximum extent possible.
- 6.3.B Participate with regional, state, and federal agencies and organizations to establish and preserve open space that provides habitat for locally present wildlife.
- 6.3.C Investigate and implement as appropriate a tree-planting program. Consider similar existing programs such as the Sacramento Tree Foundation.
- 6.3.D Continue to implement (and update as needed) the City's Heritage Tree Preservation Ordinance.
- 6.3.E As funding becomes available, prepare a detailed inventory of ecologically resource areas, along with detailed maps showing the location of significant resources. Resources should include, but not be limited to, unique natural areas, wetland areas, habitats of rare, threatened, endangered, and other uncommon and protected species.
- 6.3.F As funding becomes available, prepare a Wetland Protection Ordinance.
- 6.3.G Evaluate the feasibility of expanding drainage easements along waterways and modifying banks and/or levees to increase the width of stream corridors.
- 6.3.H Investigate and implement as appropriate City Zoning regulations requiring expanded setbacks, and land dedications along waterways to allow expansion and enhancement of waterways.
- 6.4.A Assess development proposals for potential impacts to significant archaeological resources pursuant to Section 15064.5 of the CEQA Guidelines. Require a study conducted by a professional archaeologist for projects located near creeks or identified archaeological sites to determine if significant archaeological resources are potentially present and if the project will significantly impact the resources. If significant impacts are identified, either require the project to be modified to avoid the impacts, or require measures to mitigate the impacts. Mitigation may involve archeological investigation or recovery.
- 6.5.A Encourage owners of eligible historic properties to apply for State and Federal registration of these sites and to participate in tax incentive programs for historic restoration.
- 6.5.B Identify funding mechanisms, including funding from the City to the extent possible, to support programs to preserve, restore, and enhance unique historic sites.

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OPEN SPACE AND CONSERVATION ELEMENT – IMPLEMENTATION PROGRAMS

- 6.5.C Assess development proposals for potential impacts to significant historic resources pursuant to Section 15064.5 of the CEQA Guidelines. For structures that potentially have historic significance, require a study conducted by a professional archaeologist or historian to determine the actual significance of the structure and potential impacts of the proposed development. Require modification of projects to avoid significant impacts, or require mitigation measures. Protect historical buildings and sites to the extent possible, including modifications to Uniform Code requirements for historic structures.
- 6.6.A Adopt land use controls that prevent incompatible uses for parcels adjacent to existing open space resources.
- 6.6.B Pursue opportunities for additional open space land in the form of parkland dedication, and public open space easements, leaseholds, land donations/dedications, and gift annuities.
- 6.6.C Participate with regional, state and federal entities and agencies to establish open space areas that include wildlife habitat and provide passive recreational opportunities.
- 6.7.A Develop guidelines, as funding becomes available, for development along scenic waterways to maintain the visual quality of these areas.
- 6.7.B Review development applications for discretionary actions to determine aesthetic impacts and visual compatibility with surrounding property.

PARKS AND RECREATION ELEMENT – GOALS

- 7.1 Develop and maintain a system of parks, recreational facilities and open space areas to meet the needs of the City of Oakley.
- 7.2 Provide a vital system of community parks, playfields, and recreation facilities to serve the residents of Oakley.
- 7.3 Provide a network of neighborhood parks to adequately service the various neighborhoods within the City of Oakley.
- 7.4 Provide a system of creek corridors and special purpose facilities to serve the residents of Oakley.
- 7.5 Establish and maintain a comprehensive system of local and regional trails linking open space, neighborhood parks, community parks and recreation centers, libraries and schools, public transportation nodes, governmental buildings and commercial uses throughout Oakley to provide for pedestrian, equestrian and bicycle circulation.
- 7.6 Establish multi-use recreational and drainage detention facilities where feasible and appropriate.
- 7.7 Continue to refine, update and expand the City's Parks and Recreation Master Plan to reflect the goals of the community.

PARKS AND RECREATION ELEMENT – POLICIES

- 7.1.1 Develop and maintain a park system that provides 5 acres of parkland per 1,000 residents.
- 7.1.2 Offer a wide variety of indoor and outdoor recreational opportunities in proximity to all residents of the City, enabling residents to participate in activities that will enhance the quality of life in the community.
- 7.1.3 Provide a full range of park and recreation facilities and programs for all community residents.
- 7.1.4 Provide recreation services that enhance the quality of life and meet the changing needs of residents.
- 7.1.5 Maintain and improve existing parks and develop new neighborhood and community parks in new residential neighborhoods as growth occurs.
- 7.1.6 Provide park facilities in neighborhoods that are underserved or neglected.
- 7.1.7 Provide sufficient playfields within the City to accommodate both practice and competitive demands for organized and informal activity.
- 7.1.8 Develop and operate recreational facilities in the most efficient and economical method possible, providing multi-use facilities where feasible.

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PARKS AND RECREATION ELEMENT – POLICIES

- 7.1.9 Design, develop and administer facilities and recreation services to avoid duplicating commercial and private facilities and services. The City will encourage private agencies to support or provide facilities needed to satisfy unmet needs.
- 7.1.10 Consider multiple uses for open space land (i.e. land use buffer zones and green-ways for trails and linear parks, flood control basins for basin and park joint use, and school sites for neighborhood/community park joint use).
- 7.1.11 Distribute public parks in Oakley to provide adequate community-wide facilities while emphasizing neighborhood recreation within walking distance of most residents. Different kinds of public parks and recreation facilities are required to serve a range of needs. Greenways and trails also constitute important ways in which residents use open space.
- 7.1.12 Pursue a variety of financing mechanisms for the acquisition, development, long-term operations and maintenance of the parks, trails, and recreation system.
- 7.1.13 Develop an Oakley Recreation Community Center. The recreation center should be designed to provide opportunities for community bonding, and offer venues for diverse and special events.
- 7.1.14 Develop more fitness-related facilities for adults. Past attention has often focused on youth programs, and there is a strong need for more adult recreation facilities such as ball fields and basketball courts.
- 7.1.15 Develop a community swimming pool facility for aquatic programs, youth team sports, adult fitness, and recreation.
- 7.1.16 Update all recreation facilities to meet ADA standards.
- 7.1.17 Update all city and school district playgrounds for conformance to U.S. Consumer Product Safety Commission guidelines.
- 7.1.18 Establish a facility refurbishment program to avoid deferred maintenance and maintain consistent quality of facilities. A playground equipment and surfacing replacement and improvement program will be developed and implemented upon adoption of the Park and Recreation Master Plan. The City will develop and implement park maintenance standards.
- 7.1.19 Require all development to dedicate parkland and pay in lieu and/or impact fees sufficient to meet the added demand for parkland facilities.
 - 7.2.1 All new residential subdivisions shall provide for 2 acres of developed community park per 1,000 residents either through land dedication or in-lieu fees.
 - 7.2.2 Provide for two or three community parks with some common features and some special features in each.
 - 7.2.3 Develop existing park sites and endeavor to provide parks or playfields for under-served neighborhoods.
 - 7.2.4 Locate a community park generally within 1 mile of almost all Oakley residents. Parks should be located on a major arterial or thoroughfare, where impact to surrounding residential neighborhoods is minimized. If the community park should abut residential areas, those uses common to neighborhood parks would be used as buffers. Wherever possible, incorporate community parks and trails that are part of the Citywide trail network.
 - 7.2.5 Design community parks to have a minimum size of 10 acres, comfortably 15 to 20 acres with an ideal size of 40 to 50 acres. As recreation activities will drive the design of the community park, these parks should host formal and organized recreation tournaments, and should meet adult recreation opportunities, which generally requires larger fields and therefore larger sites.
 - 7.2.6 Grade land to have appropriate slope to support active recreation activities.
 - 7.2.7 Eliminate all biological and/or ecological restrictions on land designated as active use areas within proposed park sites.

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PARKS AND RECREATION ELEMENT – POLICIES

- 7.2.8 Design community parks to contain features that serve the community at large and provide economies of scale. Allocate at least 65% of the land to be available for active recreation. Appropriate features include:
- Multiple play fields for organized play with lighting of some fields
 - Multiple play courts
 - Separate play areas for both school age and pre-school children
 - Special features such as a skate park or playground with water play
 - Areas for special events such as an amphitheater or festival facilities
 - Group picnic as well as individual picnic areas
 - Restrooms and concessions
 - Parking
 - Equipment storage
- 7.2.9 Include community facilities appropriate to community parks. Examples include, but are not limited to the following:
- Swim Centers
 - Community Centers
 - Senior Centers
 - Day Care Facilities
 - Public Libraries
- 7.3.1 Provide area for neighborhood parks at a rate of 2 acres per 1,000 residents.
- 7.3.2 Where 2-acre parcels are not available, provide pocket parks and neighborhood parks at a rate of no less than 1 acre per 1,000 residents in older or in-fill neighborhoods.
- 7.3.3 Provide for 2 acres of developed neighborhood park per 1,000 residents from all new residential subdivisions through Land Dedication In-Lieu fees and/or Park Impact fees.
- 7.3.4 Develop existing park sites and endeavor to provide parks or playfields for under-served neighborhoods.
- 7.3.5 Focus on development of parks, not leftover residual space. Parks should not be used as buffers for surrounding developments nor used to separate buildings from the street. Views from surrounding streets should be considered in location of the park site and individual park features.
- 7.3.6 Front at least 50% of a park's frontage onto a public street. For perimeters not bound by a street, woodlands, creeks, agricultural uses or other significant open space features are desired over backyard fences. Where backyard fences are unavoidable, they should be screened through the use of trees and shrubs. Surrounding buildings should have windows and entries onto the park.
- 7.3.7 Design neighborhood parks to conserve natural features including creeks, heritage trees, and significant habitats. However, parkland dedicated for active recreation should not have biological and/or ecological restrictions on land usage.
- 7.3.8 Locate neighborhood parks no more than ¼ mile walking distance for most residents. Avoid major street crossing for most residents to access a neighborhood park.
- 7.3.9 Design and locate neighborhood parks based on a preferred size of 5 to 6 acres with a minimum size of 2 acres. The park size of 5 to 6 acres would allow for the incorporation of lawn play areas of sufficient size to accommodate informal field sports.
- 7.3.10 Suitability of potential neighborhood park sites to be determined by the following guidelines:
- Grade land to have appropriate slope to support active recreation activities.
 - Eliminate or avoid biological or ecological restrictions on land usage.
 - Design the ratio of park width and length to be no thinner than 1:3 to promote functional usages of park.

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PARKS AND RECREATION ELEMENT – POLICIES

- 7.3.10 Design neighborhood parks to meet the specific needs of the neighborhood that it serves. Appropriate features include, but are not limited to:
- Multi-purpose lawn areas for informal play
 - Picnic and gathering areas
 - Small play structures, with separate structures for pre-school and school-aged children
 - Small court game areas
 - No parking facilities
 - No permanent restroom facilities
- 7.4.1 Provide area for special purpose facilities and shoreline access at a rate of 1 acre per 1,000 residents.
- 7.4.2 Provide special facilities as determined by community need and support, either as separate facilities or combined with neighborhood or community parks (providing appropriate separation of uses):
- Off-leash dog areas or parks
 - Equestrian center and arena
 - Trails
- 7.4.3 Manage shoreline and regional parks along Oakley’s waterfront such as the Big Break and Dutch Slough shoreline in a manner that provides for appropriate public access and enhances the natural environment.
- 7.4.4 Meet Bay Conservation and Development Commission (BCDC) standards for waterfront access and shoreline development.
- 7.4.5 Support and encourage boat access and marinas. Consider additional marina facilities if proposed and appropriate.
- 7.4.6 Restrict or prohibit public access to certain open space and shoreline areas as needed for preservation purposes.
- 7.4.7 Minimize impact of future development in the shoreline area on the environmental health of natural systems.
- 7.4.8 Designate special purpose facilities as receiver sites for public and private mitigation projects subject to approval by the City Council.
- 7.4.9 Public park uses adjacent to the Delta should meet the following criteria:
- Related primarily to water activities
 - Compatible with surrounding residential and commercial activities
 - Available for year round use and enjoyment
 - Provision for barrier-free public access and use for active and passive recreational and social enjoyment
 - Balance between retention of natural resources and the creation of hard urban features
- 7.4.10 Connect special purpose facilities, shoreline, and regional parks, whenever possible, by trails and paths. Use of trails by pedestrians, joggers, bikers, or other non-motorized transportation, or equestrian activity shall be determined and posted as necessary.
- 7.4.11 Protect the visual accessibility of waterways by avoiding future development that creates visual barriers adjacent to or along the water’s edge.
- 7.4.12 Promote the development or preservation of a private or public marina with boat launching and berthing facilities, fuel dock and waste pump-out station, restrooms and showers, laundry facilities, bait/tackle/food store, day use, overnight camping and RV parking areas, fishing pier, and restaurant.
- 7.5.1 Construct trails to provide transportation, exercise, and connection to nature and leisure opportunities for Oakley residents.
- 7.5.2 Construct short feeder trails to connect proposed developments to the regional trail system.
- 7.5.3 Provide easements to connect new neighborhoods to such amenities as parks, neighborhoods, and commercial centers of not less than 20 feet in width.
- 7.5.4 Provide public greenbelt corridors along major arterials of not less than 40 feet in width.
- 7.5.5 Provide easements along stream corridors of not less than 100 feet in length and 20 feet in width.

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- 7.5.6 Construct trails, whenever possible, for multiple uses (i.e., pedestrian, bicycle and equestrian).
- 7.5.7 Separate the activities (i.e., pedestrian, bicycle and equestrian) of multi-use trails, by providing easements on each side of major arterials, to provide safe resolution of potential conflicts between users, animals, and vehicles.
- 7.5.8 Construct trails, whenever possible, to be accessible to persons with disabilities.
- 7.5.9 Construct trails to provide for proper grading, drainage and erosion control.
- 7.5.10 Construct pedestrian trails to have a surfaced width of 6-8 feet (emergency and service vehicle accessible) providing sufficient space for two people to walk abreast.
- 7.5.11 Construct Class 1 bicycle trails to have a surfaced width of 8 feet with shoulders of 2 feet to allow riders to pass safely.
- 7.5.12 Provide clearance over trails of not less than 7 feet for pedestrian and bike trails, and not less than 9 feet for equestrian trails.
- 7.5.13 Provide trail fences, directional signage, gates, and bollards to protect the safety of trail users and adjacent properties. Provide equestrian trails to connect stables or ranchette development with regional trails.
- 7.6.1 Construct basins that are of adequate size for standard playing fields.
- 7.6.2 Provide adequate access (pedestrians, bicycle and equestrian) to detention basin park sites to encourage diverse uses.
- 7.6.3 Place detention basin parks within close proximity to complementary uses such as residential development, schools, natural areas, and public resource facilities.
- 7.6.4 Use fencing and gates to maintain safety and restrict access to unsafe areas such as pump stations.
- 7.6.5 Grade basin side slopes to less than 5:1 to allow for mowing and maintenance.
- 7.6.6 Grade basin bottom to a maximum cross-slope of 2% to allow for positive drainage.
- 7.7.1 Involve community residents, including children and seniors, in the planning of park and recreation projects.
- 7.7.2 Develop and adopt specific standards for park and recreation facilities within Oakley.
- 7.7.3 Maintain and update the Parks and Recreation Master Plan on a regular basis to ensure facilities are adequate and appropriate as Oakley grows and as community needs change.
- 7.7.4 Update parks inventory on a regular and scheduled basis to reflect additions and changes.
- 7.7.5 Review and update fee schedule for capital improvements annually to meet City standards.

PARKS AND RECREATION ELEMENT – IMPLEMENTATION PROGRAMS

- 7.1.A Apply the following guidelines to achieve a ratio of 5 acres of park per 1,000 residents projected to reside in Oakley when the Parks and Recreation Master Plan is developed:
 - Provide 2 acres of community parks, 2 acres of neighborhood parks, and 1 acre of open space and greenbelt per thousand population.
 - Require all development to satisfy its obligation to provide a fair share of parkland and related improvements as required by state and local law.
 - Consider and include portions of school sites as contributing to park obligations. Such proposals will be considered on a case-by-case basis depending on the location of the proposed school site to planned park sites and the likelihood that the school site will be available to the community as a joint-use facility.
 - Consider and include privately owned and maintained landscape areas such a mini-parks, neighborhood greens or recreation centers as contributing to park obligations. Such proposals will be considered on a case-by-case basis depending on the purpose and nature of such areas, and the level of public access.
 - Consider and include a percentage of the East Bay Regional Parks that are located within Oakley’s sphere of influence as contributing to park obligations on the basis that the City contributes toward the costs for acquisition and maintenance of EBPRD facilities. That percentage will reflect the percentage of East Contra Cost County that Oakley residents constitute, currently 11%.
 - Require the dedication and full improvement of required parkland by the property owner and/or developer

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- (applicant) as a condition of the subdivision’s project approvals including, without limitation, development agreements.
- Require the payment of applicable park impact fees in the amounts and at the time set forth in City’s Park Impact Fee structure.
 - Assign the lead role in acquiring and improving parks in the subdivision area to the developer applicant, as is typically done with the construction of other project-related improvements such as streets, sidewalks, storm drainage, water distribution and sewer collection facilities.
- 7.1.B The City may prefer to develop some portions of the required park acquisition and improvements on property that is not part of the subdivision. This would generally occur when the project is not large enough to dedicate and improve a meaningful amount of park land, or when the City plans to meet part of the 5 acres per 1,000 residents requirement through community-wide facilities that are not to be located within the development project. When fees are paid in lieu of park site dedication and improvement, they will be:
- Determined, assessed, and collected in a manner consistent with State law and the City’s currently adopted Parkland Deduction Ordinance (Quimby Act) and restricted solely for parkland acquisition and improvement.
 - Used for parkland and improvements that directly serve the subdivision project area unless a finding is made that the area is already served by existing neighborhood facilities. Fees may then be used for acquisition and development of community-wide facilities.
 - Used as a credit against, but may not eliminate, the obligation to pay Park Impact Fees.
- 7.1.C Establish minimum standards to be applied to the design and construction of new park projects in the City.
- 7.1.D When park dedication and improvements are to be made by the developer (applicant), establish phasing in the subdivision’s development agreement between the City and applicant or the conditions of approval for the project. . . While this will be clarified on a case-by-case basis, phasing should generally be as follows:
- Dedicate land at Final Map.
 - Complete all improvements by the time two-thirds of the units are available for occupancy.
 - Assume all maintenance costs for completed park projects for a minimum period of six months and until the Landscape and Lighting Assessment District zone specific for the subdivision is funded.
- 7.1.E Address the following issues on a case-by-case basis as part of the subdivision’s approval process:
- Amount of park to be dedicated and improved within the subdivision versus amount that will be met through the payment of in-lieu fees to meet the City’s overall park goal of 5 acres per 1,000 residents.
 - Location, size, and type of park facility to be developed in the subdivision area.
 - Value of park land and improvements that will not be developed in the subdivision, the resulting amount of fees, and the payment schedule for fees to be paid.
 - Timing of park improvements and subsequent acceptance by the City.
 - Distribution of any in-lieu fees between neighborhood versus community parks and facilities and the need to redress any deficit in the availability of neighborhood parks in the vicinity of the subdivision.
 - The payment of Park Impact Fees at the time of building permit approval, subject to any credits for the dedication, per the Quimby Act, of parkland or the payment of fees in-lieu thereof.
- 7.1.F Acquire infill park sites in areas not included in park service radius, and identify potential pocket park areas.
- 7.1.G Monitor the Landscaping and Lighting assessment, the Park Land Dedication In-Lieu fees, and the Park Impact Fees to ensure that they remain consistent with the actual cost of acquiring, developing and maintaining recreational parkland. The fee structure should be reviewed annually to maintain consistency with costs.
- 7.1.H Annually review and adjust, as appropriate, all costs assessments including Park Land Dedication In-Lieu fees and Park Impact fees.
- 7.1.I Consider a local bond measure to provide capital for the acquisition and phased development of community park facilities through a community-wide election.
- 7.1.J Consider establishment of a formal advisory group for Parks and Recreation that would provide recommendations to the City Council on park issues.

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- 7.1.K Coordinate planning among individual properties and other public agencies to ensure reservation of park sites with easy access for neighborhood residents. This should include provisions for an interconnecting system of trails and pathways throughout the community.
- 7.1.L Coordinate planning and development efforts with local school districts and the county flood control district. Participate with them, whenever feasible, in the construction, maintenance, and operation of joint use facilities.
- 7.1.M Review all plans for development of parks, whether prepared by EBRPD, private developers or other parties to ensure that park development is consistent with the goals and criteria of this Element and the Oakley Parks Master Plan.
- 7.1.N Inspect all existing playgrounds as required by Title 24 of the CA State Code for public facilities, and Title 22 for conformance to U.S. Consumer Product Safety Commission (CPSC) guidelines for potential safety hazards.
- 7.1.O Establish collaborative efforts, working relationships and partnerships with other public agencies, nonprofit organizations, and the private sector to maximize development of park and recreation resources.
- 7.1.P Explore the feasibility of reclaimed water as a source of landscape irrigation within parks.
- 7.1.Q Update all recreation facilities to meet ADA and CPSC requirements as soon as possible.
- 7.1.R Devise and implement a maintenance and refurbishment plan as soon as possible.
- 7.2.A Provide community parks of sufficient size to meet the active and passive needs of the community at proposed build-out. Community parks will host organized, formal recreation activities such as sports leagues and tournaments.
- 7.2.B Meet the demand for athletic playfields by the following actions:
 - Develop facilities on land owned by or dedicated to the City.
 - Develop facilities on land to be acquired by the City.
 - Assist in the development of facilities on land owned by partnering entities – flood control, schools, and the County.
 - Assist in the development of facilities on privately owned land.
 - Partner with the Oakley Union Elementary School District, the Liberty Union High School District, and other joint-use partners to provide athletic playfields and gymnasiums, with the City to assist in funding development when appropriate. The City will help provide funding for renovation and maintenance of existing fields to ensure they are in safe playable condition.
- 7.2.C Provide multi-use community centers to meet the indoor recreational needs of all segments of the community.
- 7.2.D Design facilities to meet multi-generational needs, space will also be available to address the specific needs of the senior population.
- 7.2.E Plan neighborhood parks as subdivision and development occur. When consistent with the Oakley Parks Master Plan, required land should be identified, dedicated, and improved for recreational use.
- 7.3.A Collect Park Dedication In-Lieu fees for subdivision of parcels where dedication of land would not be desirable or consistent with the provisions of the Parks and Recreation Master Plan. Park Impact fees should be collected for all residential subdivisions subject to the fee.
- 7.4.A Provide one (1) acre of special recreation facilities, shoreline, and trails per 1,000 residents either through Land Dedication In-Lieu fees and/or Park Impact fees for all new residential subdivisions.
- 7.4.B Require proposed development, streets, and parks along the waterfront to maintain and enhance views of the Delta through the development review process.
- 7.4.C Pursue public and private partnerships needed to acquire necessary land and to improve a public or private/public commercial recreation area at Dutch Slough.
- 7.4.D Investigate the financial ramifications of public and privately owned launch ramps and fishing piers, including costs of acquisition and development, operations, and ongoing refurbishment, including the possible needs for channel dredging.
- 7.4.E Partner with EBRPD and other stakeholders to plan and complete a comprehensive shoreline trail system with connections to downtown Oakley.

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PARKS AND RECREATION ELEMENT – IMPLEMENTATION PROGRAMS

- 7.5.A Encourage and coordinate efforts with the EBRPD, EBMUD, and the Contra Costa County Flood and Water Conservation District for the implementation of:
- Diablo-to-Delta regional trail along the Marsh Creek channel
 - EBMUD Aqueduct right-of-way
 - Big Break to Antioch Pier regional trail along the shoreline
 - Delta de Anza Trail regional trail along the Contra Costa Canal
 - Railroad trails along the Santa Fe and the Southern Pacific Right-of-Ways
 - Big Break Regional Shoreline
 - Staging areas and access points
- 7.6.A Place new basins adjacent to schools and parks for dual usage.
- 7.7.A Provide a community forum for Master Plan refinement by outlining proposals for location, size, timing, acquisition, capital improvements, and financing of parkland and recreation needs as additional information becomes available.
- 7.7.B Determine the size standards for each park classification. These standards are the minimum acreage needed for facilities supporting the activity menus for each park classification and represent not only the acreage requirements, but also reflect sufficient acreage in passive and undeveloped open space for quality park and recreation area design.
- 7.7.C Define areas where new parks should be sited to meet existing deficits. Incorporate the defined areas into the General Plan to provide a basis for reserving property for future recreation needs. Such measures are needed to meet the standards of both parkland distribution and acreage.
- 7.7.D Prepare a community/neighborhood park and recreation survey form to be periodically utilized in identifying local goals, attitudes, opinions, needs and other factors that might relate to the efficient and cost-effective provision of recreation facilities and programs.
- 7.7.E Determine the types of park facilities desired and land required. The City of Oakley needs to identify the spaces and facilities required to meet the community real-time recreation demand, which includes the minimum amount of park land needed to accommodate not only the specific facilities, but also the space needed for the unprogrammed recreation activities.
- 7.7.F Maintain and update an inventory of parkland and facilities in Oakley. This inventory should be reviewed on a regular basis.
- 7.7.G Collate and review park maintenance standards for surrounding cities.
- 7.7.H Adopt construction standards within the Parks and Recreation Master Plan that establish the minimum design and construction standards for new park projects. The City’s Standards should include:
- Guidelines for park design, construction document preparation, developer responsibilities and inspection requirements.
 - City standard General Condition’s specification section for City construction projects.
 - City standard for technical specifications, section numbers and formatting, for park and streetscape projects. These specification sections make up the “backbone” of the specification package.
 - City standard details typically used in park/streetscape projects.
 - Additional information and specification sections specific to the project and recorded in the contract documents to ensure that all project parameters are covered.
- 7.7.I Guide future decisions regarding financing mechanisms using the following principles:
- Equitably distribute costs based on benefit received. Costs for new infrastructure and public amenities should be borne by developers, property owners, and where appropriate, by the public.
 - Consider sources of both capital and on-going maintenance revenue as a part of any financing strategy to ensure that all improvements can be maintained without placing an undue burden on either adjacent property owners or the City of Oakley.
 - Structure development fees and assessments so that they distribute costs equitably among various land uses, and do not serve as a disincentive to uses desired by the City.
 - Continue a diversified program of funding for park acquisition and maintenance and recreation programming. Incorporate a variety of funding mechanisms including but not limited to: Park Facilities Impact Funds, Park

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Land Dedication/In-Lieu Fees, Landscape and Park Assessment Districts, grants, federal funding, cooperative agreements with the school districts and flood control districts, creation of local trusts, Mello-Roos Community Facilities District, corporate sponsorship and bonds.

- 7.7.J Implement a park facilities impact fee that would be collected at time of building permit issuance by doing the following:
- Adopt an implementing ordinance and resolution.
 - Maintain an updated master plan indicating park standards and the types of facilities anticipated to accommodate growth.
 - Maintain an annual Capital Improvement Program budget to indicate where fees are being expended to accommodate growth.
 - Provide an appropriate credit at time of building permit issuance for lots that are part of any subdivision that previously dedicated parkland or paid an in-lieu fee with credits calculated and granted separately for land dedication and park improvements, and no commingling of credits unless agreed to by the City; .
 - Comply with the annual and five-year reporting requirements of Government Code 66000 et seq.;
 - Identify appropriate inflation indexes in the fee ordinance and allow an automatic inflation adjustment to the fee annually.

HEALTH AND SAFETY ELEMENT – GOALS

- 8.1 Protect human life, reduce the potential for serious injuries, and minimize the risk of property losses from the effects of earthquakes, including fault rupture, ground shaking, and liquefaction - induced ground failure.
- 8.2 Protect public safety and minimize the risk to life and property from flooding.
- 8.3 Provide protection from hazards associated with the use, transport, treatment, and disposal of hazardous substances.
- 8.4 Provide for a continuing high level of public protection services and coordination of services in a disaster.

HEALTH AND SAFETY ELEMENT – POLICIES

- 8.1.1 Recognize that a severe earthquake hazard exists and reflect this recognition in the City’s development review and other programs.
- 8.1.2 Include a thorough evaluation of geologic-seismic and soils conditions at risk in all significant land use decisions (General Plan amendment, rezoning, etc., affecting 10 acres or more).
- 8.1.3 Require the design of structures for human occupancy for satisfactory performance under earthquake conditions.
- 8.1.4 Prohibit the erection of critical structures and facilities whose loss would substantially affect the public safety or the provision of needed services, in areas where there is a high risk of severe damage in the event of an earthquake.
- 8.1.5 In areas susceptible to high damage from ground shaking (Modern sediment Zone identified on Figure 8-1, Faults and Seismic Stability), geologic-seismic and soils studies shall be required prior to authorizing public or private construction.
- 8.1.6 Prohibit construction of structures for human occupancy, and structures whose loss would affect the public safety or the provision of needed services, within 50 feet of known active faults as referenced in the Alquist/Priolo Act.
- 8.1.7 In areas where active or inactive earthquake faults have been identified, the location and/or design of any proposed buildings, facilities, or other development shall be modified to mitigate possible danger from fault rupture or creep.
- 8.1.8 To the extent practicable, the construction of critical facilities, structures involving high occupancies, and public facilities should not be sited in areas identified as, or underlain by deposits classified as, having a high liquefaction potential (Figure 8-2).

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HEALTH AND SAFETY ELEMENT – POLICIES

- 8.1.9 Any structures permitted in areas of high liquefaction potential (Figure 8-2) shall be sited, designed and constructed to minimize the dangers from damage due to earthquake-induced liquefaction. Approval of public and private development projects shall be contingent on geologic and engineering studies which: 1) define and delineate potentially hazardous geologic and/or soils conditions, 2) recommend means of mitigating these adverse conditions; and 3) provide implementation of the mitigation measures.
- 8.2.1 Applications for development at urban or suburban densities in 100-year floodplain areas where there is a serious risk to life and property (see Figure 8-3) shall demonstrate appropriate solutions or be denied.
- 8.2.2 In mainland areas along the creeks and bays affected by water backing up into the watercourse, it shall be demonstrated prior to development that adequate protection exist through levee protection or change of elevation.
- 8.2.3 Buildings in urban development near the shoreline of the Delta and in flood-prone areas shall be protected from flood dangers, including consideration of rising sea levels.
- 8.2.4 Habitable areas of structures near the shoreline of the Delta and in flood-prone areas shall be sited above the highest water level expected during the life of the project, or shall be protected for the expected life of the project by levees of an adequate design
- 8.2.5 Rights-of-way for levees protecting inland areas from tidal flooding shall be sufficiently wide on the upland side to allow for future levee widening to support additional levee height.
- 8.2.6 Review flooding policies in the General Plan every five years in order to incorporate any new scientific findings regarding the potential for flooding and projected increases in sea levels.
- 8.2.7 Review flooding policies as they relate to properties designated by FEMA as within the 100-year floodplains.
- 8.2.8 Development proposals near the shoreline of the Delta and within flood-prone areas shall be reviewed by the Flood Control District, as an advisory agency, prior to approval by the City.
- 8.2.9 Development of lands subject to subsidence shall take into account and fully mitigate the potential impacts of flooding based on the best currently available techniques.
- 8.2.10 Any development approvals for areas subject to subsidence shall include conditions that account for the need to support Delta reclamation and irrigation districts, and to strengthen weak and low levees prior to development.
- 8.2.11 The pumping of substantial quantities of water, oil, and gas in an area protected by levees is inconsistent with new major development approvals.
- 8.2.12 In order to protect lives and property, intensive urban and suburban development shall not be permitted in reclaimed areas subject to 100-year flooding, unless flood protection in such areas is constructed. Typically, levees shall meet the standards of the U.S. Army Corps of Engineers, although ‘Dry levees’ that supplement existing levees may be allowed at the discretion of the City.
- 8.2.13 Levees shall be properly engineered and designed to ensure protection against earthquakes, tsunamis and seiches.
- 8.3.1 Hazardous waste releases from both private companies and public agencies shall be identified and eliminated.
- 8.3.2 Storage of hazardous materials and wastes shall be strictly regulated.
- 8.3.3 Secondary contaminant and periodic examination shall be required for all storage of toxic materials.
- 8.3.4 Industrial facilities shall be constructed and operated in accordance with up-to-date safety and environmental protection standards.
- 8.3.5 Industries which store and process hazardous materials shall provide a buffer zone between the installation and the property boundaries sufficient to protect public safety. The adequacy of the buffer zone shall be determined by the Community Development Department.
- 8.4.1 The Office of Emergency Services, in cooperation with the City and public protection agencies, shall delineate evacuation routes and, where possible, alternate routes around points of congestion or where road failure could occur.
- 8.4.2 In order to ensure prompt public protection services, address numbers shall be required to be easily seen from the street or road.
- 8.4.3 Require adequate access for medical emergency equipment in high-occupancy buildings over two stories in height.

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HEALTH AND SAFETY ELEMENT – POLICIES

- 8.4.4 Design and construct all buildings greater than two-stories to provide for the evacuation of occupants and/or for the creation of a safe environment in case of a substantial disaster, such as a severe earthquake or fire.
- 8.4.5 All new habitable structures shall be constructed with fire-resistant roofing materials.

HEALTH AND SAFETY ELEMENT – IMPLEMENTATION PROGRAMS

- 8.1.A Require that structures intended for human occupancy are adequately setback from active and potentially active faults. Ensure that minimum setbacks take into account the varying degree of seismic risk and the consequences of failure.
- 8.1.B Utilize the land in the setback zones along active and potentially active faults for open forms of land use that could experience displacement without endangering large numbers of people or creating secondary hazards. Examples are yards, greenbelts, parking lots, and non-critical storage areas.
- 8.1.C Through the environmental review process, require comprehensive geologic, seismic, and/or soils and engineering studies for any critical structure proposed for construction in areas subject to groundshaking, fault displacement, ground failure, or liquefaction.
- 8.1.D Adopt ordinance code provisions related to the repair or replacement of unreinforced masonry structures.
- 8.2.A Encourage the County Flood Control District to proceed with drainage improvements in areas subject to flooding from inadequate County flood control facilities.
- 8.2.B Draft and adopt a city drainage master plan to address localized areas affected by creeks, in accordance with the guidelines contained in the Health and Safety Element and the Open Space and Conservation Element of this General Plan.
- 8.2.C Establish a uniform set of flood damage prevention standards in cooperation with appropriate County, State, and federal agencies.
- 8.2.D Through the environmental review process, ensure that potential flooding impacts, due to new development, including on-site and downstream flood damage, subsidence, dam or levee failure, and potential inundation from tsunamis and seiches, are adequately addressed. Impose appropriate mitigation measures (e.g., flood proofing, levee protection, Delta reclamations, etc.).
- 8.2.E Participate in Delta levee rehabilitation plans in cooperation with County, State, federal agencies, and the private sector.
- 8.2.F Prohibit new structures that would restrict maintenance or future efforts to increase the height of the levees from being constructed on top of or immediately adjacent to the levees.
- 8.2.G All analysis of levee safety shall include consideration of the worse case situations of high tides coupled with storm-driven waves.
- 8.3.A Encourage the State Department of Health Services and the California Highway Patrol to review permits for radioactive materials on a regular basis and to promulgate and enforce public safety standards for the use of these materials, including the placarding of transport vehicles.
- 8.3.B Request that State and Federal agencies with responsibilities for regulating the transportation of hazardous materials review regulations and procedures, in cooperation with the City, to determine means of mitigating the public safety hazard in urbanized areas.
- 8.4.A In cooperation with adjacent cities and public protection agencies, delineate evacuation routes, emergency vehicle routes for disaster response and, where possible, alternative routes where congestion or road failure could occur.
- 8.4.B Major developments will not be approved if fire-fighting services are not available or are not adequate for the area.
- 8.4.C Adopt a City of Oakley Emergency Response Plan that identifies specific response procedures and responsibilities for responding to emergency situations.

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NOISE ELEMENT – GOALS

- 9.1 Protect residents from the harmful and annoying effects of exposure to excessive noise.
- 9.2 Protect the economic base of the City by preventing incompatible land uses from encroaching upon existing or planned noise-producing uses.

NOISE ELEMENT – POLICIES

- 9.1.1 New development shall use the land use compatibility table shown in Figure 9.1 and the standards contained within Tables 9.1 and 9.3 for determining noise compatibility.
- 9.1.2 New development of noise-sensitive uses shall not be allowed where the noise level due to non-transportation noise sources will exceed the noise level standards of Table 9-1 as measured immediately within the property line or within a designated outdoor activity area (location is at the discretion of the Planning Director) of the new development, unless effective noise mitigation measures have been incorporated into the development design to achieve the standards specified in Table 9-1.
- 9.1.3 Noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 9-1 as measured immediately within the property line of lands designated for noise-sensitive uses.
Note: For the purposes of the Noise Element, transportation noise sources are defined as traffic on public roadways, railroad line operations and aircraft in flight. Control of noise from these sources is preempted by Federal and State regulations. Other noise sources are presumed to be subject to local regulations, such as a noise control ordinance. Non-transportation noise sources may include industrial operations, outdoor recreation facilities, Heating, Ventilation, Air Conditioning (HVAC) units, loading docks, etc.
- 9.1.4 Where proposed non-residential land uses are likely to produce noise levels exceeding the performance standards of Table 9-1 at existing or planned noise-sensitive uses, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design. The requirements for the contents of an acoustical analysis are given by Table 9-2.
- 9.1.5 Noise created by new transportation noise sources shall be mitigated so as not to exceed the levels specified in Table 9-3 at outdoor activity areas or interior spaces of existing noise-sensitive land uses.
- 9.1.6 It is anticipated that roadway improvement projects will be needed to accommodate build-out of the general plan. Therefore, existing noise-sensitive uses may be exposed to increased noise levels due to roadway improvement projects as a result of increased roadway capacity, increases in travel speeds, etc. It may not be practical to reduce increased traffic noise levels consistent with those contained Table 9-3. Therefore, as an alternative, the following criteria may be used as a test of significance for roadway improvement projects:
 - Where existing traffic noise levels are less than 60 dB Ldn at the outdoor activity areas of noise-sensitive uses, a +5 dB Ldn increase in noise levels due to roadway improvement projects will be considered significant; and
 - Where existing traffic noise levels range between 60 and 65 dB Ldn at the outdoor activity areas of noise-sensitive uses, a +3 dB Ldn increase in noise levels due to roadway improvement projects will be considered significant; and
 - Where existing traffic noise levels are greater than 65 dB Ldn at the outdoor activity areas of noise-sensitive uses, a +1.5 dB Ldn increase in noise levels due to roadway improvement projects will be considered significant.
- 9.1.7 Where noise mitigation measures are required to achieve the standards of Tables 9-1 and 9-3, the emphasis of such measures shall be placed upon site planning and project design. The use of noise barriers shall be considered a means of achieving the noise standards only after all other practical design-related noise mitigation measures have been integrated into the project.
Note: Existing dwellings and new single-family dwellings may not be subject to City review with respect to satisfaction of the standards of the Noise Element. As a consequence, such dwellings may be constructed in areas where noise levels exceed the standards of the Noise Element. It is not the responsibility of the City to ensure that such dwellings meet the noise standards of the Noise Element, or the noise standards imposed by lending agencies such as U.S. Department of Housing and Urban Development (HUD), the Federal Housing Administration (FHA) and the State of California Department of Veteran Affairs (Cal Vet). If homes are located and constructed in accordance with the Noise Element, it is expected that the resulting exterior and interior noise levels will conform to the HUD/FHA/Cal Vet noise standards.
- 9.1.8 Obtrusive, discretionary noise generated from residences, automobiles, commercial establishments, and/or industrial facilities should be minimized or prohibited.

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NOISE ELEMENT – POLICIES

- 9.1.9 Activities associated with agricultural operations are recognized as noise sources which may be considered annoying to some residents. These activities can occur during the daytime and nighttime hours. Activities include crop dusting, tractor operations, etc. The city will require that all new development of residential uses adjacent to agricultural uses provide full disclosure of potential noise sources to future residents.
- 9.2.1 New development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected levels of noise from transportation noise sources which exceed the levels specified in Table 9-3, unless the project design includes effective mitigation measures to reduce exterior noise and noise levels in interior spaces to the levels specified in Table 9-3.
- 9.2.2 Where noise-sensitive land uses are proposed in areas exposed to existing or projected exterior noise levels exceeding the levels specified in Table 9-3 or the performance standards of Table 9-1, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design.

NOISE ELEMENT – IMPLEMENTATION PROGRAMS

- 9.1.A The City has adopted and will update as necessary a Noise Ordinance to govern nuisance noise introduced by residential, commercial, or industrial uses. The purpose of this Ordinance is to regulate excessive noise produced by car stereos, parties, commercial and industrial activities (except where approved by the City), and other discretionary noise observed to be a nuisance to adjacent communities or businesses.

HOUSING ELEMENT – GOALS

- 10.1 Provide adequate sites, including land suitable for multifamily rental housing, manufactured housing, housing for agricultural employees, emergency shelters, and transitional housing, to accommodate the City's share of regional housing needs through appropriate zoning and development standards.
- 10.2 Assist in the development and provision of adequate housing stock to meet the needs of very low, low, and moderate-income households and special needs groups.
- 10.3 Identify and, where appropriate, remove governmental constraints to the development of housing, including housing for all income levels and special needs groups.
- 10.4 Conserve and improve the condition of existing affordable housing stock and remove governmental constraints to the conservation and improvement of existing housing stock for all income levels and special needs groups.
- 10.5 Promote housing opportunities for all persons, regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.
- 10.6 Preserve assisted housing developments for lower income households.

HOUSING ELEMENT – POLICIES

- 10.1.1 Maintain an adequate supply of appropriately zoned land with available or planned public services and infrastructure to accommodate the City's projected housing needs for all income levels and for special needs groups.
- 10.1.2 Promote development of affordable housing located in close proximity to services, shopping, and public transportation.
- 10.1.3 Encourage the development of affordable housing to occur concurrently with the production of market-rate development.
- 10.2.1 Facilitate and encourage the construction of housing affordable to very low, low, and moderate income households consistent with the City's identified housing needs.
- 10.2.2 Require a minimum percentage of low and/or moderate income housing to be provided in new residential developments through an Inclusionary Housing Ordinance.
- 10.2.3 Offer increased discretionary density bonus that is higher than required by State law to projects providing affordable units in addition to those required to receive a density bonus under State law.

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HOUSING ELEMENT – POLICIES

- 10.2.4 Assist in the development of housing affordable to the very low, low, and moderate-income groups by non-profit and for-profit developers through financial and/or technical assistance.
- 10.2.5 Increase access to homeownership by providing first-time homebuyer assistance for very low, low, and moderate-income households.
- 10.2.6 Ensure long-term affordability of very low and low-income housing.
- 10.2.7 Support energy conserving programs in the production and rehabilitation of affordable housing to reduce household energy costs.
- 10.2.8 Support housing opportunities for agricultural workers, homeless, seniors, female-headed households, large families, and persons with disabilities.
- 10.2.9 Assist very low and low-income households in locating affordable housing and finding sources of assistance with housing payments and rent.
- 10.3.1 Perform a comprehensive review of the Zoning Ordinance and other regulations, as may be deemed necessary, to ensure that the City's policies and regulations do not inappropriately constrain housing development and affordability.
- 10.3.2 Encourage creative and flexible design for affordable residential developments.
- 10.3.3 Provide consistent and predictable policy direction for residential project applicants in the development and design standards and decision-making process.
- 10.4.1 Ensure that affordable housing stock is retained in good, safe, and decent condition.
- 10.4.2 Maintain and improve affordable neighborhoods.
- 10.4.3 Ensure the retention of mobile home parks.
- 10.4.4 Monitor the conversion of rental housing to condominiums to retain the supply of rental housing.
- 10.5.1 Prohibit discrimination in the sale or rental of housing to anyone on the basis of race, color, ancestry, national origin, religion, disability, sex, familial status, marital status, or other such arbitrary factors.
- 10.6.1 Preserve existing affordable housing developments at risk of converting to market rate.

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- 10.1.A Consistent with the General Plan land use diagram, zone sufficient land to accommodate the City's identified housing needs through 2006. Rezone these lands to designations appropriate for residential development shall occur no later than March 2003.
- 10.1.B Designate residential sites to provide consistency with the City's identified housing needs, through the rezoning and annexation pre-zoning processes.
- 10.1.C Update financing and phasing plans to provide infrastructure improvements necessary to support affordable housing.
- 10.1.D Continue to allow multifamily residential uses in Neighborhood Business, Retail Business and General Commercial districts (with a land use permit) to allow flexibility in siting of multifamily developments.
- 10.1.E Maintain an inventory that details the amount, type, and size of vacant and underutilized parcels to assist developers in identifying land suitable for residential development.
- 10.1.F Encourage development serving targeted needs, such as condominium/townhouses and senior housing to increase the stock of affordable housing.
- 10.1.G Optimize multifamily opportunities on sites meeting the following criteria: (a) proximity to public transit or bus service; (b) proximity to commercial and social services; (c) parcel size and configuration which enhances the feasibility of development; (d) lack of physical constraints (noise, wetlands); (e) provision for a variety of housing types and affordable housing opportunities; and (f) other criteria deemed appropriate including integration of multifamily units within the larger adjacent neighborhood. Apply these criteria to evaluate rezoning proposals involving multifamily development.

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- 10.1.H Support high-density residential development along corridors where regular transit service either exists or is anticipated.
- 10.2.A Support efforts for provision of affordable housing through the allocation of City resources (including funding and staff time) first to multifamily housing then to senior developments, and townhomes/ condominiums, and zero lot line or reduced setback projects that incorporate units affordable to very low and low income households or, for senior developments, that incorporate units affordable to low and moderate income households.
- 10.2.B Support affordable housing development through direct financial assistance (e.g., redevelopment, CDBG, HOME funds, regulatory incentives (e.g., density bonuses) and land write-downs, such as the City purchasing land and selling it to an affordable housing developer at a lower price, to the extent financially feasible.
- 10.2.C Prepare and adopt multifamily residential design guidelines that require, at minimum, the following features:
- i. Sufficient outdoor privacy for each unit (e.g., patios, decks)
 - ii. Covered off-street parking
 - iii. Parking away from the primary access street screened with landscaping
 - iv. Assurance of proper site and building maintenance. Segmentation of building mass into smaller units, including one-story elements if adjacent single-story residential development
 - v. Pitched and varied rooflines
 - vi. Functional and accessible interior site open space
 - vii. Recreational areas for children
 - viii. Easily identifiable and sheltered entrances to units
 - ix. Energy efficient design
 - x. On-site management
 - xi. Design that discourages features such as large blank walls and monotonous color schemes.
- 10.2.D Develop and adopt an Inclusionary Zoning Ordinance to establish a program to require a mix of housing affordable to all income levels in all new residential development. The program shall include a provision that new developments contribute to the affordable housing mix either through inclusionary development of the units, payment of an in-lieu fee, or donation of land. The program shall also require that inclusionary units provided in a market rate development shall be consistent with the market rate development in terms of lot sizes, development standards, and quality of materials. Type of contribution whether it is the development of units, payment of an in-lieu fee or donation of land shall be reviewed and approved by the City Council.
- Note: If this action item is recommended by the Planning Commission/City Council, additional information regarding the potential mechanics of an Inclusionary Ordinance will be provided by staff at a later date.*
- 10.2.E Adopt a density bonus ordinance that offers increased discretionary density to affordable housing developments that provide more than 25 percent affordable units and to provide relaxed development standards or setback requirements for mixed-use developments (commercial or office uses must be on same site as housing) providing an affordable housing component.
- 10.2.F Assign Redevelopment Funds, to the extent financially feasible, and pursue CDBG/HOME funds and other affordable housing subsidies for housing projects affordable to very low and low-income households.
- 10.2.G Pursue sources of predevelopment financing through available federal, state, local, and private sources, including the HOME and CDBG programs, to assist affordable or special needs housing development being carried out by qualified nonprofit housing corporations.
- 10.2.H Issue Notice of Funding Availability (NOFA) and create streamlined development assistance programs in order to provide public, competitive funding processes for affordable housing funding resources available through the City.

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- 10.2.I Adopt a program of regulatory and financial incentives for affordable housing. In the development of housing units affordable to lower-income households, regulatory and financial incentives are requested by developers to reduce the cost of construction which in-turn lowers the rent to tenants. By offering incentives to developers, the City can require the units to be affordable to lower-income households. The City, at its discretion, may offer public subsidies, density bonuses, expedited or preferential permit processing, interior finishes reductions, fee waivers or deferrals, and public works modifications to allow cost savings to developers of affordable housing units. The City may assist developers in applying for available financing and may provide these affordable units a priority for fee waivers and other incentives. To the extent that an applicable Specific Plan establishes target average density and/or multiple housing type policies, projects shall generally be required to comply with applicable target average density and/or multiple housing type requirements at the subdivision level to assure a variety of housing opportunities within each subdivision.
- 10.2.J Disseminate information about the available County-administered first-time homebuyer programs.
- 10.2.K Support homeownership programs carried out by nonprofit housing corporations through provision of land, financial assistance, and/or technical assistance.
- 10.2.L Partner in the various local first-time homebuyer programs or identify first-time homebuyer programs that can be provided by the City.
- 10.2.M Require that all affordable housing development subsidized by the City or required by the City contain provisions that assure long-term affordability mechanisms.
- 10.2.N Maintain affordability for intended period of time through well-written contracts and/or deed restrictions and ongoing monitoring for compliance.
- 10.2.O Develop a program that would require housing developers (both single family and multifamily) to build a minimum percentage of units that meet Title 24, Tier II or Tier III energy standards.
- 10.2.P Review regulations to ensure that supportive housing and other group living situations with more than six beds are able to be located subject to reasonable local regulations.
- 10.2.Q Allow flexibility in development standards such as smaller unit sizes and parking reduction for senior projects.
- 10.2.R Participate in the Urban County CDBG program, and work with Contra Costa County to assess homeless needs and address homelessness that may occur.
- 10.2.S Continue participation in the Urban County CDBG program to provide emergency shelters and other support services that address homelessness at a regional level.
- 10.2.T Continue participation in the CDBG and HOME programs, through the Urban County and HOME Consortium, in order to procure funding sources (e.g., CDBG, HOME) to help finance the City's fair share of homeless and other special needs housing and services.
- 10.2.U Provide assistance to emergency shelter facilities for the homeless population, including alcohol and drug recovery programs operated by Contra Costa Health Services and non-profit services providers through CDBG and ESG funds provided through participation in the Urban County.
- 10.2.V Support the creation and operation of transitional housing programs operated by Contra Costa Housing Authority and other non-profit housing groups.
- 10.2.W Continue participation in the Urban County CDBG and HOME Consortium to identify and provide, where possible, sources of decent, suitable, and affordable shelter for homeless individuals and families sufficient to meet the City's identified needs.
- 10.2.X Develop and distribute housing resource materials, including location of existing and planned affordable housing and housing assistance programs.
- 10.3.A Amend the Zoning Ordinance and establish guidelines to establish clear locational and development standards and to establish streamlined review and approval procedures for affordable multifamily housing, emergency shelters, and transitional housing projects satisfying the adopted standards.
- 10.3.B Review the appropriateness of reducing, waiving, and/or deferring impact and/or processing fees for units affordable to very low and low income households, including senior housing, and apartment units, and housing for special needs groups, including agricultural employees, emergency /transitional housing, and housing for persons with disabilities to make the development of such units more financially feasible.

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- 10.3.C Allow flexibility, where appropriate and considering aesthetics, safety public input, etc., in infrastructure and development standards and land use and zoning controls in order to encourage affordable residential development. This program does not eliminate the requirement of consistency under Program 10.2D Inclusionary Zoning Ordinance.
- 10.3.D Utilize the Planned Unit District (P-1) process to secure more creative and flexibly designed projects to encourage the inclusion of an affordable housing component within new projects.
- 10.3.E Develop summary information handouts for residential developers to explain applicable Zoning Ordinance and General Plan requirements. Provide specific examples of projects meeting these requirements. Train staff in the residential project review process to ensure consistency in the application of all City standards.
- 10.4.A Continue to provide an Owner Occupied Housing Rehabilitation Program, through the Urban County, in order to assist very low and low-income households occupying housing in need of repair.
- 10.4.B Provide a brochure on housing conservation and utility assistance programs directed at assisting residents in the very low, low, and moderate income categories.
- 10.4.C Continue to provide a Senior Housing Emergency Repair Program, through the Urban County.
- 10.4.D Solicit public input bi-annually to identify areas that appear to be in decline.
- 10.4.E Provide information on available housing rehabilitation programs to residents of neighborhoods and areas identified through Program d, above.
- 10.4.F Investigate the feasibility of establishing a rental inspection program.
- 10.4.G Carry out code enforcement activities as a means to ensure the quality of the housing stock and residential neighborhoods.
- 10.4.H Develop and implement an infrastructure preservation program to ensure that infrastructure facilities are adequately maintained and do not contribute to the deterioration of neighborhoods.
- 10.4.I Facilitate and encourage the rehabilitation of existing housing affordable to very low, low, and moderate-income households.
- 10.4.J Explore implementing the state-funded Mobile Home Park Assistance Program (MPAP) which assists low-income mobile home park tenants acquire tenant ownership of their park.
- 10.4.K Implement a Condominium Conversion Ordinance, if and when appropriate.
- 10.5.A Carry out the necessary actions to address impediments to fair housing choice.
- 10.5.B Encourage enforcement of federal and state anti-discrimination laws.
- 10.5.C Promptly direct complaints of discrimination in the sale, rent, and development of housing.
- 10.5.D The City shall develop a procedure to refer complaints of discrimination to the appropriate authority.
- 10.5.E Continue to require a community childcare fee for all single family and multiple family dwelling units.
- 10.6.A Establish an annual monitoring program to identify assisted housing units at risk of losing their affordability subsidies or requirements.
- 10.6.B Work with federal, state, nonprofit housing organizations, and Contra Costa County to help purchase complexes that the owner wishes to convert to market rate.
- 10.6.C Establish a program to preserve affordable housing at risk of converting to market rate through a program that includes notification to owners and tenants and participation in federal, state, and local preservation programs.
- 10.6.D Participate with the California Housing Finance Agency, developers using mortgage revenue bond allocations, and lending institutions to preserve, and/or replace subsidies for federally assisted housing with expiring Section 8 subsidies.

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Contra Costa County General Plan 1995-2010, July 1996.

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