



DATE: May 10, 2024

TO: California State Clearinghouse  
Responsible and Trustee Agencies  
Interested Parties and Organizations

FROM: Ken Strelo, Community Development Director  
City of Oakley

**SUBJECT: NOTICE OF PREPARATION OF A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED EAST CYPRESS CORRIDOR SPECIFIC PLAN**

The City of Oakley is the lead agency for the preparation of a Subsequent Environmental Impact Report (SEIR) for the proposed East Cypress Corridor Specific Plan (ECCSP). The scope of the SEIR has been proposed based upon a determination by the City of Oakley. The City of Oakley has directed the preparation of this EIR in compliance with the California Environmental Quality Act (CEQA).

Once a decision is made to prepare an EIR, the lead agency must prepare a Notice of Preparation (NOP) to inform all responsible and trustee agencies that an EIR would be prepared (CEQA Guidelines Section 15082). The purpose of the NOP is to provide agencies with sufficient information describing both the proposed project and the potential environmental effects to enable the agencies to make a meaningful response as to the scope and content of the information to be included in the SEIR. The City of Oakley is also soliciting comments on the scope of the SEIR from the general public.

**BACKGROUND**

The ECCSP was approved and the associated EIR was certified by the City of Oakley in 2006. The ECCSP is split into the following planning areas: Planning Area 1 (Del Porto Property North and Leshar Property); Planning Area 2 (Summer Lake North); Planning Area 3 (Dal Porto Property South); Planning Area 4 (Bethel Island LLC Property); Planning Area 5 (Summer Lake South); and Planning Area 6.

Overall, the approved ECCSP would include the development of the following: 5,759 residential units; 92.6 acres of commercial uses; 52.6 acres of public schools; 101.7 acres of parks (neighborhood and community); 5.7 acres of light industrial uses; 37.3 acres of commercial recreation; a six-acre beach club; 152.3 acres of man-made lakes; 190 acres of open space/easements; 20.5 acres of existing and proposed gas well sites; 122.1 acres of wetlands/dunes; and 112.5 acres of flood-control levees.

Planning Area 2 (Summer Lake North) represents approximately 409 acres of the ECCSP, and was originally approved for development of 702 dwelling units and a golf course in 1993 by Contra Costa County. However, the ECCSP changed the project to include 816 residential units; a 20-acre middle school; a 1.7-acre commercial center; a 1.2-acre fire station and lift station; two gas wells totaling 5.5 acres; and approximately 1.2 acres reserved for light industrial land uses.

A Supplement to the ECCSP EIR was certified by the City of Oakley in 2008, and corrected deficiencies in the ECCSP 2006 EIR. The deficiencies included failure to comply with the tiering provisions of CEQA related to agricultural resources, and insufficient analysis of air quality impacts from source emissions. It should be noted that the 2006 SEIR did not alter the number of approved units.

In 2011, an Addendum (SLN TM 9307) to the ECCSP EIR evaluated development of 824 residential units within Planning Area 2. The additional eight units were the result of a density transfer of three standing units and five demolished units from Planning Area 5 to Planning Area 2.

## **PROJECT DESCRIPTION**

The following is a discussion of the project location and setting, land use, and components.

### **Project Location and Setting**

The ECCSP is comprised of approximately 2,546 acres of land within the City of Oakley, California, and the City's Sphere of Influence (see Figure 1 and Figure 2). Planning Areas 1 through 4 cover approximately 1,646 acres and are proposed for mixed-use development, including residential, commercial, park, open space and public facility uses. Planning Area 5 (Summer Lake South) includes approximately 269 acres and is planned for the development of 628 residential dwelling units. Planning Area 6 includes approximately 631 acres of property owned by individual homeowners and other landowners. The proposed project would include development specific to Planning Area 2, which is discussed in further detail below.

Planning Area 2 (Summer Lake North) of the ECCSP consists of a 409-acre portion of a larger parcel (formerly identified as Assessors Parcel Number [APN] 032-370-033) (see Figure 3). Planning Area 2 is bounded by Sandmound Boulevard to the north and east, East Cypress Road to the south, and Bethel Island Road to the west. Sandmound Slough is located to the east of the project site, Rock Slough to the south, and Contra Costa Canal to the west. Surrounding existing uses include single-family residences to the east; Planning Area 5 of the ECCSP, which is mostly developed; and a self-storage facility to the west. Primary emergency access for the ECCSP area is currently provided by East Cypress Road.

### **Project Entitlements**

The entitlements requested with this application include:

- Certification of the Subsequent Environmental Impact Report;
- Adoption of the Mitigation Monitoring and Reporting Program;
- Approval of a Specific Plan Amendment; and
- Approval of six Builder's Remedy Tentative Maps to subdivide the site (Planning Area 2) into 443 residential lots.

### **Existing Land Use and Zoning Designations**

The City of Oakley General Plan designates Planning Area 2 as Specific Plan and the site is zoned ECCSP (SP-1).

### **Project Components**

The proposed project includes the redesign of Planning Area 2, the further subdivision of the project site into 443 residential lots through six Builder's Remedy Tentative Maps, and an analysis of the feasibility of the Rock Slough Bridge. For purposes of the CEQA analysis, the SEIR will evaluate the feasibility of Rock Slough Bridge at a programmatic level, while the development of Planning Area 2 will be evaluated at a project level. The project components are described in further detail below.

## Planning Area 2

The project site is currently designated Specific Plan. The proposed project would include a Specific Plan Amendment to revise the design of the Planning Area 2 residential neighborhood. When the ECCSP was adopted in 2006, Planning Area 2 included 816 residential units and 70.5 acres of lakes on a 409-acre site. The proposed project would revise Planning Area 2 to include a total of 1,267 residential units, comprised of 824 units associated with the Summer Lake North Tentative Map (see Figure 4) and 443 units associated with the six Builder's Remedy Tentative Maps (see Figure 5). It should be noted that the proposed Summer Lake North Tentative Map includes minor adjustments to the project site boundaries for a total site acreage of 404.1 acres.

### Builder's Remedy Tentative Maps

The following is a discussion of the residential neighborhoods associated with the Builder's Remedy Tentative Maps.

#### *Village 13*

Village 13 would include the subdivision of a four-acre lot located in the southeast corner of Planning Area 2, south of East Cypress Road. The ECCSP originally anticipated development of the lot with low-density, multi-family residences. Village 13 would be comprised of 16 single-family residential lots ranging in size from 5,300 square feet (sf) to 12,564 sf, an internal road, and one open space parcel.

#### *Village 14*

Village 14 would include the subdivision of a 10.3-acre lot located in the northwest portion of Planning Area 2, south of Villages 15 and 16. The ECCSP originally anticipated development of medium density single-family residences and a man-made lake at Village 14. The proposed project would subdivide the lot into 54 single-family residential lots ranging from 5,000 sf to 9,874 sf in size, and one 7,072-sf park.

#### *Villages 15 and 16*

Villages 15 and 16 would include the subdivision of a 14.9-acre lot located in the northwest portion of Planning Area 2, east of Village 17 and north of Village 14. The ECCSP originally anticipated development of high-density single-family residences at Villages 15 and 16. The proposed project would subdivide the lot into 85 single-family residential lots ranging in size from 4,000 sf to 11,676 sf, and three open space/public lots ranging from 620 sf to 4,648 sf.

#### *Village 17*

Village 17 would include the subdivision of a 16.89-acre lot located in the northwest corner of Planning Area 2, southeast of the Bethel Island Road/Sandmound Boulevard intersection. The ECCSP originally anticipated development of a middle school at Village 17. The proposed project would subdivide the lot into 131 single-family residential lots ranging in size from 3,600 sf to 7,446 sf.

It should be noted that Villages 14, 15, 16, and 17 would be connected through an internal roadway system.

#### *Village 18*

Village 18 would include the subdivision of a 16.6-acre lot located in the central portion of Planning Area 2, north of the proposed East Summer Lake Drive roadway. The ECCSP originally anticipated development of the Village 18 lot as low-density single-family residences, low density multi-family residential housing, and a portion of a shared lake. The proposed project would subdivide the lot into 106 single-family residential lots ranging in size from 2,728 sf to 9,329 sf. Village 18 would also include the development of an internal roadway system and three open space/public parcels ranging in size from 677 sf to 4,682 sf.

## *Village 19*

Tentative Map Village 19 would include the subdivision of a 4.3-acre lot located along the southern boundary of Planning Area 2, north of East Cypress Road and east of the planned extension of Summer Lake Drive. The ECCSP originally anticipated the development of low-density single-family residences, commercial uses, and a portion of a lake on the lot. The proposed project would subdivide the lot into 51 single-family residential lots ranging in size from 2,232 sf to 4,966 sf. Village 19 would also include the development of an internal roadway system and a 7,737-sf open space lot.

### Feasibility of the Rock Slough Bridge

The approved ECCSP anticipated construction of a new bridge crossing over Rock Slough at Bethel Island Road to provide secondary emergency access for the residences proposed under the ECCSP. However, the bridge was removed from Contra Costa Transportation Authority (CCTA) models in 2014, after existing ECCSP CEQA documents were certified and approved. With respect to project timelines, the construction of Rock Slough Bridge is currently envisioned much further into the future than the ECCSP development.

In addition, Rock Slough Bridge may be infeasible as a secondary route for emergency evacuation due to the connection point between the proposed bridge and the existing right-of-way requiring acquisition of right-of-way on property that the City does not currently have authority over. The SEIR will explore more feasible options for secondary emergency access, while also keeping the primary circulation routes (such as Bethel Island Road) intact to facilitate the possible future construction of the Rock Slough Bridge and connection to Delta Road.

Mitigation Measure 3.13-16 in the 2006 ECCSP EIR requires construction of the Rock Slough Bridge prior to development of 20 percent of the ECCSP, or approximately 800 residential units. Mitigation Measure 3.8-14 also references the construction of the Rock Slough Bridge and provides guidance on the future design of the bridge. Overall, the SEIR will look at the buildout of the ECCSP with and without the Rock Slough Bridge.

## **ENVIRONMENTAL EFFECTS**

The City has determined that the SEIR should address the following issues. Each of the following issue chapters will include a discussion of the existing setting, thresholds of significance, specific impacts, mitigation measures, and monitoring strategies. The environmental impact discussions within the SEIR will rely on the General Plan, ECCSP EIR, and Supplement to the EIR analyses and conclusions.

In cases where an approved project has already undergone environmental review and the environmental document has been adopted, the lead agency can restrict the current review to the incremental effects of the modified project, rather than having to reconsider the overall impacts of the project. Thus, the environmental baseline for the SEIR is appropriately considered to be the approved ECCSP EIR and Supplement to the EIR.

### **Air Quality, Greenhouse Gas Emissions, and Energy**

The air quality and greenhouse gas (GHG) emissions analysis for the proposed project will be performed using the California Emissions Estimator Model (CalEEMod) software program. Vehicle trip generation data from the project-specific Transportation Study will be used as model input data. The air quality impact analysis will include a quantitative assessment of short-term (i.e., construction) and long-term (i.e., operational) increases of criteria air pollutant emissions of primary concern (i.e., ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>). The project's cumulative contribution to regional air quality will be discussed, based in part on the modeling conducted at the project level.

The GHG emissions analysis will include a quantitative estimate of operational emissions from both stationary and mobile sources. Mobile source emissions from passenger cars and light trucks will be based on estimated vehicle miles traveled (VMT), as derived from the project-specific Transportation Study, and

as quantified through the CalEEMod program. Construction emissions from the proposed project will also be quantified using CalEEMod.

The significance of air quality and GHG impacts will be determined in comparison to Bay Area Air Quality Management District (BAAQMD) significance thresholds. BAAQMD-recommended mitigation measures will be incorporated to reduce any significant air quality impacts, and anticipated reductions in emissions associated with new BAAQMD standards, which require new land use development projects to implement specific design elements, will be quantified.

The Energy portion of the chapter will evaluate whether the proposed project could result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. The chapter will also evaluate whether the project would conflict with or obstruct a State or local plan for renewable energy.

## **Noise**

The Noise chapter of the SEIR will be based on a technical report prepared for the proposed project and will include the Federal Highway Administration (FHA) Traffic Noise Prediction Model to quantify existing noise levels associated with nearby transportation noise sources. Direct inputs from the traffic model will include traffic data, existing speed limits, truck count information, and 24-hour traffic split data. In addition, the report will include a noise survey conducted within the project site to quantify existing background noise levels at the project site and at existing noise-sensitive receptors in the area. The survey will consist of short-term noise level measurements and continuous noise level measurements for a period of 24 hours.

Because the majority of the noise experienced at the project site is anticipated to originate from vehicle sources, traffic noise levels will be evaluated at existing sensitive receptors in the project vicinity for existing conditions as a baseline, baseline with project conditions, baseline with project conditions and Rock Slough Bridge, Year 2040 cumulative conditions, Year 2040 cumulative with project conditions, and Year 2040 cumulative with project conditions and Rock Slough Bridge. The noise report will also calculate exterior and interior traffic noise levels on the proposed residential uses and will include an analysis of the noise and vibration impacts associated with construction of the project at existing sensitive receptors. The Noise chapter of the SEIR will include any exterior or interior noise control measures required to achieve compliance with the City of Oakley noise level standards. This chapter of the EIR will also include a discussion of the existing setting, identification of the thresholds of significance, identification of impacts, and the development of mitigation measures and monitoring strategies.

## **Transportation**

The Transportation chapter of the SEIR will be based on a Transportation Study prepared for the proposed project, in accordance with the CCTA Travel Demand Model adopted June 2020, as well as the Circulation Element of the 2020 General Plan. Impact determination for CEQA purposes will be based on vehicle miles traveled (VMT) rather than level of service (LOS), consistent with CEQA Guidelines Section 15064.3, which became effective statewide on July 1, 2020. The Transportation Study will estimate the project's impact on VMT, total project-generated VMT, daily VMT per resident, and daily VMT per service population. The Transportation Study will evaluate existing conditions as a baseline, baseline with project conditions, baseline with project conditions and Rock Slough Bridge, Year 2040 cumulative conditions, Year 2040 cumulative with project conditions, and Year 2040 cumulative with project conditions and Rock Slough Bridge.

In addition, the Transportation Study will include evaluation of the operations at 38 study intersections for seven different scenarios. Current roadway and intersection capabilities and operating LOS will be quantified. The scenarios include an evaluation of the existing intersection capacity conditions, existing conditions with the approved ECCSP, existing with the approved ECCSP plus project conditions, existing with the approved ECCSP plus project with Rock Slough Bridge conditions, cumulative conditions, cumulative with project conditions, and cumulative plus project with the Rock Slough Bridge conditions. It

should be noted that, while the Transportation Study will evaluate LOS, the relevant CEQA threshold evaluated in the SEIR will be based on VMT.

The intersections and project driveways to be analyzed include the following:

1. Main Street/Empire Avenue;
2. Main Street/O'Hara Avenue;
3. West Cypress Road/Empire Avenue;
4. West Cypress Road/O'Hara Avenue;
5. West Cypress Road/Main Street;
6. East Cypress Road/Sellers Road;
7. East Cypress Road/Jersey Island Road;
8. East Cypress Road/Bethel Island Road;
9. Laurel Road/Empire Avenue;
10. Laurel Road/O'Hara Avenue;
11. Laurel Road/Main Street;
12. Balfour Road/Byron Highway;
13. Main Street/SR 4 Westbound Ramps;
14. Main Street/SR 4 Eastbound Ramps;
15. Laurel Road/SR 4 Westbound Ramps;
16. Laurel Road/SR 4 Eastbound Ramps;
17. Sandmound Boulevard/Bethel Island Road;
18. Bethel Island Road/ Taylor Road;
19. Bethel Island Road/ Stone Road;
20. East Cypress Road/Knightsen Avenue;
21. Sellers Avenue/Laurel Road;
22. Main Street/Delta Road;
23. Sellers Avenue/Delta Road;
24. Knightsen Avenue/Delta Road;
25. Byron Highway/Delta Road;
26. Brentwood Boulevard/Lone Tree Way;
27. Sellers Avenue/Sunset Road;
28. Byron Highway/Sunset Road;
29. Sellers Avenue/Chestnut Street;
30. Byron Highway/Chestnut Street;
31. Sellers Avenue/Balfour Road;
32. Sellers Avenue/Brentwood Blvd;
33. Byron Highway/ Point of Timber Road;
34. Byron Highway/ SR 4 Northbound Ramps;
35. Sellers Avenue/Marsh Creek Road;
36. Byron Highway/SR 4 Southbound Ramps;
37. Vasco Road/Camino Diablo; and
38. Byron Highway/Camino Diablo.

Finally, a detailed site circulation and access review will be conducted to determine the adequacy of the proposed tentative maps in accordance with generally accepted traffic engineering standards. Emergency access, transit, pedestrian, and bicycle facilities will also be discussed and analyzed to ensure adequacy of the proposed facilities based upon existing City of Oakley standards. This chapter of the EIR will also include a discussion of the existing setting, identification of the thresholds of significance, identification of impacts, and the development of mitigation measures and monitoring strategies.

### **Statutorily Required Sections**

Pursuant to CEQA Guidelines Section 21100(B)(5), the Statutorily Required Sections chapter of the SEIR will address the potential for growth-inducing impacts of the proposed project, focusing on whether removal of any impediments to growth would occur with the project. In addition, the chapter will include a summary

of any significant and unavoidable impacts identified within the SEIR. Finally, the Statutorily Required Sections chapter will also summarize the cumulative impact analyses, which will be provided in each technical chapter of the EIR.

### **Alternatives Analysis**

In accordance with Section 15126.6(a) of the CEQA Guidelines, the SEIR will include an analysis of three alternatives, including a No Project Alternative. Consideration will be given to potential off-site locations consistent with CEQA Guidelines, Section 15126.6(f)(2), and such locations will be determined in consultation with City staff. If it is determined that an off-site alternative is not feasible, the SEIR will include a discussion describing why such a conclusion was reached. The project alternatives will be selected when more information related to project impacts is available in order to be designed to reduce significant project impacts. The chapter will also include a section of alternatives considered but dismissed, if necessary. The Alternatives Analysis chapter will describe the alternatives and identify the environmentally superior alternative. The alternatives will be analyzed at a level of detail less than that of the proposed project; however, the analyses will include sufficient detail to allow a meaningful comparison of the impacts. Such detail may include conceptual site plans for each alternative, basic quantitative traffic information (e.g., trip generation), as well as a table that will compare the features and the impacts of each alternative.

### **SUBMITTING COMMENTS**

To ensure that the full range of issues related to this proposed project are addressed and all significant issues are identified, written comments are invited from all interested parties. Written comments concerning the proposed SEIR for the ECCSP should be directed to the name and address below:

**Mr. Ken Strelo**  
**Community Development Director**  
**strelo@ci.oakley.ca.us**  
**3231 Main Street**  
**Oakley, CA 94561**  
**(925) 625-7036**

**Written comments are due to the City of Oakley at the location addressed above by 5:00 p.m. on June 10, 2024.**

### **SCOPING MEETING**

A public scoping meeting will be held on May 29, 2024, at 5 p.m. at 3231 Main Street, Oakley, regarding the proposed SEIR for the ECCSP.

**Figure 1  
Regional Location Map**





**Figure 2**  
**Planning Area 2 Site Boundaries**



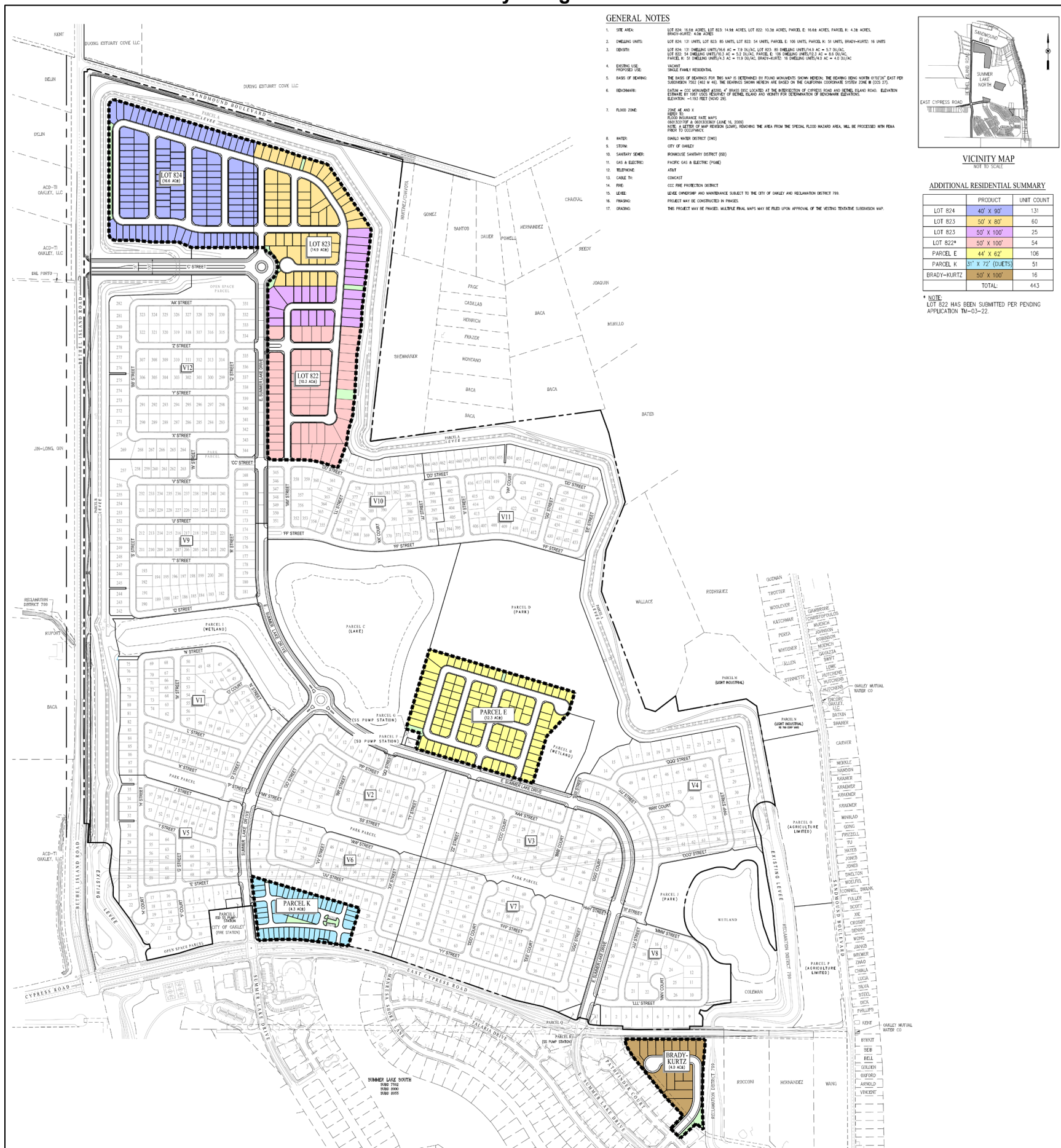
Note: Project site boundaries are approximate.

**Figure 3**  
**East Cypress Corridor Specific Plan**



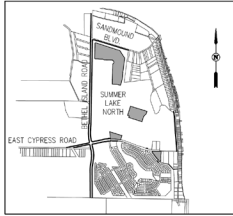


### Figure 5 Builder's Remedy Village Site Locations



**GENERAL NOTES**

1. USE AREA: LOT 824: 16.28 ACRES, LOT 823: 14.98 ACRES, LOT 822: 10.34 ACRES, PARCEL E: 16.68 ACRES, PARCEL K: 4.28 ACRES, BRADY-KURTZ: 4.28 ACRES
2. DWELLING UNITS: LOT 824: 131 UNITS, LOT 823: 80 UNITS, LOT 822: 54 UNITS, PARCEL E: 108 UNITS, PARCEL K: 51 UNITS, BRADY-KURTZ: 18 UNITS
3. DENSITY: LOT 824: 131 DWELLING UNITS/16.28 AC = 8.05 UNITS/AC, LOT 823: 80 DWELLING UNITS/14.98 AC = 5.34 UNITS/AC, LOT 822: 54 DWELLING UNITS/10.34 AC = 5.22 UNITS/AC, PARCEL E: 108 DWELLING UNITS/16.68 AC = 6.48 UNITS/AC, PARCEL K: 51 DWELLING UNITS/4.28 AC = 11.92 UNITS/AC, BRADY-KURTZ: 18 DWELLING UNITS/4.28 AC = 4.20 UNITS/AC
4. EXISTING USE: PROPOSED USE: SINGLE-FAMILY RESIDENTIAL
5. BASIS OF MEASUREMENT: THE BASIS OF MEASUREMENT FOR THIS MAP IS DETERMINED BY FLOOD WINDUWATER DRAINAGE MEASUREMENTS, THE BEARING BEING NORTH 0°12'30" EAST PER SUBDIVISION 7302 (402 W 443). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 10 (2011 27).
6. FLOODING: THE BASIS OF MEASUREMENT FOR THIS MAP IS DETERMINED BY FLOOD WINDUWATER DRAINAGE MEASUREMENTS, THE BEARING BEING NORTH 0°12'30" EAST PER SUBDIVISION 7302 (402 W 443). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 10 (2011 27). ELEVATION: 115.00 FEET (ROUND UP).
7. FLOOD ZONE: FIRM 4E AND X (SEE 2). FLOOD INSURANCE RATE MAPS (FIRM) CONTROLLED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP). FLOOD ZONE 1 (SPECIAL HAZARD AREA) WILL BE PROCESSED WITH FEMA PRIOR TO COMMENCEMENT.
8. WATER: SANGER LAKE WATER DISTRICT (SLWD)
9. SEWER: SANGER LAKE WATER DISTRICT (SLWD)
10. GARBAGE REMOVAL: SANGER LAKE WATER DISTRICT (SLWD)
11. GAS & ELECTRIC (P&E): CITY OF OAKLEY
12. TELEPHONE: AT&T
13. CABLE TV: COMCAST
14. FIRE: CCC FIRE PROTECTION DISTRICT
15. LEGAL: LEGAL INTERESTS AND INTERFERENCES SUBJECT TO THE CITY OF OAKLEY AND RECLAMATION DISTRICT 739
16. PROPOSAL: PROJECT MAY BE MODIFIED IN PHASES
17. DRAINAGE: THIS PROJECT MAY BE PHASED. MULTIPLE FINAL MAPS MAY BE FILED UPON APPROVAL OF THE VESTING TENTATIVE SUBDIVISION MAP.



**ADDITIONAL RESIDENTIAL SUMMARY**

LOT	PRODUCT	UNIT COUNT
LOT 824	40' X 90'	131
LOT 823	50' X 80'	80
LOT 822	50' X 100'	54
LOT 822*	50' X 100'	25
PARCEL E	44' X 62'	108
PARCEL K	51' X 72' (DUETS)	51
BRADY-KURTZ	50' X 100'	18
<b>TOTAL</b>		<b>443</b>

\* NOTE: LOT 822\* HAS BEEN SUBMITTED PER PENDING APPLICATION TM-03-22.