

5.6 Land Use

This section discusses the environmental and regulatory setting and the analysis of potential land use impacts associated with Contra Costa Generating Station (CCGS). For the purpose of this analysis, the affected environment study area is defined as those areas within 1 mile of the CCGS project site and 0.25 mile of related linear facilities (California Code of Regulations [CCR], Title 20, Appendix B). Section 5.6.1 describes the environment that could be affected by the proposed project. Section 5.6.2 presents an environmental analysis of project development. Section 5.6.3 discusses potential cumulative effects. Section 5.6.4 discusses possible mitigation measures. Section 5.6.5 presents the laws, ordinances, regulations, and standards (LORS) applicable to land use. Section 5.6.6 provides the agencies and agency contacts for land use issues. Section 5.6.7 provides a discussion of permits; and Section 5.6.8 lists the references used in preparing this section.

5.6.1 Affected Environment

The following text discusses the affected environment for the study area (i.e., for 1 mile surrounding the project site and 0.25 mile from the centerline of linear facilities).

5.6.1.1 Existing Land Uses within the Study Area

The study area encompasses the northerly portion of the cities of Oakley and Antioch in northeastern Contra Costa County (there are no project components within unincorporated area). The study area is located adjacent to and south of the Sacramento-San Joaquin River Delta, with rural farmland across the river in Solano County. State Routes (SR) 160 and 4 are the main transportation corridors in the region. The jurisdictional boundary between Antioch and Oakley runs north-south and generally parallels SR 160 within the study area. The steady growth of Oakley and Antioch has resulted in several large-scale pending projects within 1 mile of the project site (refer to Section 5.6.1.5). Specific land uses are described in greater detail in Section 5.6.1.3.2. Figure 5.6-1 is a map showing existing uses in the project and surrounding area.

5.6.1.1.1 City of Oakley

The project site is located in Oakley, California. The area east and south of the project site falls within the Oakley city limits. Land immediately south and east of the project site is farmed as a vineyard. To the east, land uses transition from agricultural to high-density residential approximately 0.75 mile from the project site. Land uses south of the site consist of industrial uses interspersed with vineyards transitioning to single-family residential subdivisions near the SR 160/SR 4 interchange approximately 1 mile south of the project site. Land uses to the north of the project site consist of the DuPont property (industrial) and the Sacramento-San Joaquin River Delta. The John A. Nejedly Bridge (also called the Antioch Bridge) provides access to Solano County north of the Delta.

5.6.1.1.2 City of Antioch

The area west of the project site, generally west of SR 160, is within Antioch city limits. Most of the proposed transmission line route is located within Antioch. The area is characterized by heavy industrial uses, including the recently-constructed Pacific Gas and Electric Company (PG&E) Gateway Generating Station. Farther west and south of Wilbur Avenue, land uses transition into pockets of actively farmed agricultural land (vineyards) and residential subdivisions.

The proposed transmission line utilizes PG&E's existing transmission corridor which generally runs parallel to the existing SR 160 California Department of Transportation (Caltrans) right-of-way and industrial uses until the line turns west to cross SR 160 about 0.1 mile north of Oakley Road. In this area, the land uses are predominantly agricultural. Once the transmission line reaches Phillips Lane, it extends within the existing transmission easement adjacent to and through the Almondridge single-family residential subdivision. The tract map was recorded in phases beginning in 1988. Lots within this tract range from 6,000 square feet to 10,000 square feet.

5.6.1.1.3 Caltrans Right-of-Way

SR 160 and SR 4 transect the project study area. The proposed transmission line will cross Caltrans right-of-way in two locations. The first crossing would occur at the SR 160/East 18th Street interchange, within the PG&E easement for the existing 69-kilovolt (kV) transmission line, at the SR 160 northbound ramp. The second crossing would occur over SR 160 north of Oakley Road, also paralleling the existing 69-kV transmission line. The transmission line will be located within the existing PG&E easement. Traffic and transportation are discussed in more detail in Section 5.12.

5.6.1.1.4 Specific Land Uses within the Project Study Area

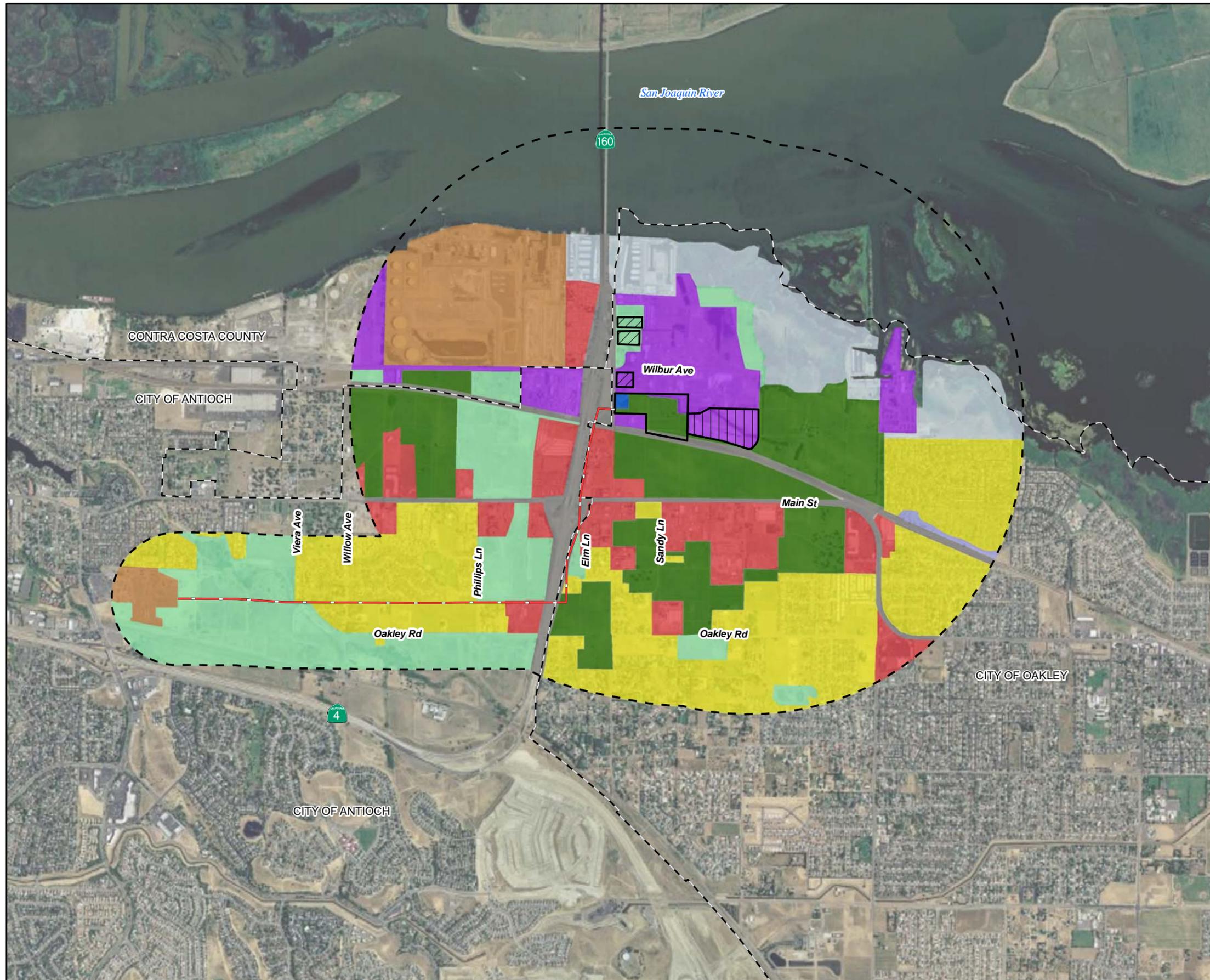
In accordance with California Energy Commission (CEC) siting regulations, this section provides a description of certain types of land uses located near the project site, including residential, commercial, industrial, recreational, scenic, agricultural, natural resource protection and extraction, educational, religious, cultural, historic, and unique land uses. Table 5.6-1 lists sensitive receptors, such as schools. Figure 5.9-1 in Section 5.9 (Public Health) shows sensitive receptors within the study area.

Residential

The project site is located within an area that historically has been dominated by industrial uses. However, as Oakley and Antioch have grown, residential development has gradually encroached on the industrial development. As shown on Figure 5.6-1, there are residential areas throughout the study area and adjacent to PG&E's existing transmission line corridor. These residences are located along Big Break Road, east of the project site; on Carol Lane, east of and adjacent to SR 4, southeast of the project site; between Elm Lane and Neroly Road, south of the project site; on Calle de Oro/Cunha Court, southwest of the site; and within the Almondridge tract near Phillips Lane. The nearest residences to the CCGS are located in the Sandy Point trailer park on Bridgehead Road, approximately 900 feet southeast of the project site. Although the trailer park is a residential use, this area is zoned Light Industry and has a General Plan land use designation of Commercial.

Commercial

There are limited commercial facilities within the study area, although there is a small area approximately 0.4 mile south of the project site that includes a Comfort Suites hotel (near SR 160 and East 18th Street interchange) and two gas stations. Commercial development is contemplated as part of the proposed DuPont Specific Plan (DuPont, 2009) and the River Oaks Crossing Specific Plan (City of Oakley, 2007), both within Oakley city limits, and the Eastern Waterfront Employment Focus Area and SR 4 Industrial Frontage, within Antioch city limits (City of Antioch, 2003).



LEGEND

- EXISTING 60KV TRANSMISSION LINE
- CITY LIMITS
- BUFFER
- DIRT STOCKPILE AREAS
- LAYDOWN AREA
- PROJECT SITE

EXISTING LAND USE

- AGRICULTURAL
- COMMERCIAL
- DELTA RECREATION
- INDUSTRIAL
- OPEN SPACE
- PARKS
- RESIDENTIAL
- RIGHT-OF-WAY
- UTILITIES
- WETLAND

Notes:
 1. 1 mile around Project Site, 1/4 mile around Transmission Corridor.

This map was compiled from various scale source data and maps and is intended for use as only an approximate representation of actual locations.

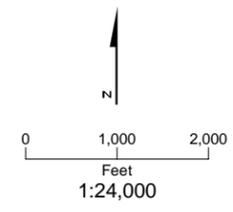


FIGURE 5.6-1
EXISTING LAND USE
 CONTRA COSTA GENERATING STATION
 OAKLEY, CALIFORNIA

TABLE 5.6-1
Sensitive Land Uses within 1 Mile of the CCGS Site

Name of Facility	Approximate Distance from Project Site (miles)
Educational/Child Care	
Bridgeway Preschool	0.95
Bouton-Shaw Academy (Private 1-12)	0.50
Orchard Park Elementary School	0.82
Religious	
Bridgeway Church	0.92
Unity In Antioch	0.32
Live Oaks Community Christian	0.47
Cornerstone Pentecostal Church	0.47
Calvary Chapel Antioch	1.00
Recreational Facilities	
Almondridge City Park	0.02
Heather Park	0.8
Meadow Brook City Park	0.13
Proposed East Bay Regional Park District Multi-Use Trail	0.36
Proposed Local Multi-use Trail (Oakley)	0.10

Source: Google Earth; City of Oakley, 2009a

Industrial

Several industrial developments are in the study area. Directly west of the project site is a power plant complex (Contra Costa Power Plant, Mirant and Gateway Generating Station, PG&E). Industrial uses, such as storage yards, are common within 1 mile of the project site and within 0.25 mile of the transmission line. The Antioch General Plan includes two significant industrial focus areas: the Eastern Waterfront Employment Focus Area, less than 0.5-mile west of the project site, and the SR 4 Industrial Frontage, through which the proposed transmission line extends.

Recreation

Because the Delta is near Oakley and Antioch, boating, fishing, and other water-related activities are enjoyed by residents from both communities. One neighborhood park (Heather Park) and one community park (Almondridge Park) are in the study area, each approximately 1 mile from the project site.

Scenic Land Use

The character of the overall view within CCGS's immediate proximity is industrial. The site is already dominated by the remnants of the DuPont facility, which contains exposed concrete, fences, and several other industrial-appearing structures. In addition, the PG&E generating facility is visible from the project site. SR 160 (located approximately 0.10 mile

from the project) is a designated State Scenic Highway that begins at the Contra Costa County line and extends for 35 miles north to the southern Sacramento city limit.

Agricultural Use

Despite encroaching population and historic industrial uses, vineyard agricultural land is scattered throughout the study area. Vineyards exist at the project site; on land to the east and south of the site; off Neroly Road; north of East 18th Street at Vineyard Drive; and north of Oakley Road.

The California Department of Conservation (DOC), Farmland Mapping and Monitoring Program (FMMP) developed categorical definitions of important farmlands for land inventory purposes. Important farmlands provide the best opportunity for agricultural production. Land designated as Prime Farmland or Farmland of Statewide Importance has a good combination of physical and chemical features for the production of agricultural crops. Figure 5.6-2 shows the various classifications of agricultural farmlands in the Project study area. All actively farmed land within the Project study area is designated Farmland of Statewide Importance. In addition to the agricultural land classifications, the study area also includes urban built-up land and other land (DOC, 2006). The project site and proposed transmission line alignment do not have Williamson Act contracts (DOC, 2006).

The City of Oakley adopted the general plan of Contra Costa County upon incorporation in 1999. The Contra Costa County General Plan 1995–2010 (the general plan in effect at the time Oakley incorporated) includes the full text of Measure C, a ballot measure approved by voters that established an Urban Limit Line (ULL) and a land conservation plan that restricts urban expansion to 35 percent of land within the county. The remaining land is preserved for agriculture and open space. Oakley is within the 35 percent of land allocated for urban development.

Natural Resource Protection and Natural Resource Extraction Areas

The potential for geologic resources of recreational, commercial, or scientific value, or rare mineral or fossil deposits is very low, given the geologic environment in the area and the previous industrial and agricultural development in the study area (City of Oakley, 2002a).

Education

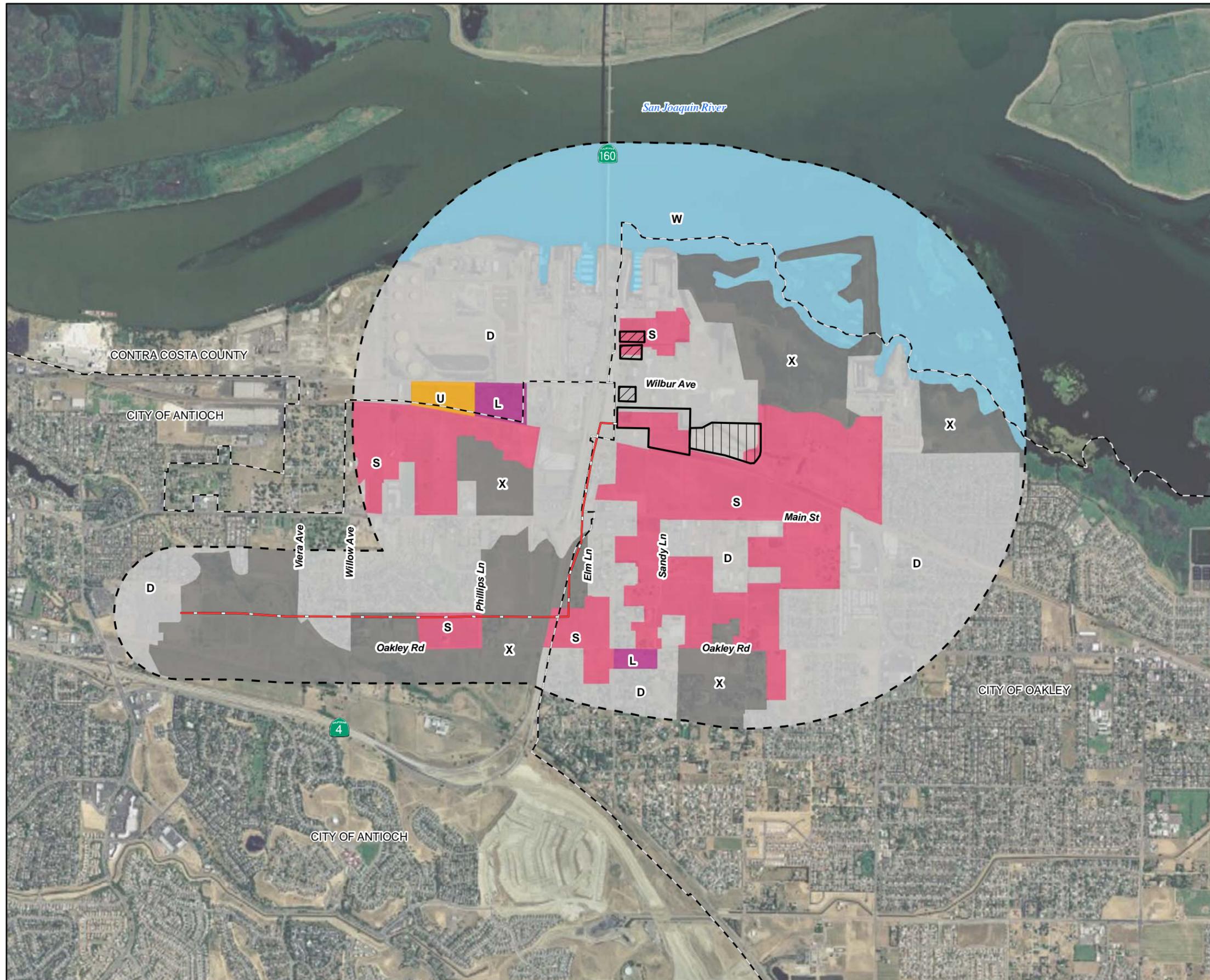
There are three educational facilities in the study area, including a preschool, an elementary school (Orchard Park Elementary) and a private first through twelfth grade school (Bouton-Shaw Academy). The proximity of these facilities is given in Table 5.6-1.

Religious

There are five religious institutions within the study area. The proximity of these facilities is given in Table 5.6-1.

Cultural and Historic

No significant or potentially significant cultural resources are known to exist within the study area. See Section 5.3, Cultural Resources, for additional discussion, including the implementation of standard mitigation measures to address incidental discovery of cultural or historic resources during construction of the proposed project.



LEGEND

- EXISTING 60KV TRANSMISSION LINE
- CITY LIMITS
- BUFFER
- DIRT STOCKPILE AREAS
- LAYDOWN AREA
- PROJECT SITE

FARMLAND TYPE

- FARMLAND OF STATEWIDE IMPORTANCE (S)
- FARMLAND OF LOCAL IMPORTANCE (L)
- UNIQUE FARMLAND (U)
- URBAN AND BUILT-UP LAND (D)
- GRAZING LAND (G)
- WATER (W)
- OTHER (X)

Notes:

1. 1 mile around Project Site, 1/4 mile around Natural Gas Pipelines and Transmission Corridors.
2. Source: Farmland Mapping and Monitoring Program (FMMP) Dataset for Contra Costa County, California Department of Conservation, 2006.

This map was compiled from various scale source data and maps and is intended for use as only an approximate representation of actual locations.

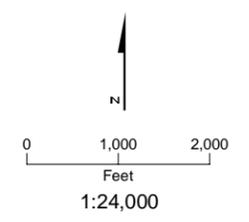


FIGURE 5.6-2
IMPORTANT FARMLAND WITHIN
PROJECT AREA
 CONTRA COSTA GENERATING STATION
 OAKLEY, CALIFORNIA

Unique Land Uses

No unique land uses exist within the study area that have not been otherwise described in this section.

5.6.1.2 Land Use at the CCGS Project Site

The CCGS site has recently been created from the nearly 500-acre DuPont property (which is a one-owner property with multiple Assessor's Parcel Numbers). DuPont has recently obtained a lot line adjustment to create "Parcel A," the 21.95-acre project site, and two separate neighboring parcels. The new project parcel has been created from a 210-acre parcel on the larger 500-acre DuPont property. The portion of the site on which the power plant would be constructed is within an area called the "Western Development Area" and is currently used as a vineyard. A 1.6-acre conservation area, which includes a 0.62-acre mitigation wetland (Wetland E), is adjacent to the western property line at Bridgehead Road. The project site is east of SR 160 and north of the Burlington Northern Santa Fe (BNSF) railroad tracks.

Working with the California Department of Toxic Substance Control (DTSC), DuPont began a remediation effort to restore the property and eliminate contaminants. In 2006, DTSC issued a decision of Corrective Action Completion without controls for three parcels of the DuPont property, including the Western Development Area, and indicated that these parcels are suitable for unrestricted land use development (i.e., residences) (DTSC, 2006). This topic is discussed in detail in Section 5.14, Waste Management.

Most of the project site is occupied by a vineyard, and this portion of the DuPont property was never developed for industrial purposes. Figure 5.6-2 shows the project site in the context of the mix of urban and suburban uses with farmland (mostly vineyards) in this area. A row of mature eucalyptus trees separates the CCGS project site from the formerly developed portion of the DuPont property. The project site slopes to the west and drains into a small wetland that is part of the CCGS parcel but that will not be adversely affected by construction or operation of the CCGS. This topic is addressed in greater detail in Section 5.2, Biological Resources.

5.6.1.3 General Plan Land Use Designations

5.6.1.3.1 General Plan Land Use Designations within the Study Area

Land use provisions included in every California city and county general plan (California State Planning Law, Government Code §65302 et seq.) reflect the goals and policies that guide the physical development of land in their jurisdiction. This section describes the land use designations for properties located within 1 mile of the project site, and properties located within 0.25 mile of the centerline of the transmission line. Figure 5.6-3 shows the General Plan Land Use Designations within this study area, which are described in Table 5.6-2.

TABLE 5.6-2

City of Oakley and City of Antioch General Plan Land Use Designations in the Study Area

General Plan Land Use Designation	Description
City of Oakley	
Utility Energy (project site)	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 affects, including excess noise, dust, and glare on surrounding land uses. The following standards shall apply to utility energy uses: Maximum Site Coverage: 30 percent; Maximum Building Height: 100 feet; Maximum Floor Area Ratio (FAR): 0.4; Average Employees per Gross Acre: 15
Light Industrial	Allows for uses such as processing, packaging, machinery, repair, fabricating, distribution, warehousing and storage, research and development, and similar uses that 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. The following standards shall apply to light industrial uses: Maximum Site Coverage: 50 percent ; Maximum Building Height: 50 feet ; Maximum FAR: 0.67; Average Employees per Gross Acre: 22
Business Park	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. The following standards apply to business park uses: Maximum Site Coverage: 50 percent; Maximum Building Height: 50 feet; Maximum FAR: 2.0; Average Employees per Gross Acre: 87
Commercial	Allows for a broad range of commercial uses typically found adjacent to residential neighborhoods, downtowns, and freeways. The particular form of commercial zoning for different areas of the city will depend, among other factors, on the characteristics of surrounding land uses. General types of commercial uses include retail and service facilities, and limited office uses. Typical uses will vary widely in size and purpose and include large-scale retail, regional-serving retail, grocery and convenience stores, salons, professional offices, restaurants, drug stores, dry cleaners, post office facilities, banks, and other uses of similar character and impacts. The following standards apply to commercial uses: Maximum Site Coverage: 40 percent; Maximum Building Height: 35 feet ; Maximum FAR: 1.0 ; Average Employees per Gross Acre: 26
Single Family High	Provides 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 that are commonly seen in traditional urban and suburban neighborhoods within Oakley. This designation allows a minimum of 3.8 units and a maximum of 5.5 units per gross acre. Parcel sizes range from approximately 6,000 to 8,600 square feet. Population density would normally range between 12 to 18 persons per acre.

TABLE 5.6-2
City of Oakley and City of Antioch General Plan Land Use Designations in the Study Area

General Plan Land Use Designation	Description
Single Family Very Low	Provides for large-lot residential development that 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 or livestock. This land use designation allows a minimum of 0.2 dwelling units and a maximum of 1.0 dwelling unit per gross acre, with typical lot sizes between one and five acres in size, as specified within the Zoning Code. Population density would typically range between 1 to 3 persons per acre.
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, restaurants, etc. The following standards shall apply to commercial recreational uses: Maximum Site Coverage: 40 percent ; Maximum Building Height: 50 feet; Maximum FAR: 1.0; Average Employees per Gross Acre: 7
Delta Recreation	Encompasses the lowlands of the San Joaquin Delta along the city's northern edge. Most of the land designated Delta Recreation is currently within the 100-year flood plain as mapped by the Federal Emergency Management Agency, which means the area is subject to periodic flooding. Because of the proximity of the Delta, these lands have substantial recreational value and offer important opportunities for public access to the Oakley waterfront, including parklands and trails offering public access. Agriculture and wildlife habitat are also considered appropriate uses of these areas. Additional uses that may, at the city's discretion, be allowed within this designation include but are not limited to marinas, shooting ranges, duck and other hunting clubs, campgrounds, golf courses and other outdoor recreation complexes. Conditional uses allowed in the Delta Recreation land use designation shall be limited to those low- to medium-intensity establishments that do not rely on urban levels of service or infrastructure, and which will not draw large concentrations of people to flood-prone areas.
City of Antioch	
Medium Density Residential (10 dwelling units per acre [du/ac])	<p>A wide range of living accommodations, including conventional single-family dwellings, small lot single-family detached dwellings, mobile homes, townhouses, and garden apartments, characterizes the Medium Density land use designation. Development in these areas can be expected to be a maximum of two stories, and include generous amounts of public or open space for active and passive recreational uses. Lands adjacent to parks, commercial uses, transit routes and rail stations, and arterial roadways would be appropriate for the upper end of the allowable development intensity for this category. Other lands would serve as a buffer or transition between lower density residential areas and higher density residential and commercial areas, as well as areas exhibiting greater traffic and noise levels.</p> <p>Maximum Allowable Density: Ten dwelling units per gross developable acre (10 du/ac)</p> <p>Anticipated Population per Acre: 20 to 25 persons per acre</p>

TABLE 5.6-2

City of Oakley and City of Antioch General Plan Land Use Designations in the Study Area

General Plan Land Use Designation	Description
Medium Low Density Residential (6 du/ac)	<p>Generally characterized by single-family homes in typical subdivision development, as well as other detached housing such as zero lot line units and patio homes. Duplex development would generally fall into this development density. Areas designated as Medium Low Density are typically located on level terrain with no or relatively few geological or environmental constraints. Older subdivisions within the northern portion of Antioch reflect this residential density.</p> <p>Maximum Allowable Density: Six dwelling units per gross developable acre (6 du/ac)</p> <p>Anticipated Population per Acre: 14 to 18 persons per acre</p>
Low Density Residential	<p>Generally characterized by single-family homes in traditional subdivisions. Areas designated as Low Density Residential are typically located on gently rolling terrain with no or few geological or environmental constraints. The residential neighborhoods of southeast Antioch reflect this residential density.</p> <p>Maximum Allowable Density: Four dwelling units per gross developable acre (4 du/ac)</p> <p>Anticipated Population per Acre: 12 to 14 persons per acre</p>
Open Space	<p>These land uses are of a basically open space nature, and include parks and other open space areas. Certain open space areas, such as those that exist to protect sensitive environmental resources, might not be open to public use, while other lands may be owned and managed by private entities, and therefore not open to the general public. The most prevalent public open space uses are city and regional parks, as well as private open space areas within residential developments. It is intended that this designation be applied only to lands owned by public agencies or which are already programmed for acquisition. In addition to public parks and open spaces, this category designates certain privately owned lands used for recreation and low-intensity, open space activities. Appropriate private sector uses in this category include cemeteries and land that is restricted to agricultural use. This designation also includes a higher intensity of uses that are of open space character. The range of allowable uses includes, but is not limited to, country clubs (excluding golf course-oriented residential uses), golf courses, tennis clubs, driving ranges, equestrian centers, marinas, and other privately owned areas reserved for active recreational use.</p> <p>Maximum Allowable Development Intensity: No FAR standard required.</p>

TABLE 5.6-2
City of Oakley and City of Antioch General Plan Land Use Designations in the Study Area

General Plan Land Use Designation	Description
Neighborhood Commercial	<p>The intent of the General Plan is to service residential areas in an efficient manner by avoiding the creation of new strip commercial areas. Toward this end, the General Plan designates major commercial nodes of activity based on the need to serve defined neighborhood and community areas. Each area designated Neighborhood/Community Commercial would typically represent an integrated shopping center or an aggregate of parcels around an intersection, which create an identifiable commercial center or area. The common denominator within this designation is that each neighborhood commercial node will have sufficient acreage to meet the commercial needs of one or more neighborhoods.</p> <p>Maximum allowable development intensity: FAR of 0.4.</p>
Eastern Waterfront Employment Focus Area	<p>Encompasses the industrial areas in the northeastern portion of the city and its General Plan study area, south of the San Joaquin River, west of SR 160. As a result of shifts in the national and regional economy, the heavy industrial uses located along the San Joaquin River have closed or significantly scaled back their operations. Thus, it is necessary to plan for revitalization of former heavy industrial lands along the river, including transition to other uses.</p>
State Route 4 Industrial Frontage Focus Area	<p>The primary purpose of SR 4/SR 160 Frontage Commercial is to provide an appropriate mix of uses for this specific corridor.</p> <p>Maximum allowable development intensity: FAR of 0.50.</p> <p>This focus area encompasses 428.45 acres along SR 4 and SR 160. The area is primarily undeveloped, with a large PG&E substation, a small commercial area, and a park and ride lot located along Hillcrest Avenue at the western portion of the focus area. The SR 4/160 Frontage focus area has excellent visibility from SR 4 and SR 160, with resulting potential for commercial and industrial development. A Union Pacific rail line parallels SR 4. A rail transit station is proposed along the rail line east of Hillcrest Avenue, creating a potential for transit-oriented development.</p>

5.6.1.3.2 General Plan Land Use Designations, Project Site

The project site is designated by the Oakley General Plan as Utility Energy (UE). The Oakley General Plan states:

The Utility Energy designation 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.

The overall DuPont site (500 acres) is viewed as a prime opportunity for economic development within Oakley, and policies within the Economic Development Element of the General Plan encourage power development, a business park, commercial, and light industrial uses (City of Oakley, 2002a).

The transmission line alignment includes several different land use designations including, in Oakley, mostly commercial. In Antioch, the designations are residential (different types), open space, and focus area (undeveloped).

5.6.1.4 Zoning

5.6.1.4.1 Project Area Zoning

The City of Oakley initially adopted the zoning districts of Contra Costa County at the time of incorporation in 1999. In December 2002, the city adopted its own general plan and followed with the Oakley Municipal Code. Oakley did update the zoning districts; however, certain properties were not rezoned at that time. The CCGS property was one of the sites that was not rezoned and retains the zoning district from Contra Costa County (“carry-over” zone district). The transmission line alignment includes several different zoning districts. Figure 5.6-4 depicts the zoning districts in the study area and Table 5.6-3 provides definition and information about the zoning districts.

TABLE 5.6-3
City of Oakley and City of Antioch Zoning Districts in the Study Area

Zoning Designation	Description
City of Oakley	
R-6; R-7; R-10, R-20 Single-family Residential District	Allow a designated area for single-family residential district development designed to provide as much compatibility as possible with nearby zoning. The “R” values correspond to required lot size (i.e., R-6 has a minimum lot size of 6,000 square feet). Intense agricultural uses that create strong or obnoxious odors, or that might disturb adjacent or nearby residential areas with noise or vibration are not appropriate for the single-family residential zoning districts. The City of Oakley Residential Design Guidelines (see Appendix A of the Zoning Ordinance) should also be referred to as they contain additional information regarding mandatory and suggestive guidelines for residentially zoned areas.
R-100 Single Family Residential District	Carry-over zone district from Contra Costa County.
A-2 General Agriculture	Carry-over zone district from Contra Costa County.
RB Retail Business	Retains small-scale businesses and facilities that will provide a wide range of services to adjacent neighborhoods and to the community as a whole. Intended for small-scale developments that are adjacent to, or within the vicinity of, residential districts.
L-I Light Industrial	Provides designated areas for limited manufacturing and other light industrial uses within the City of Oakley, which are compatible with business parks and adjacent residential areas.
H-I Heavy Industrial	Carry-over zone district from Contra Costa County.
(P-1 RA) Redevelopment Agency Planned Development	Comprised of zoned areas identified by the land use designations described above and outlined in the Redevelopment Area Map.
(P-1) Planned Development with Development Plan	Comprised of planned development with a registered development plan for the site, outlined in the P-1 Development Map. (City of Oakley, 2008a)
(SP-2) River Oaks Crossing Specific Plan	Planned for a specific commercial development, outlined in the River Oaks Crossing Specific Plan.

TABLE 5.6-3
City of Oakley and City of Antioch Zoning Districts in the Study Area

Zoning Designation	Description
City of Antioch	
Planned Development	Accommodates various types of development, such as neighborhood and district shopping centers, professional and administrative offices, multiple housing developments, single-family residential developments, commercial service centers, and industrial parks, or any other use or combination of uses that are appropriately a part of a planned development. Intended to enable and encourage flexibility in the design and development of land so as to promote its most appropriate use; to allow diversification in the relationship of various uses, structures, and space; to facilitate the adequate and economical provision of streets and utilities; to preserve the natural and scenic qualities of open space; to offer recreational opportunities convenient to residents to enhance the appearance of neighborhoods through the preservation of natural green spaces; and to counteract the effects of urban congestion and monotony. The minimum area required for the establishment of a residential Planned Development shall be 3 contiguous acres of land and the minimum area for an exclusively non-residential Planned Development shall be 1 contiguous acre of land.

5.6.1.4.2 Project Site Zoning

The property is zoned Heavy Industrial (H-I), which is a carry-over zone district from the Contra Costa County zoning ordinance that was adopted by the City of Oakley, pending further zoning actions pursuant to Oakley's General Plan development. Although the site is not directly subject to Contra Costa zoning, this is the current zoning designation. Per Contra Costa County code, permitted uses in this district include the following:

Heavy industrial manufacturing uses of all kinds, including, but not limited to, the manufacturing or processing of petroleum, lumber, steel, chemicals, explosives, fertilizers, gas, rubber, paper, cement, sugar, and all other industrial or manufacturing products shall be permitted in the H-I district (Contra Costa County Code 84-62.402)

Although power plants are not specifically mentioned in the zoning ordinance, it appears as though the H-I zone was intended to allow most heavy manufacturing uses. There are no lot area, height, or side yard regulations or limitations in the H-I district.

The zoning of the project site has not been updated since Oakley incorporated in 1999. However, this area has been designated as a redevelopment area and there is a pending specific plan with proposed zoning for the entire DuPont property. Because of the redevelopment designation and pending specific plan (see discussion in Section 5.6.1.5), the zoning district for the CCGS project site is shown in Figure 5.6-4 as (P-1 RA) Redevelopment Agency Planned Development.

5.6.1.5 Other Applicable Planning Documents

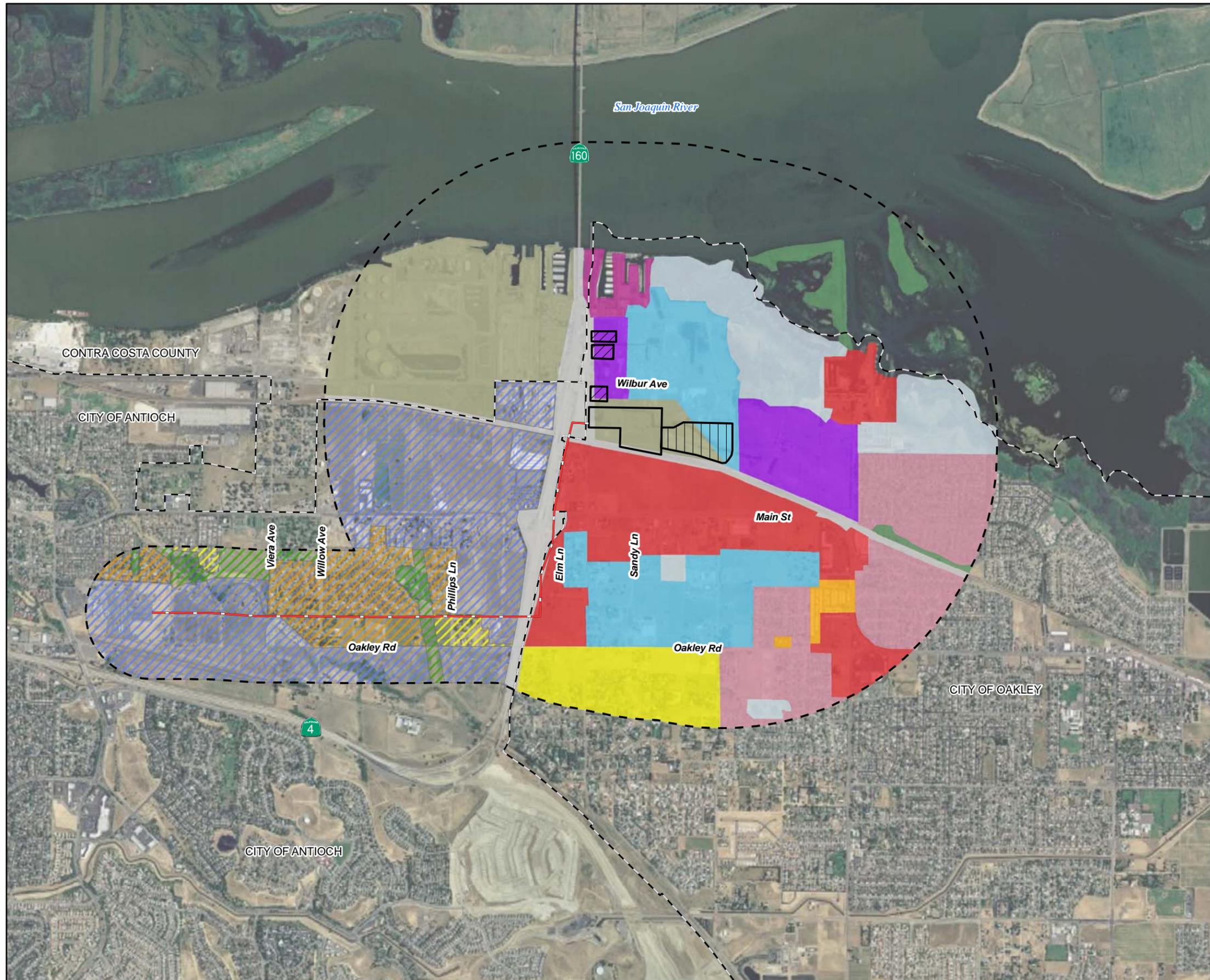
5.6.1.5.1 DuPont Specific Plan

A draft specific plan (called the DuPont Specific Plan) for the overall DuPont property, including the project site, is under preliminary review by the City of Oakley (DuPont, 2009). In addition to 15 acres of retail/commercial property, the draft specific plan includes 34 acres of research and development/business park and 77 acres of light industrial development. The plan calls for more than 200 acres of open space that includes wetlands along the San Joaquin River and trails to allow public access. To support new development, the plan also requires a complete upgrade of all site infrastructure, including all utilities and roads. DuPont intends to select a master developer to build out a phased master plan for the property. The Western Development Area is Phase 1 of the master plan.

5.6.1.5.2 East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan

The East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (ECCHCP) provides regional conservation and development guidelines to protect natural resources while improving and streamlining the permit process for endangered species and wetland regulations. The Cities of Brentwood, Clayton, Oakley, and Pittsburg and Contra Costa County participate in the ECCHCP (East Contra Costa County Habitat Conservation Plan Association, 2006). The ECCHCP and its effects are discussed in greater detail in Section 5.2, Biological Resources. Guiding principles of the ECCHCP that are relevant to the proposed project and land use include:

- Reduce conflicts between listed species and economic development, agriculture, and other land use activities to promote conservation of biological diversity and, to the maximum extent practicable, contribute to recovery of plant and animal species addressed in the ECCHCP.
- Promote retention and establishment of open space buffers and green belts consistent with the goals of local governments in order to provide habitat linkages; separate designated urban area; minimize the loss, fragmentation, and degradation of natural habitats; protect and enhance important habitats for covered species; and provide movement corridors and connectivity between the various habitat associations or eco-regions in the county.
- Foster the continuation of land uses (e.g., agriculture and open space recreation) that are compatible with the protection of important habitats for covered species and, to the maximum extent practicable, maintain existing agricultural values on those lands that are affected by the ECCHCP (East Contra Costa County Habitat Conservation Plan Association, 2006).



LEGEND

- EXISTING 60kV TRANSMISSION LINE
- BUFFER
- DIRT STOCKPILE AREAS
- LAYDOWN AREA
- PROJECT SITE

GENERAL PLAN DESIGNATIONS

CITY OF ANTIOCH

- FOCUS AREA
- MEDIUM DENSITY RESIDENTIAL
- MEDIUM LOW DENSITY RESIDENTIAL
- OPEN SPACE

CITY OF OAKLEY

- BUSINESS PARK
- COMMERCIAL RECREATION
- COMMERCIAL
- DELTA RECREATION
- LIGHT INDUSTRIAL
- MULTIPLE FAMILY LOW
- MULTIPLE FAMILY RESIDENTIAL - LOW
- PARKS AND RECREATION
- PUBLIC/SEMI-PUBLIC
- SINGLE FAMILY RESIDENTIAL - VERY LOW
- UTILITY ENERGY

CONTRA COSTA COUNTY

- DELTA RECREATION
- HEAVY INDUSTRY
- PUBLIC/SEMI-PUBLIC

Notes:
 1. 1 mile around Project Site, 1/4 mile around Natural Gas Pipelines and Transmission Corridors.
 2. Source: Contra Costa County General Plan Land Use Element, 2004. City of Antioch General Plan, 2004. City of Oakley General Plan, 2002.

This map was compiled from various scale source data and maps and is intended for use as only an approximate representation of actual locations.

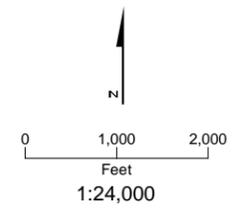
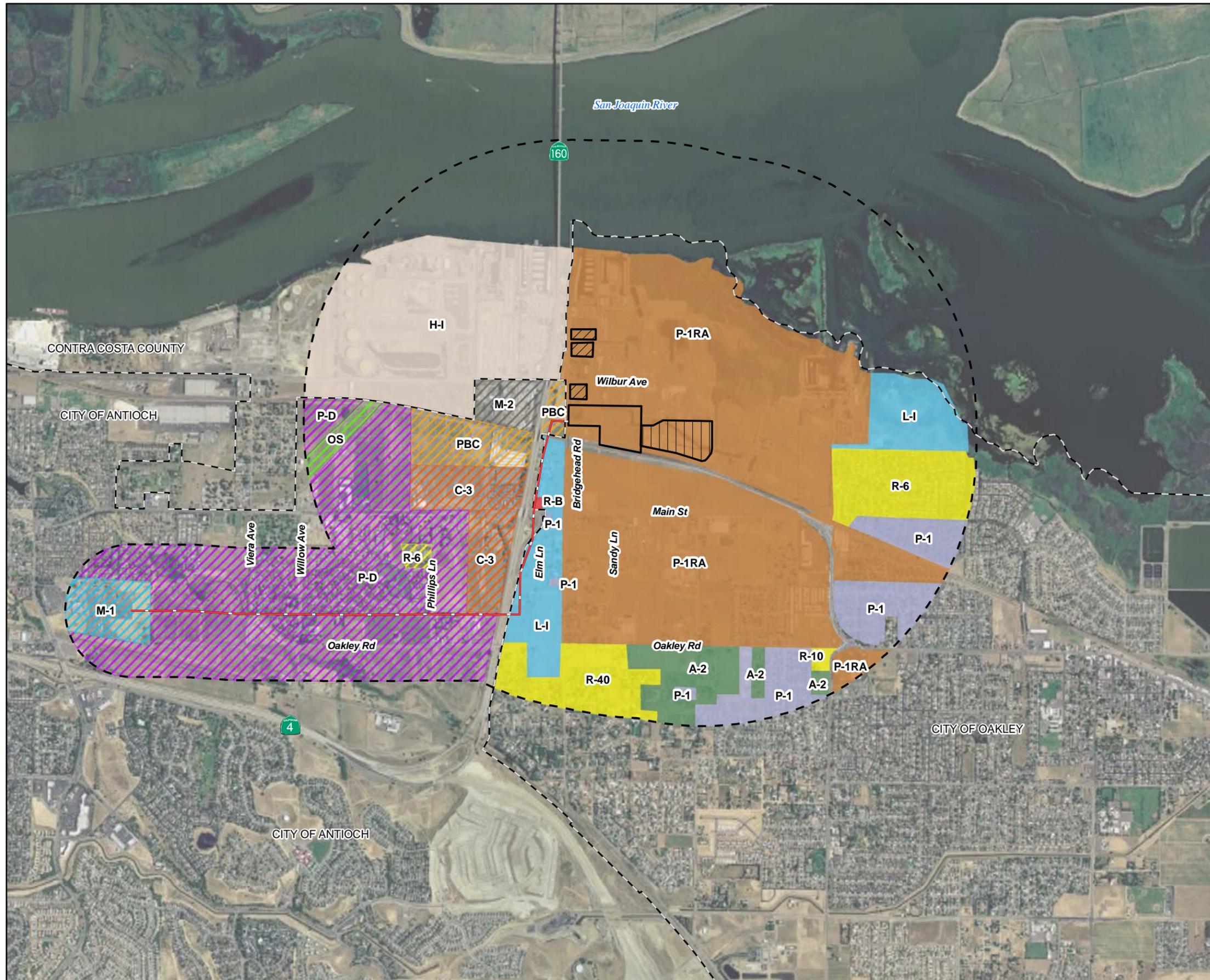


FIGURE 5.6-3
GENERAL PLAN DESIGNATIONS
 CONTRA COSTA GENERATING STATION
 OAKLEY, CALIFORNIA



LEGEND

- EXISTING 60KV TRANSMISSION LINE
- CITY LIMITS
- BUFFER
- DIRT STOCKPILE AREAS
- LAYDOWN AREA
- PROJECT SITE

CITY OF ANTIOCH

- HEAVY INDUSTRIAL DISTRICT
- LIGHT INDUSTRIAL DISTRICT
- OPEN SPACE
- PLANNED BUSINESS CENTER
- PLANNED DEVELOPMENT DISTRICT
- SERVICE/REGIONAL COMMERCIAL DISTRICT
- SINGLE FAMILY RESIDENTIAL DISTRICT

CITY OF OAKLEY

- GENERAL AGRICULTURE
- LIGHT INDUSTRIAL
- PLANNED DEVELOPMENT
- REDEVELOPMENT
- RETAIL BUSINESS
- SINGLE FAMILY RESIDENTIAL

CONTRA COSTA COUNTY

- HEAVY INDUSTRIAL

Notes:

1. 1 mile around Project Site, 1/4 mile around Natural Gas Pipelines and Transmission Corridors.
2. Source: Contra Costa County Zoning Map, 2007. City of Antioch Interactive GIS Map, 2009. City of Oakley Zoning Map, 2008.

This map was compiled from various scale source data and maps and is intended for use as only an approximate representation of actual locations.

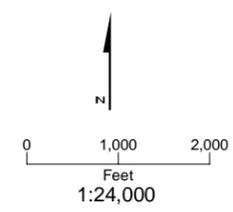


FIGURE 5.6-4
ZONING DESIGNATIONS
 CONTRA COSTA GENERATING STATION
 OAKLEY, CALIFORNIA

5.6.1.6 Recent Proposed Zone Changes and General Plan Amendments

5.6.1.6.1 City of Oakley

The City of Oakley intends to bring a citywide rezone to the City Council that will ultimately rezone the project site "SP-3" Specific Plan-3 (third specific plan within the city). Future development on the project site would require a specific plan once the zoning is modified. The city is also reviewing the River Oaks Crossing Specific Plan, proposed on property south of the project site and BNSF railroad tracks. This specific plan contemplates commercial development of the 76.4-acre project site, including clearing; grading; utility and site improvements; development; and ongoing operation of up to 770,000 square feet including retail, restaurant, and potentially hotel uses (City of Oakley, 2007). Oakley does not maintain a list separate of the pending discretionary projects (refer to Section 5.6.1.5) for General Plan amendments and rezones.

Antioch has two pending General Plan amendments and no rezones, as shown in Table 5.6-4.

TABLE 5.6-4
Pending General Plan Amendments and Rezones in Antioch

Project Number	Description
City of Antioch	
GP-07-01/Z-07-05/UP-08-17/ AR-08-14	Lakeview Center. Change General Plan and zoning to Neighborhood/Community Commercial zoning designation. Northwest corner of Lone Tree Way and Golf Course Road (Assessor's Parcel Number 072-012-087).
GP-06-02/UP-06-28/AR-06-20	Fitzuren commercial building with produce market. Construct two-story building with commercial and market uses. 909 Fitzuren Road (Assessor's Parcel Number 071-021-013)

Source: City of Antioch, 2009

5.6.1.7 Recent Discretionary Review by Public Agencies

Appendix 5.6A includes Tables 5.6A-1 through 5.6A-3. These tables list pending projects within the cities of Oakley and Antioch, where such data are available. Oakley has a residential project list updated as of March 31, 2009, and a commercial project list updated as of April 2009. Tracked pending residential projects in Oakley include subdivisions that have been approved and may be in construction. There are 4,058 lots approved, and 1,369 building permits issued, of which 1,064 residential units received final inspection. Large residential subdivisions include the 140-acre Emerson Property project (up to 578 residential units and 23.74 acres of commercial uses) (City of Oakley, 2008b). Pending commercial projects in Oakley include two projects under construction, six projects approved but not yet in construction, and nine projects in the process.

Antioch's residential and commercial project list is current as of February 25, 2009. There are 32 pending residential projects and 68 commercial projects. Residential projects include single-family homes and one senior housing project. Commercial projects include cell phone towers, medical facilities, banks, a sports bar, shopping centers, gas stations, commercial

centers, and other miscellaneous projects. Project status ranges from preliminary review to awaiting decision-maker hearing.

5.6.1.8 Population and Growth Trends

Land use and growth trends identified for the study area are based on population estimates, projections, and current land use plans. Oakley's 2007 population estimate is 30,409 (U.S. Census Bureau, 2009a). In 2000, it was estimated to be 25,619 (U.S. Census Bureau, 2009b). The city's population is projected to reach 35,500 in 2015 (City of Oakley, 2009d). Antioch's 2007 population estimate is 99,619 (U.S. Census Bureau, 2009a). In 2000, it was estimated to be 90,532 (U.S. Census Bureau, 2009b).

Oakley enjoys a relatively high median household income of \$89,238 and most homes are owner-occupied. Approximately 70 percent of the workforce holds jobs outside the city limits. Most homes in Antioch owner-occupied. Median income in Antioch is \$60,359 (U.S. Census Bureau, 2009b). Both cities have evolved as bedroom communities to Bay Area employment centers and pride themselves on being gateways to the Delta.

5.6.2 Environmental Analysis

5.6.2.1 Significance Criteria

Significance criteria for impacts on land use were determined through review of applicable state and local regulations. Because of the CEC's Site Certification Process pursuant to the Warren-Alquist Act, a certified agency program pursuant to the California Environmental Quality Act (CEQA), the following criteria developed from the CEQA Guidelines and the CEQA Checklist were used to evaluate the potential environmental impacts of the project:

- Will the project physically divide an established community?
- Will the project 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?
- Will the project conflict with any applicable habitat conservation plan or natural community conservation plan?
- Will the project convert prime farmland, unique farmland, or farmland of statewide importance (farmland), as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to nonagricultural use?
- Will the project involve other changes in the existing environment which, given their location and nature, could result in conversion of farmland to nonagricultural use?

5.6.2.2 Potential Effects on Land Use during Project Construction and Operation

5.6.2.2.1 Divide an Established Community

The project would not physically divide an established community because the project will be located on one parcel within the City of Oakley. The transmission line will be aligned within an existing utility easement within which there is an existing 69-kV transmission line on lattice steel towers. All existing lattice steel towers will be replaced with monopole

towers, generally reducing the overall size, bulk, and scale near this neighborhood. The project would not involve the displacement of any existing development, nor would it result in new development that would physically divide an existing neighborhood.

5.6.2.2.2 Conflict with an Applicable Land Use Plan, Policy, or Regulation

The project would be consistent with the Oakley General Plan and the Antioch General Plan, as shown in Table 5.6-4. The project would be sited on land formerly used by DuPont for chemical manufacturing, located adjacent to an existing industrial land use (PG&E's generating facility) and within an industrialized area. The proposed transmission line would be placed within the existing transmission line easement and along an existing highway. The project's conformity with the cities' General Plan policies is detailed in Table 5.6-5.

The project site is situated on land zoned Heavy Industrial (H-I). This is a carryover zone district from the Contra Costa County zoning ordinance. The Contra Costa H-I zone district allows heavy industrial uses, such as petroleum processing, and so would seem consistent with power plant use.

The city has not yet updated its zoning ordinance to specifically allow power plant development within the General Plan designation UE. However, it chose to leave the county zoning in place. The county zoning ordinance (Heavy Industrial) does not specifically authorize power plants as a specified a permitted use in the H-I zone, a power plant would nevertheless be consistent with the zoning designation because the H-I zone was intended to allow most heavy manufacturing uses, most of which are more intensive uses than power generation. There are no lot area, height, or side yard regulations or limitations in the H-I district.

In addition, the city's General Plan Land Use designation is UE, which is a designation explicitly for clean energy generation using combustion turbine technology. The City of Oakley zoning code also includes a UE zoning district, and in this district, all uses are conditions uses, including "Gas-electric Power Plant (full scale) (City of Oakley Municipal Code 9.1.604, Utility Energy District)."

The City of Oakley intends to bring a citywide rezone to the City Council that will ultimately rezone the project site "SP-3" Specific Plan-3 (McMurray, 2009). Future development would require a specific plan once the zoning is modified. The city would require a rezone to a compatible Oakley zone district if an application for development was submitted prior to the citywide rezone. Based on a review of the Oakley zoning ordinance, the most compatible zone district for a power plant would be a UE district. The purpose and intent of the UE district is to allow clean production of electricity using combustion turbine technology, compatible with adjacent uses. A Conditional Use Permit is required for a power plant within this zone district. This district is, of course, consistent within the UE General Plan land use designation that currently applies to the project.

5.6.2.2.3 Conflict with an Applicable Habitat Conservation Plan

The project would be located within the HCP area. The project would not conflict with the land use-related guiding principles that are included in the HCP. The project was sited and is designed to be compatible with its adjacent developed land uses. Project implementation would not adversely affect implementation of the HCP.

5.6.2.2.4 Convert Farmland to Nonagricultural Uses

The project site is designated by the California Department of Conservation as Farmland of Statewide Importance and is used as a vineyard. The project would represent a non-agricultural use. However, this land has been designated and zoned to allow clean production of electricity using combustion turbine technology compatible with adjacent uses. Additionally, the site historically was used by DuPont as a major chemical manufacturing facility and was remediated in compliance with DTSC.

The Oakley 2020 General Plan Environmental Impact Report (EIR) (Section 3.5) discusses the loss of agricultural resources throughout the community, at a programmatic level, and states that “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.” (City of Oakley, 2002b) Additionally, Contra Costa County, including the City of Oakley, adopted an Urban Limit Line (ULL) to preserve land outside of urban areas for agriculture, open space, and other similar uses. The 65/35 Land Preservation Standard of the ULL requires that at least 65 percent of all land in the County shall be preserved for agriculture, open space, wetlands, parks and other non-urban uses. The entire Oakley Planning Area is located inside the county ULL and therefore falls within the 35 percent of the County’s area that is designated for urban and suburban development.

The General Plan EIR identifies 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,” and identifies this as a potentially significant impact. The EIR identifies all the policies proposed within the General Plan that protect agricultural resources. The EIR concludes:

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 [Proposed General Plan] Policies and Programs. No additional mitigation measures are necessary (Oakley General Plan EIR, 2002).

Accordingly, impacts resulting from conversion of agricultural land within Oakley have been considered and mitigated by the city and county policies to preserve open space and agricultural land outside of the ULL.

The proposed transmission line will be located within an existing utility easement and placed with the existing 69-kV transmission line on new monopole steel towers. Monopole steel towers have a smaller footprint than lattice steel towers, thereby reducing the existing footprint of the transmission facilities. Therefore, installation of the electric transmission line would result in negligible impacts on land designated as Farmland of Statewide Importance and other land.

5.6.2.2.5 Cause Changes that Would Result in the Conversion of Farmland

The CCGS would change the project site land use from a vineyard to a power plant. The transmission line would not result in any changes to land use as it would be placed within an existing utility easement. The project would not cause land use changes that would induce other land use changes resulting in the long-term conversion of farmland. The

project site has been designated and zoned for industrial uses, and the Oakley General Plan views the overall DuPont property (including the project site) as a vital part of the economic development of this city. Buildout of the CCGS would be furthering the goals of Oakley to establish a better jobs-housing balance. The new power plant would not attract residential or commercial development or other uses to the project area that would result in farmland conversion.

5.6.2.3 Compatibility with Existing and Designated Land Uses and Applicable Planning Policies

Table 5.6-5 lists applicable local plans and policies and describes the project's conformity with them.

TABLE 5.6-5
Project Conformity with Local Land Use Plans and Policies

Goal/Objective/Policy	Project Consistency
City of Oakley General Plan	
Land Use Element	
Goal 2.1. Guide development in a manner that creates a balanced and desirable community, maintains and enhances the character and best qualities of the community, and ensures that Oakley remains an economically viable city.	The project will be located on land designated by the General Plan for energy production (UE) and would provide employment opportunities for residents within the city. The project would facilitate a more equitable jobs-housing balance within the city. The project is consistent with this goal.
Policy 2.1.4 Promote the placement of the most intensive non-residential development (Commercial, Business Park, and Light Industrial) in the Northwest Oakley Planning Area as defined in Figure 2-3.	The project site is located within the Northwest Oakley Planning Area and is, therefore, consistent with this policy.
Policy 2.4.1 The City of Oakley does not support or accommodate general Heavy Industrial uses. The city does allow and encourage Light Industrial and UE uses in appropriate locations.	The land use designation of the project site is UE, which specifically allows clean energy production facilities using "the best available combustion turbine technology." The project will use combustion turbine technology and therefore is consistent with this policy.
Economic Development Element	
Program 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:	The Economic Development Element places high priority on appropriate use of the DuPont property (including the project site) for "Business Park, Commercial, and Light Industrial." The site is designated UE and is planned for energy production. The project is consistent with this policy.
DuPont Property, north of SR 4 between Bridgehead Road and Big Break Road	
Circulation Element	
Goal 3.7. Coordinate land use and transportation planning to maximize use of limited transportation resources.	The proposed project will be located on a site planned for energy production within an area envisioned by the General Plan for economic development. Transportation corridors, such as SR 160 and SR 4, are near the site, allowing for convenient site access. The project is consistent with this goal.

TABLE 5.6-5

Project Conformity with Local Land Use Plans and Policies

Goal/Objective/Policy	Project Consistency
Open Space and Conservation Element	
Goal 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.	The project site is currently developed as a vineyard, and is mapped as Farmland of Statewide Importance. However, the city's General Plan has designated the project site for energy production. Land uses within 1 mile of the project site are proposed to be commercial (i.e., River Oaks Crossing Specific Plan and DuPont Specific Plan) or are existing industrial (PG&E power plants to the west of the project site) or residential. There would be no conflicts as any remaining agricultural land is proposed to be developed.
City of Antioch General Plan	
General Plan Theme 1.e. Maintaining a match between the expansion of the city and its service and infrastructure systems, including transportation systems; parks, fire, police, sanitary sewer, water, and flood control facilities; and other essential municipal services.	Although the generating facility will be located in Oakley, the 230-kV transmission line will extend through Antioch. The line will terminate at the existing PG&E substation within city limits. Electricity is a vital component of any city's infrastructure. CCGS will provide a new source of energy for the region. The project is consistent with this theme.
Land Use Element	
Policy 4.3.2.d. Concentrate large-scale industrial uses along the waterfront east of Rodgers Point and within areas designated for industrial use along existing rail lines. Limit employment-generating uses adjacent to residential areas and within mixed-use planned communities to business parks and office uses.	Although the generating facility will be located in Oakley, the project site is located near the Antioch waterfront where other heavy industrial uses are located (for example, the PG&E power plants). The transmission line will be located within an existing utility easement that mainly parallels SR 160, a major transportation corridor in the region. The project is consistent with this policy.

5.6.3 Cumulative Effects

A cumulative impact refers to a proposed project's incremental effect together with other closely related past, present, and reasonably foreseeable future projects whose impacts may compound or increase the incremental effect of the proposed project (Public Resources Code § 21083; California Code of Regulations, Title 14, §15064(h), 15065(c), 15130, and 15355).

The CEQA Guidelines further note that:

The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative effects can result from individually minor, but collectively significant, projects taking place over a period of time.

Cumulative land use impacts could occur if the development of the proposed project and other related past, present, and reasonably foreseeable probable future projects would be inconsistent with applicable plans and policies, or have other cumulative land use related impacts such as the conversion of Farmland.

CCGS would involve the conversion of an extremely small portion of farmland on the existing parcel for power generation. Other pending projects in the area (e.g., River Oaks Crossing; DuPont Specific Plan in Oakley and the Eastern Waterfront Employment Focus Area and the SR 4 Industrial Frontage in Antioch) also would result in the loss of land currently used as vineyards. The Oakley 2020 General Plan EIR discusses the loss of agricultural resources throughout the community and indicates that the viability of commercial agriculture within Oakley has been compromised by the lack of large contiguous blocks of agriculture and urban encroachment. Taken with these other pending projects, CCGS would constitute a contribution to cumulative agricultural impacts. The project site has been designated for Heavy Industry (County), and UE (Oakley General Plan). Additionally, the entire Oakley Planning Area is located inside the County ULL and falls in the 35 percent that is designated for development, as stated above. For these reasons, CCGS will not cause a significant cumulative impact related to farmland conversion.

5.6.4 Mitigation Measures

Because the project would cause no significant adverse impacts, no mitigation measures are necessary.

5.6.5 Laws, Ordinances, Regulations and Standards

This section lists and discusses the land use LORS that apply to the project. Consistent with AFC requirements, all plans and policies applicable to the 1-mile area surrounding the proposed power plant site are summarized below. The site, including all project components (plant site, natural gas, water, and sewer lines, substation, and the transmission line), are located in the cities of Oakley and Antioch.

5.6.5.1 Federal LORS

No federal LORS for land use are applicable to the site or the proposed project.

5.6.5.2 State LORS

The AFC process is the CEQA-equivalent pursuant to the Warren-Alquist Act and, therefore, fulfills the requirements of CEQA. CEQA is codified in the California Public Resources Code, Section 21000-21178.1. Guidelines for implementation of CEQA are codified in the California Code of Regulations, Sections 15000-15387.

5.6.5.3 Local LORS

Land use provisions that are included in every California city and county General Plan (California State Planning Law, Government code §65302 et seq.) reflect the goals and policies that guide the physical development of land in their jurisdiction. The city and county zoning ordinances are enforced by their respective planning and building departments. Table 5.6-6 lists the LORS, the agencies that administer them, and the AFC section that discusses the project's conformance with the LORS.

TABLE 5.6-6
Laws, Ordinances, Regulations, and Standards for Land Use

LORS	Requirement/Applicability	Administering Agency	AFC Section Explaining Conformance
State			
CEQA California Public Resources Code, Sections 21000-21178.1, including Guidelines for implementation of CEQA are codified in the CCR Sections 15000-15387	Establishes policies and procedures for review of proposed power plants in California.	CEC	Section 5.6.5.2
Warren-Alquist Act (Public Resources Code Section 25000 et seq.)	Legislation that created and gives statutory authority to the CEC.	CEC	Section 5.6.5.2
Local			
City of Oakley General Plan (2002a)	Comprehensive long-range plan to serve as the guide for the physical development of the city.	City of Oakley Community Development Department	Section 5.6.2.3
City of Oakley Municipal Code (2006)	Establishes zoning districts governing land use and the placement of buildings and district improvements.	City of Oakley Community Development Department	Table 5.6-1
City of Antioch General Plan (2003)	Comprehensive long-range plan to serve as the guide for the physical development of the City.	City of Antioch Community Development Department	Section 5.6.2.3
City of Antioch Municipal Code (2008)	Establishes zoning districts governing land use and the placement of buildings and district improvements.	City of Antioch Community Development Department	Table 5.6-1

5.6.6 Agencies and Agency Contacts

Agencies and contacts are provided in Table 5.6-7.

TABLE 5.6-7
Agency Contacts for Land Use

Issue	Agency	Contact
Land Use Plans and Permits	City of Oakley Community Development Department Planning Division	Ken Strelo, Senior Planner 3231 Main Street Oakley, CA 94561 (925) 625-7036 strelo@ci.oakley.ca.uc

TABLE 5.6-7
Agency Contacts for Land Use

Issue	Agency	Contact
Building Permits	City of Oakley Community Development Department Building Division	Brent Smith 3231 Main Street Oakley, CA 94561 (925) 625-7019 bsmith@ci.oakley.ca.us
Land Use Plans and Permits	City of Antioch Community Development Department Planning Division	City of Antioch Planning Division P.O. Box 5007 Antioch, CA 94531 (925) 779-7035
Building Permits	City of Antioch Community Development Department Building Division	City of Antioch Building Division P.O. Box 5007 Antioch, CA 94531 (925) 779-7065

5.6.7 Permits and Permit Schedule

Because of the exclusive jurisdiction of the CEC, no other land use permits are required for this project.

5.6.8 References

California Department of Conservation (DOC). 2006. Farmland Mapping and Monitoring Program Dataset for Contra Costa County.

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City of Oakley. 2009d. 2008-2009 Official City Guide.

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