

CHAPTER

6

OPEN SPACE AND CONSERVATION

INTRODUCTION

Valuable resources in the City of Oakley include agricultural resources, air quality, biological resources, historic and cultural resources, open space resources, and scenic resources. The Open Space and Conservation Element focuses on the protection and enhancement of such resources to ensure a high quality living environment for years to come.

The Open Space and Conservation Element expresses community goals to protect environmental resources, open space, and scenic resources. Specifically, resources addressed in this element include:

- ❑ Agricultural resources, including quantity and quality of agricultural lands within the Planning Area.
- ❑ Air quality in terms of local and regional compliance with air pollutant standards;
- ❑ Biological resources, including significant habitat areas and special status plant and animal species;
- ❑ Cultural resources in terms of known and potential archaeological and paleontological resources;
- ❑ Historic resources that are nationally designated, recognized by the State of California, or locally significant;

- ❑ Open space resources, including natural and improved open space areas that are physical, functional, and visual; and
- ❑ Scenic resources as predominant physical characteristics of the community.

Organization of the Element

The Open Space and Conservation Element is organized into three main sections; 1) an Introduction section that includes an overview of the element and its consistency with State law; 2) a Goals, Policies, and Implementation Programs section addressing agricultural, air quality, biological, cultural, historic, open space, and scenic resources; and 3) a Settings section that describes existing conditions in each of the seven categories described above.

Consistency with State Law

The Open Space and Conservation Element meets the state requirements for Open Space and Conservation Elements as defined in Sections 65301, 65302(d), 65302(e), and 65560 of the Government Code, respectively. According to these requirements, the Open Space Element must contain goals and policies to manage open space areas, including undeveloped lands and outdoor recreation areas. Specifically, the Open Space Element must

address several open space categories such as those used for the preservation of natural resources and managed production of resources, as well as open space maintained for public health and safety reasons. Open Space for outdoor recreation is addressed within the Parks and Recreation Element. The Conservation Element must contain goals and policies to protect and maintain natural resources such as water, soils, wildlife and minerals, and prevent wasteful resource exploitation, degradation and destruction.

In adopting the requirement that all jurisdictions must prepare an Open Space Element, the Legislature found that the preservation of open space land is necessary not only for the maintenance of the economy of the State, but also for the continued availability of land for the production of food and fiber, for the enjoyment of scenic beauty, for recreation, and for the use of natural resources. The legislature further found that discouraging premature and unnecessary conversion of open space land to urban uses is in the public interest because it discourages non-contiguous development patterns that tend to increase the costs of community services to community residents. Finally, the legislature found that the anticipated increase in the population of the State demands that cities, counties, and the State make plans at the earliest possible date for the preservation of valuable open space land and take positive action to carry out such plans by the adoption and strict administration of laws, ordinances, rules and regulations.

While air quality is not a state-mandated element, the Bay Area Air Quality Management District (BAAQMD) requires air quality to be addressed in General Plans. The purpose of the air quality inclusion is to reduce pollutant levels through stationary source, mobile source, transportation and land use control, and energy conservation measures.

Internal Consistency

The General Plan must fully integrate its separate parts and relate them to each other without conflict. Internal consistency applies as much to figures and diagrams as to the General Plan text, including data, analysis, and policies. All adopted portions of the General Plan, whether required by state law or not, have equal weight. No single element may supercede another, so the General Plan must resolve conflicts among the provisions of each element.

Relationship to Other General Plan Elements

According to state planning law, the Open Space and Conservation Element must be consistent with the other General Plan elements. While all of the elements are interdependent, they are also interrelated to a degree. Certain goals and policies of one element may also address issues that are primary subjects of other elements. This integration of issues throughout the General Plan creates a strong basis for the implementation of plans and programs and achievement of community goals. The Open Space and Conservation Element is most directly related to the Land Use, Circulation, and Parks and Recreation Elements.

GOALS, POLICIES, AND PROGRAMS

The following are the Goals, Policies, and Implementation Programs for each of the natural resource topic areas addressed within the General Plan. Additional supporting information for these topics is provided in the setting section of this element. The goals, which are overall statements of the community's desires, are comprised of broad statements of purpose and direction. The policies serve as guides for working with local and regional agencies protecting and maintaining the City's resources. Implementation programs identify specific actions to achieve particular goals and policies.

AGRICULTURAL RESOURCES

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.

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.

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.

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 adjacent to prime agricultural lands

6.1.C Modify the land use 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) a Right to Farm Ordinance, which protects ranchers and farmers within an historically 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.

AIR QUALITY

Oakley is located within the Bay Area Air Quality Management District, which is considered a non-attainment air basin because it exceeds some of the allowable levels for various air pollutants. Cooperation among all agencies

in the district is necessary to achieve desired improvements to air quality. The City can participate and contribute its share in those efforts through proper planning for land use and transportation and through educational outreach.

Goal 6.2 Maintain or improve air quality in the City of Oakley.

Policies

- 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*.

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 and van 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.

BIOLOGICAL RESOURCES

The City’s Plan 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.

Goal 6.3 Encourage preservation of important ecological and biological resources.

Policies

- 6.3.1 Encourage preservation of important ecological and biological resources as open space.
- 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 Encourage preservation and enhancement of the natural characteristics of the San Joaquin Delta and Dutch Slough in a manner that encourages public access.
 - 6.3.5 Encourage preservation and enhancement of Delta wetlands, significant trees, natural vegetation, and wildlife populations.
 - 6.3.6 Encourage preservation of 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.

Programs

- 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 or mitigated 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 ecological 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.

CULTURAL RESOURCES

There have been few archeological or paleontological finds in the City of Oakley. However, given the rich history of the Plan 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.

Goal 6.4 Encourage preservation of cultural resources within the Plan Area.

Policy

- 6.4.1 Preserve areas that have identifiable and important archaeological or paleontological significance.

Program

- 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.

HISTORIC RESOURCES

While some historic structures and land uses within the community 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, that may be eligible for such designation or listing. The City intends to evaluate such resources and establish preservation policies and practices for qualified historic resources.

Goal 6.5 Encourage preservation and enhancement of selected historic structures and features within the community.

Policies

- 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.

Programs

- 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.
- 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.

OPEN SPACE RESOURCES

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. Most of the City’s open space resources are addressed in other sections of this Plan and 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 this element and agricultural lands are discussed in the Land Use Element and agricultural resource section of this element. Goals, policies, and programs in this section address the City’s desire to preserve, enhance, and expand open space resources to

maintain the natural physical and visual quality of Oakley.

Goal 6.6 Encourage preservation and enhancement of 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.

Policies

- 6.6.1 Encourage public access in multiple forms and improvements along the City's waterways, particularly the San Joaquin Delta, Marsh Creek and Dutch Slough.
- 6.6.2 Establish buffers from adjoining land uses to protect the natural open space resources in the City.
- 6.6.3 Encourage preservation and enhancement of the watershed, natural waterways, and areas important for the maintenance of natural vegetation and wildlife populations.
- 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.

Programs

- 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.

SCENIC RESOURCES

Scenic resources in Oakley include predominant natural landscape features of the Delta waterways and views of Mount Diablo to the west. The City supports the preservation of these valuable scenic resources.

Goal 6.7 Seek to preserve the scenic qualities of the Delta Waterway, Marsh Creek, and views of Mount Diablo.

Policies

- 6.7.1 Encourage preservation and enhancement of 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.

Programs

- 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.

SETTING

The Setting section of the Open Space and Conservation Element describes existing conditions of the City’s valuable natural resources, including agricultural resources, air quality, biological resources, cultural and historic resources, open space resources, and scenic resources. This information provides the background for development of goals, policies, and implementation programs that reflect the community’s vision for the future of Oakley.

AGRICULTURAL RESOURCES

Overview of Agricultural Resources Setting

Oakley has historically been an agricultural community with a wide variety of agricultural crops. The City recognizes the many inherent benefits of maintaining agricultural land uses in the community. Agriculture contributes to the rural character of the community, maintains land as primarily open space, and reduces further degradation of the natural environment. Within Oakley, agricultural uses include various equestrian and livestock enterprises, as well as more typical practices such as row crops, vineyards and orchards.

Related Plans and Programs

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

Land Preservation Plan (65/35)

The Land Preservation Plan was adopted by Contra Costa County, limiting urban development outside the Urban Limit Line (ULL) to no more than 35 percent. The remaining 65 percent of the land shall be preserved for agriculture, open space, wetlands, parks and other non-urban uses.

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 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 City of Oakley, the SOI, and other unincorporated areas to the east and south of the Plan 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 Plan Area, vegetable row crop farms (tomato, asparagus, sweet corn, squash, and beans) produce significant annual sales, as do wine grapes. The East County has the largest concentration of small and medium-sized orchards, with apricot, apple, and walnut crops.

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.

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. Soil 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.

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

Agriculture. The purpose of this designation is to provide locations for continued commercial agriculture or similar land uses. Limited residential uses are allowed in this designation.

Agricultural Limited. The purpose of this designation is to provide locations for 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.

Insert Figure 6-1 (Vegetation Types)

Table 6-1
AGRICULTURAL LANDS IN THE PLAN AREA

	Acreage	Percentage of Area
City Limits		
Orchards	282.8	3.5%
Vineyards	662.7	8.2%
Row Crops	1,503.5	18.6%
Total	2,449.0	30.4%
Expansion Area		
Orchards	19.4	0.9%
Vineyards	0	0.0%
Row Crops	1,069.7	51.7%
Total	1,089.1	52.6%
Planning Area Total	3,538.1	34.9%

Source: Pacific Municipal Consultants, August 2002

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 Soil Conservation Service Land Use Capability Classifications. While the City of Oakley does not contain any lands with Class I or II soil classifications, the Sphere of Influence (SOI) and outside the Urban Limit Line (ULL) to the east of the City does contain prime agricultural lands, most of which are under active cultivation of intensive row crops.

In an effort to preserve the agricultural and rural character of the community, the City allows keeping of horses within several of the City's land use classifications and allows commercial equestrian facilities within the Agriculture Limited designation. 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.

AIR QUALITY

Overview of Air Quality Setting

Oakley is located at the eastern boundary of the San Francisco Bay Area Air Basin, which is

regulated by the Bay Area Air Quality Management District (BAAQMD). The BAAQMD is currently designated as a non-attainment air basin for the exceeding air quality standards for ozone. Improvement to air quality is a regional issue and the City's cooperation among all agencies in the district is necessary to achieve desired improvements. The City can participate and contribute its share in those efforts by proper planning for land use and transportation consistent with the most recent Air Quality Management Plan.

Related Plans and Programs

A number of existing plans and programs relate directly to the goals of the Open Space and Conservation Element. Enacted through federal, state, and local action, these plans and programs are administered by agencies with responsibility for their enforcement.

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. Air quality is considered an environmental impact under CEQA.

Federal Clean Air Act

The Federal Clean Air Act established National Ambient Air Quality Standards (NAAQS) in 1970 for six pollutants: carbon monoxide, ozone, particulates, nitrogen dioxide, sulfur dioxide, and lead. The Act requires states with air pollution that exceeds the NAAQS to prepare air quality plans demonstrating how the standards would be met (State Implementation Plans-SIPs). In 1990, amendments to the Act established categories of severity for non-attainment areas ("marginal" to "extreme"). In 1994, the California Air Resources Board adopted a revised State Implementation Plan for ozone to meet the requirements of the 1990 amendments.

California Clean Air Act

The California Clean Air Act (CCAA) was enacted in 1988 requiring attainment of California's ambient air quality standards. Amended in 1992 and 1996, the State's ambient air quality standards are more stringent than the national standards. In general, the CCAA requires regions whose air quality exceeds State standards to reduce pollutants by five percent or more per year, or to implement all feasible measures to meet the state air quality standards as expeditiously as possible.

Bay Area Air Quality Management District (BAAQMD)

The Bay Area Air Quality Management District (BAAQMD) was created by the California Legislature in 1955 as a regional agency responsible for regulating air quality. The District's jurisdiction encompasses nine counties (Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma). The District is governed by a 21-member Board of Directors, which has the authority to develop and enforce regulations for the control of air pollution within its jurisdiction.

Air Quality in Oakley

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. The City is located at the eastern boundary of the nine-county San Francisco Bay Area Air Basin, near the eight-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. The predominant westerly winds dilute pollutants and transport them away from the area, so that emissions released in the project area have more influence on air quality in the Sacramento and San Joaquin valleys than they do locally. However, air quality in Oakley is degraded by its location downwind of the metropolitan Bay Area. 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 area.

Air pollutants regulated by the BAAQMD include:

- ❑ Particulate matter
- ❑ Organic compounds
- ❑ Nitrogen oxides
- ❑ Sulfur dioxide/oxides
- ❑ Carbon monoxide
- ❑ Hydrogen sulfide
- ❑ Photochemical smog
- ❑ Acid deposition

Of these pollutants, the Bay Area experiences problems with ozone, carbon monoxide, particulate matter, and toxic air contaminants (TACs), due either to the strength of the emission or the climate of the region. The Bay Area was initially classified as a federal non-attainment 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 non-attainment 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.

The Bay Area was initially determined to be a state non-attainment area for carbon monoxide, ozone and PM10. The Bay Area was reclassified as attainment for carbon monoxide, but remains an ozone non-attainment 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 BAAQMD has for many years operated a multi-pollutant monitoring site in nearby Bethel Island. During the 1995 to 1999 five-year monitoring period, all federal ambient air quality standards were met in the Oakley area, with the exception of ozone. However, during this same period, the more stringent state ambient standards of ozone and PM10 were regularly exceeded.

While there are no air quality standards for toxic air contaminants (TACs), impacts are evaluated by calculating the health risks associated with a given exposure. Diesel exhaust has been found to be the most dangerous and ubiquitous TAC in the Bay Area. The state of California has begun a program of identifying and reducing risks associated with particulate matter emissions from diesel-fueled vehicles. Particular attention should be paid to projects that might result in sensitive receptors being exposed to high levels of diesel exhaust. In Oakley, this includes high volume traffic on Highway 4 and other major arterial roadways with high levels of diesel traffic. Participation in the state's plan and compliance with these standards will help reduce this regional impact.

Sensitive Receptors

The BAAQMD 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.

Pollution Sources

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. Sources of toxic air contaminants are also inventoried and maintained by the district. The current inventory identifies three dry cleaners, Tonka Energy Inc. and the Ironhouse Sanitary District as sources of TACs in Oakley. The

sanitary district facility would also be a potential source of odors.

BIOLOGICAL RESOURCES

Overview of Biological Resource Setting

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. This section identifies the regulatory setting, habitat areas, and potential biological values for each habitat in the Plan Area.

Figure 6.2 provides a generalized map of biological sensitivity within the Oakley Planning Area. The exhibit is not based upon detailed site-specific investigations and is intended to guide the City in determining the need for detailed biological analysis as development projects are proposed.

Related Plans and Programs

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

Federal Endangered Species Act

The Federal Endangered Species Act (ESA), administered by the U.S. Fish and Wildlife Service, applies to impacts to federally listed species, or habitat occupied by federally listed species. ESA Section 9 forbids specified acts that directly or indirectly harm listed species. Section 9 also prohibits "taking" any species of wildlife or fish listed as endangered. These restrictions apply to all federal agencies and all persons subject to United States jurisdiction.

California Endangered Species Act

The California Endangered Species Act (CESA) is a state program similar in scope and nature to

the Federal ESA, but focused on plant and wildlife species identified as threatened and endangered within the State of California. The California Department of Fish and Game administers the CESA regulations.

U.S Fish and Wildlife Service and California Department of Fish and Game Regulations

Both the U.S. Fish and Wildlife Service and California Department of Fish and Game have regulations to protect wildlife resources. Special permits are required for the alteration, dredging, or activity in any lake or stream, as well as other activities that may affect fish and game habitat. Both agencies also regulate impacts to sensitive plant and animal species. Future development in Oakley potentially affecting wildlife habitat will be subject to the regulations of both of these federal and state agencies.

Waters of the U.S.

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 meadow. The U.S. Army Corps of Engineers (Corps) regulates discharge of dredged or fill material into waters of the U.S. under Section 404 of the Clean Water Act (CWA). 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 U.S. to obtain a certification that the discharge will comply with the applicable effluent limitations and water quality standards.

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. Biological resources are considered an environmental impact under CEQA.

Heritage Tree Preservation Ordinance

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.

Vegetation and Wildlife

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 plan area range from sea level to approximately 120 feet above mean sea level (MSL). Vegetation within the plan area includes agricultural and ruderal 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 plan 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 plan area. Plant species observed or expected to occur in this community include wild oats (*Avena sp.*), yellow star thistle (*Centaurea solstitialis*), russian thistle (*Salsola tragus*), filaree (*Erodium botrys*), and bristly ox-tongue (*Picris echioides*).

Agricultural and ruderal fields provide foraging habitat and shelter opportunities for a wide variety of common wildlife species. Species expected to utilize these habitats within the Plan Area include red-tailed hawk (*Buteo jamaicensis*), deer mouse (*Peromyscus maniculatus*), black-tailed jackrabbit (*Lepus californicus*), mourning dove (*Zenaidura macroura*), European starling (*Sturnus vulgaris*), western meadowlark (*Sturnella neglecta*), house finch (*Carpodacus mexicanus*), house sparrow (*Passer domesticus*), white-crowned sparrow

(*Zonotrichia leucophrys*), coyote (*Canis latrans*) and fox (*Vulpes* sp.).

Irrigated Pasture

The majority of the northeastern portion of the Plan 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. Common wetland vegetation observed in these areas, includes species such as cattail (*Typha latifolia*), bulrushes (*Scirpus* spp.), sedge (*Carex* spp.), and spikerush (*Eleocharis* spp.).

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. Species observed or expected to occur within these habitats in the Plan Area include red-winged blackbird (*Agelaius phoeniceus*), red-tailed hawk, pacific chorus frog (*Pseudacris regilla*), bullfrog (*Rana catesbeiana*), great egret (*Ardea alba*), and great blue heron (*Ardea herodias*).

Marsh

Deltaic marsh, associated with the San Joaquin River, is found along the northwestern border of the Plan Area, with one area of isolated marsh occurring in close proximity to the extreme northwestern border of the plan 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. Plant species observed in marsh habitat in the planning area include cattails, California bulrush (*Scirpus californicus*), giant reed (*Arundo donax*), coyote brush (*Baccharis pilularis*), arroyo willow (*Salix lasiolepis*), cottonwood (*Populus fremontii*), reed grass (*Calamagrostis* sp.), and goldenbush (*Isocoma* sp.). Additionally, plant species such as pacific blackberry (*Rubus ursinus*), rabbit's foot grass (*Polypogon monspeliensis*), dallis grass (*Paspalum dilatatum*), white sweetclover

(*Melilotus alba*), and saltgrass (*Distichlis spicata*) were also identified here.

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. Species likely to utilize these habitats include song sparrow (*Melospiza melodia*), red-winged blackbird (*Agelaius phoeniceus*), marsh wren (*Cistothorus palustris*), common yellowthroat (*Geothlypis trichas*), yellow warbler (*Dendroica petechia*), pacific chorus frog, great blue heron, bullfrog, and numerous waterfowl species. Mallard (*Anas platyrhynchos*), American coot (*Fulica americana*), northern harrier (*Circus cyaneus*), and great egret were observed in these habitats in the planning area during field reconnaissance. 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 including California ground squirrel, black-tailed jackrabbit, American crow (*Corvus brachyrhynchos*), red-tailed hawk, and coyote (*Canis latrans*) likely utilize this habitat within the Plan 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 Sphere of Influence 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 plan

area. These water features are predominantly devoid of vegetation, however, the associated banks support hydrophytic vegetation, with the exception of a portion of the Contra Costa Canal beginning at Pumping Plant No. 1 near the BNSF Railroad and extending westward through the City of Oakley, which is a concrete-lined feature devoid of vegetation. Predominant species associated with these habitats include cattails, bulrush, smartweed (*Polygonum* spp.), and curly dock. Some riparian vegetation is associated with Dutch Slough, which is located in the northeastern portion of the plan area. The woodland canopy, comprised of scattered oaks (*Quercus* sp.), some willows (*Salix* spp.), and cottonwoods (*Populus fremontii*) is relatively sparse and the understory consists predominantly of hydrophytic plant species.

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 Plan 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 Plan Area are planted with common landscape plant species such as oleander (*Nerium oleander*), Italian cypress (*Cupressus sempervirens*), and sweetgum (*Liquidambar styraciflua*).

The landscaped/developed areas constitute marginal habitat for common resident and migratory wildlife species. Species found in, or expected to occupy these areas include American crow, rock dove (*Columba livia*), mourning dove, California ground squirrel, and Brewer's blackbird (*Euphagus cyanocephalus*).

Special Status Species

According to the U.S. Fish and Wildlife Service species list for the City's representative USGS quadrangle, there are numerous special status

plant and animal species known or expected to occur in the Plan Area. Those plant and animal species most likely to occur in the Plan Area are listed below.

Special Status Plants

Special-status plant species including Delta mudwort, Mason's lilaeopsis, rose mallow, and Suisun marsh aster have the highest potential to occur within the plan area. In general, habitat for these species includes the marsh habitat along the northern border of plan area. Other species that have a low or unlikely potential to occur in the Plan Area include 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. One invertebrate species, curved-foot hygrotus diving beetle has the highest potential to occur within the Plan Area. Habitat for this species in the area includes the sloughs. One record is listed in the CNDDDB from the plan area. Other species that have a low potential to occur in the Plan Area include vernal pool fairy shrimp, vernal pool tadpole shrimp, and longhorn fairy shrimp. These species could occur in the potential seasonal wetlands in the Plan Area.

Amphibians and Reptiles. California red-legged frog, San Joaquin coachwhip, Giant garter snake, California horned lizard, silvery legless lizard, and Northwestern pond turtle have the highest potential to occur in the Plan Area. Generally, these species occur in aquatic habitats (the marshes and sloughs in the plan area), with the exception of the horned and legless lizards, which may occur in association with sandy soils in the Plan Area. Other species that have a low potential to occur in the plan area include California tiger salamander, western spadefoot toad, and Alameda whipsnake.

Fish. A number of anadromous fishes and other aquatic species have a high potential to occur within the Plan 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. Special-status mammal species include San Joaquin kit fox, San Joaquin pocket mouse, and several species of bats have the highest potential to occur in the Plan Area. Generally, the pocket mouse and kit fox could occur in the open upland habitats in the Plan Area, with the exception of bats, which are likely to frequent the upland areas closer to water. Other species that have a low potential to occur in the Plan Area include San Joaquin Valley woodrat, salt marsh harvest mouse, and Suisun ornate shrew.

Birds. Special-status avian species including 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 have the highest potential to occur in the Plan Area. These species could potentially occur in undeveloped portions of the Plan 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 Plan 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. A 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 Plan 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 also 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 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 Plan Area. Consequently, a wetland delineation must be conducted and verified by the Corps prior to the development of any project proposed within the Plan Area.

Figure 6-2 General Biological Sensitivity
11x17

CULTURAL RESOURCES

Overview of Cultural Resource Setting

There have been few archeological or paleontological finds in the City of Oakley. However, given the rich history of the Plan 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. The historic resource section of this element includes additional information regarding the history of the area.

Related Plans and Programs

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.

Prehistoric Resources and Settlement of Oakley

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”—political units that included several fairly

permanent villages and a set of seasonal campsites arrayed across a well-defined territory.

HISTORIC RESOURCES

Overview of Historic Resource Setting

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.

Related Plans and Programs

A number of existing plans and programs relate directly to the goals of the Open Space and Conservation Element. Enacted through federal, state, and local action, these plans and programs are administered by agencies with responsibility for their enforcement.

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. Historic resources are recognized as environmental impacts under CEQA.

National Historic Preservation Act (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 is maintained by the National Park Service and the State Historic Preservation Offices. Structures and sites are eligible for listing on the National Register when they are a minimum of 50-years-old.

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.

History and Settlement of Oakley

As identified in the Cultural Resources section of this element, the first settlers in the west delta were the Bay Miwoks, who occupied the region between 1100 and 1770 A.D. 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 smallpox.

American settler John Marsh successfully farmed the land in the 1830s, bringing other American immigrants to the region. By 1862, the population of the Oakley region 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 in the early 1900s, with

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.

The Portuguese in the area began observing the Holy Ghost Festival (which involves a parade, a feast and a religious service) in 1926 and built the Flor Do Oakley Hall in 1928. Oakley pioneers John Augusto and Joesph Augusta were both instrumental in the promotion of this annual event. John Augusto moved to Oakley in 1900 and purchased the first business lot in town. His blacksmith shop quickly became a favorite gathering place for early settlers. Unfortunately, the shop was lost in the Oakley Fire of 1924, which also burnt most of downtown, including the Oakley Hotel. Joesph Augusta, John's brother, moved to Oakley in 1913 and was a lumberyard manager. He is credited with fighting the County for much needed improvements in Oakley, like curbs and gutters, and he also was instrumental in the formation of the Oakley Sanitary District.

Historic Resources

By far the largest number of historic resources date 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 Street. The hotel is the most carefully designed structure on the street and the only one with two stories. Across Main Street 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 Sante 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 oldest is the Oakley Women's Club building, 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, 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 Areas

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. Insensitive rehabilitation may also become more prevalent in Sand Hill if the effects of economic good times begin to make an appearance there. 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.

OPEN SPACES 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 this element for additional goals, policies, and programs affecting the City’s open space resources.

Related Plans and Programs

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

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. Open space resources are considered an environmental impact under CEQA.

Park and Recreation Master Plan

The City has developed a Park and Recreation Master Plan identifying all existing and proposed park and recreation facilities within the City and surrounding areas. This document will serve as an implementation tool for the General Plan, consistent with the goals and policies of the Park and Recreation, Land Use, and Open Space and Conservation Elements.

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. This land use designation is primarily intended for agricultural uses, but allows limited residential uses.
- ❑ 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 on December 4, 2000, the participants expressed the desire to ensure that open space and natural landscapes remain a major component of lands near the Delta. Additionally, participants requested a focus on recreational development of the Delta to provide a center for tourism and a base for recreational activity.

Dutch Slough

The Dutch Slough area is a contiguous block of land that includes agricultural lands, ruderal lands and Delta frontage, providing 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.

Dutch Slough is located along the northern boundary of Oakley, an area formerly identified by Contra Costa County as the M-8 Planning Area. This area 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. While the County designation of M-8 no longer applies to this land, a development agreement authorizing 4,000 homes on this property will remain valid until year 2006.

Private property owners have made an application to CALFED to establish a substantial wetland restoration area within the Dutch Slough area. Based upon this application and presentations by the property owner's 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 that will ensure the preservation of open space within the area, while providing the opportunity for

enhancement of biological resources and development of passive recreational activities.

Open Space and Conservation Plan Implementation Efforts

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.

SCENIC RESOURCES

Overview of Scenic Resource Setting

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.

Related Plans and Programs

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

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. Aesthetics (visual character) is recognized as an environmental impact under CEQA.

Heritage Tree Preservation Ordinance

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.

Individual Scenic Resource Topic Areas

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, and Contra Costa Canal, habitat areas, and open space land. Other scenic resources include the view of Mount Diablo west of the City. At the General Plan Vision Workshop on December 4, 2000, one of the key issues identified was to preserve scenic resources and view corridors within Oakley.

Views of the Delta are only visible from the waterfront marinas and a public space located in a residential zone. 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 St. 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 qualities of the site.