

CITY OF CLAYTON
2015-2023 HOUSING ELEMENT
DRAFT INITIAL STUDY/NEGATIVE DECLARATION

SEPTEMBER 2014

Prepared for:

CITY OF CLAYTON
6000 HERITAGE TRAIL
CLAYTON, CA 94517-1250

Prepared by:



2729 PROSPECT PARK DRIVE, SUITE 220
RANCHO CORDOVA, CA 95670

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ENVIRONMENTAL CHECKLIST FORM

- | | |
|--|--|
| 1) Project title: | City of Clayton 2015–2023 Housing Element |
| 2) Lead agency name and address: | City of Clayton
Community Development Department
6000 Heritage Trail
Clayton, CA 94517-1250 |
| 3) Contact person and phone number: | Charlie Mullen
Community Development Director
(925) 673-7343 |
| 4) Project location: | Citywide |
| 5) Project sponsor's name and address: | City of Clayton |
| 6) General Plan designation: | Citywide – various |
| 7) Zoning: | Citywide – various |

1.0 INTRODUCTION

This document is an Initial Study resulting in a Negative Declaration (ND) prepared pursuant to the California Environmental Quality Act (CEQA), for the City of Clayton 2015–2023 Housing Element (referred to as the 2015–2023 Housing Element or the proposed Housing Element). This ND has been prepared in accordance with CEQA, Public Resources Code Sections 21000 et seq., and the State CEQA Guidelines.

An Initial Study is conducted by a lead agency to determine whether a project may have a significant effect on the environment. In accordance with CEQA Guidelines Section 15064, an environmental impact report (EIR) must be prepared if the Initial Study indicates that the proposed project under review may have a potentially significant impact on the environment. A negative declaration may be prepared instead, if the lead agency prepares a written statement describing the reasons why a proposed project would not have a significant effect on the environment and therefore why it would not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a negative declaration shall be prepared for a project subject to CEQA when either:

- a) *The Initial Study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or*
- b) *The Initial Study identified potentially significant effects, but:*
 - (1) *Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and*
 - (2) *There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.*

If revisions are adopted into the proposed project in accordance with CEQA Guidelines Section 15070(b), a mitigated negative declaration (MND) is prepared.

1.1 LEAD AGENCY

The lead agency is the public agency with primary responsibility over a proposed project. In accordance with CEQA Guidelines Section 15051(b)(1), "the lead agency will normally be the agency with general governmental powers, such as a city or city, rather than an agency with a single or limited purpose." Based on these criteria, the City of Clayton is the lead agency.

1.2 PURPOSE AND DOCUMENT ORGANIZATION

The purpose of this Initial Study is to evaluate the potential environmental impacts of the proposed City of Clayton 2015–2023 Housing Element. This Initial Study is divided into the following sections:

- 1.0 Introduction:** Provides an introduction and describes the purpose and organization of this document.

- 2.0 Project Description:** Provides a detailed description of the proposed Housing Element.
- 3.0 Environmental Factors Potentially Affected:** Provides an identification of those environmental factors that involve a potentially significant impact.
- 4.0 Determination:** Provides the environmental determination for the proposed Housing Element.
- 5.0 Environmental Checklist and Evaluation:** Describes the environmental setting for each of the environmental subject areas and evaluates a range of impacts classified as no impact, less than significant impact, less than significant impact with mitigation incorporated, or potentially significant impact in response to the environmental checklist.

2.0 PROJECT DESCRIPTION

2.1 DESCRIPTION OF THE 2015–2023 HOUSING ELEMENT

The 2015–2023 Housing Element identifies the policies and programs that the City will implement to ensure that housing in Clayton is affordable, safe, and decent. The Housing Element addresses housing needs by encouraging the provision of an adequate number of potential building sites designated for multi-family housing, by assisting in affordable housing development, and through the preservation and maintenance of existing affordable housing stock. The City of Clayton has a Regional Housing Needs Allocation (RHNA) of 141 housing units as shown in **Table 1**.

**TABLE 1
REGIONAL HOUSING NEEDS ALLOCATION, 2014–2022**

Income Category	ABAG Need Determination	Percentage of Total
Extremely Low	25	18%
Very Low	26	18%
Low	25	18%
Moderate	31	22%
Above Moderate	34	24%
Total	141	100%

Source: City of Clayton 2015–2023 Housing Element, Table 44

As shown in Table 47 of the Housing Element, Clayton has vacant, unentitled land zoned for residential and mixed-use development at densities of up to 20 units per acre with a realistic capacity for 133 units. While vacant residential sites could accommodate up to 180 units in accordance with zoning standards, it is assumed that not all sites will develop at the maximum allowed density due to various site features and constraints.

The 2015–2023 Housing Element includes Implementation Measure I.1.2 that requires a change to the existing General Plan land use designation of Multi-Family High Density, increasing the density to a minimum of 20 units per acre. This change, however, does not result in physical development projects, and no development projects are proposed as part of the 2015–2023 Housing Element. Additionally, the Housing Element includes programs that require amendments

to the Zoning Ordinance to comply with state law. Housing Element programs that require amendments to the General Plan and/or Zoning Ordinance include the following:

- **Implementation Measure I.1.2.** The City will amend the Multi-Family High Density (MHD) General Plan land use designation or otherwise amend the General Plan and/or Zoning Ordinance as needed to meet state requirements specific to sites rezoned to accommodate the City's lower-income RHNA from the 2007–2014 planning period, specifically to allow multi-family housing by right on these sites at a minimum density of 20 units per acre.

The City's 2007–2014 Housing Element identified a shortfall of land that provided for residential development at a density deemed appropriate for affordable housing to accommodate 84 units to meet the extremely low-, very low-, and low-income RHNA. State law (Government Code Section 65583.2(h) and (i)) requires that land rezoned or redesignated to meet a shortfall meet the following criteria:

- Require a minimum density of at least 20 units per acre
- Accommodate at least 16 units per site
- Allow multi-family housing by right (without a use permit)
- At least 50 percent of rezoned sites must be designated for residential uses only

In 2012, the City in good faith established the Multi-Family High Density General Plan land use designations and zoning districts and made specified General Plan Map and Zoning Map changes in an attempt to accommodate the City's lower-income RHNA shortfall from the 2007–2014 planning period. The City was advised by the California Department of Housing and Community Development (HCD) that these efforts fell short of state law. Therefore, the City's land use regulations will be appropriately revised to comply with the above-stated criteria.

- **Implementation Measure II.1.2.** The City shall amend the Zoning Ordinance to specifically allow employee housing for six or fewer residents as a permitted use in residential zoning districts, in compliance with Health and Safety Code Section 17021.5.
- **Implementation Measure II.1.3.** The City shall amend the Zoning Ordinance to allow transitional and supportive housing in the Limited Commercial (LC) zoning district as a residential use subject only to the requirements of other residential uses in this district in compliance with Senate Bill 2 (2007).

The City has one to two years to complete the Zoning Ordinance changes required by the Housing Element. While this IS/ND addresses the cumulative impacts associated with the change, additional analysis may be necessary for the City to adopt the change to the ordinances and will depend on the wording and extent of the change. As the details of the zone changes are not known at this time, this IS/ND does not address Implementation Measures II.1.1 through II.1.3.

2.2 ENVIRONMENTAL SETTING AND SURROUNDING LAND USES

The proposed project affects land in Clayton, which is located in Contra Costa County in northwestern California (refer to **Figure 2-1**). The northwest and central portion of the area is part

of the Clayton Valley, while surrounding areas consist of hills and ridges. The city occupies most of the flat bottomland (Clayton 2012, p. I-5). The city is bordered on the west by Concord, on the south by Mount Diablo State Park, on the north by the open space rolling hills between Clayton and Pittsburg, and on the east by more open space and rolling hills. According to the 2010 US Census, Clayton has a land area of 3.84 square miles (US Census Bureau 2014, 2010 Census, Table GCT-PH1). According to the California Department of Finance (DOF), the city has a 2014 population of 11,200 with 4,111 housing units.

The individual setting for each impact analysis area is described in the respective analysis section.

2.3 OTHER APPROVALS REQUIRED

The Clayton City Council adopted the Clayton General Plan in July 1985, and it has been amended over the years, with the most recent amendment to the Land Use Element occurring in April 2012. The General Plan is the city's comprehensive plan for development. The General Plan also forms the foundation for the Zoning Ordinance, subdivision regulations, and other planning decisions. The General Plan includes nine elements, one of which is the Housing Element. The Housing Element has also been periodically updated as required by state law. This 2015–2023 Housing Element is a continuance of the mandated update process and, if adopted by the City, will require an amendment to the General Plan for the inclusion of the 2015–2023 Housing Element.

There are no other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement) for the proposed Housing Element. The California Department of Housing and Community Development reviews the Housing Element and determines whether it complies with state law; however, HCD approval is not required for the City's adoption of the Housing Element.



Figure 2-1
Regional Vicinity



3.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a potentially significant impact as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

4.0 DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

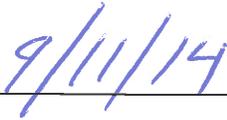
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Name
Charlie Mullen, Community Development Director



Date

City of Clayton
Community Development
Department

5.0 ENVIRONMENTAL CHECKLIST AND EVALUATION

5.1 EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A “No Impact” answer is adequately supported if the information shows that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more potentially significant impact entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from a potentially significant impact to a less than significant impact. The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “earlier analyses” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less Than Significant With Mitigation Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significant.

5.2 ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Clayton is located at the base of the north slope of Mount Diablo. The Clayton Planning Area is bounded to the south by Mount Diablo State Park and to the northeast by Black Diamond Regional Preserve. Several natural creeks running through Clayton have been integrated into a greenbelt system of parks. This system allows park site expansion and connection to park facilities at points throughout the system.

There are no officially state designated scenic highways in the city. However, the City has identified sections of Clayton Road, Marsh Creek Road, and Oakhurst/Concord Boulevard as scenic routes (Clayton 2012, p. V-9). The General Plan Community Design Element identifies the surrounding foothills and Mount Diablo as scenic vistas. Objectives and policies included in the Community Design Element to protect scenic views are as follows:

- Objective 5: To protect and enhance views of the foothills and Mount Diablo.
- Policy 5a: Protect scenic vistas and view corridors.
- Policy 5b: Prevent development of ridgelines.
- Policy 5c: Evaluate developments as to their effect on scenic qualities of the Clayton area.

Discussion/Conclusion

- a) **No Impact.** The policies and measures in the 2015–2023 Housing Element are designed to address the potential future housing needed in the city. Increases in the density for the MHD land use designation on five identified sites are necessary in order to accommodate housing at a specified intensity, resulting in new units that are more affordable to lower-income households. Amendments to the Zoning Ordinance to accommodate employee housing and transitional/supportive housing are required by state law. Adoption of the Housing Element would not, in and of itself, increase

development in the city, as no development is proposed as part of the Housing Element. Any future indirect development resulting from adoption of the 2015–2023 Housing Element would be required to undergo the environmental review process as required by the City and CEQA. Aesthetic considerations, such as damage to or degradation of scenic resources or visual character and effects on scenic vistas, will be considered when site-specific projects are proposed. Therefore, the project would be considered to have no impact.

- b) **No Impact.** There are no state-designated scenic highways within the city. Therefore, the proposed Housing Element would not adversely affect a state scenic highway or natural resources within a state scenic highway.
- c) **No Impact.** The proposed Housing Element is a policy-level document. While the Housing Element encourages the provision of a range of housing types and affordability levels, it does not include any specific designs or proposals, nor does it grant any entitlements for development that would degrade the existing visual character of the city. The Housing Element anticipates land uses that are consistent with the land use designations established by the General Plan Land Use Map. Future residential development projects will require compliance with General Plan policies related to aesthetic resources and Zoning Ordinance requirements associated with site planning and development regulations. The policies contained in the General Plan Land Use, Open Space/Conservation, and Community Design elements relative to the protection of natural and scenic resources would ensure physical, visual, and functional compatibility between residential and other uses, as well as encourage high-quality development in keeping with the desired character of the city.

Implementation of the proposed Housing Element would result in no impact associated with the degradation of the city's visual character.

- d) **No Impact.** As discussed above, the proposed Housing Element is a policy-level document that does not include any specific development designs or proposals, nor does it grant any entitlements for development that would increase daytime glare or nighttime illumination in the city. Light and glare impacts of subsequent development projects would be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. In addition, future residential development projects in the city would be required to be designed and constructed in accordance with Clayton Municipal Code Chapter 8.09, which establishes regulations for outdoor lighting.

As all future projects must comply with CEQA and the City Zoning Ordinance, including projects subject to the Housing Element, implementation of the proposed Housing Element would result in no impact associated with increased light and glare.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997), prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forestland or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Areas to the northeast and east of the city limits include rugged terrain that is primarily used as rangeland for livestock and other similar open uses. There are no General Plan agricultural land use designations within the existing city limits. However, four sites in the city are within the Agricultural zoning district.

Discussion/Conclusion

a, b) **No Impact.** There are no General Plan agricultural land use designations within the city limits. While the Clayton Planning Area includes the Agricultural land use designation, areas with this designation are currently under the jurisdiction of Contra Costa County and will remain so until an area is annexed by the City. Annexation requires rezoning, approval by the Local Agency Formation Commission (LAFCo), and environmental review. The proposed Housing Element does not contain policies that would require the City to annex land. According to the Department of Conservation's (2014c) Important Farmland Finder website, no areas within the city limits are identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

The proposed Housing Element is a policy-level document that encourages the provision of a range of housing types and affordability levels. It does not include any specific development designs or proposals, nor does it grant any entitlements for development that would convert agricultural lands to nonagricultural uses or place housing units

adjacent to agricultural uses. The Housing Element proposes changes to the existing Zoning Ordinance to comply with state law as well as an increase in permissible density in the MHD land use designation. However, these proposed changes would not conflict with or convert existing agricultural uses or Williamson Act lands, as the changes do not involve rezoning land or altering General Plan agricultural land use designations. All existing land use designations would remain the same with adoption of the 2015–2023 Housing Element. Implementation of the proposed Housing Element would not change or alter the General Plan policies regarding agricultural use in the city, nor would implementation of the Housing Element result in Zoning Ordinance changes that would convert agricultural lands and/or Williamson Act contract lands to other uses. As such, impacts associated with the conversion of agricultural lands to nonagricultural uses, as well as impacts associated with conflicts with agricultural zoning and Williamson Act lands, would be nonexistent.

- c, d) **No Impact.** Clayton does not contain any areas identified as forest resources or lands zoned for forest use. Similar to the discussion regarding agricultural resources, implementation of the proposed Housing Element would not alter the General Plan policies regarding forestland or timber use in the city, nor would implementation of the Housing Element result in Zoning Ordinance changes that would convert these lands to other uses. As such, impacts associated with the conversion of forestland or forest resources would be nonexistent.
- e) **No Impact.** The placement of nonagricultural uses adjacent to agricultural uses can result in agriculture-urban interface conflicts that inadvertently place growth pressure on agricultural lands to convert to urban uses. These conflicts include inconveniences or discomforts associated with dust, smoke, noise, and odor from agricultural operations, restrictions on agricultural operations (such as pesticide application) along interfaces with urban uses, farm equipment and vehicles using roadways, and trespassing and vandalism on active farms. The project does not involve the construction or expansion of residential development. While future development in Clayton may be located adjacent to or near agriculture uses, all future development would be required to comply with local regulations. Environmental impacts of subsequent development projects would also be considered, pursuant to CEQA, on a case-by-case basis following submittal of a specific development proposal.

Therefore, implementation of the 2015–2023 Housing Element would have no impact associated with changes in the existing environment that, due to their location or nature, could result in conversion of farmland or forestland to nonagricultural use.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Clayton is located in the San Francisco Bay Area Air Basin. The Bay Area Air Quality Management District (BAAQMD) is the primary agency responsible for meeting state and federal ambient air quality standards for all criteria pollutants in the Clayton area. The BAAQMD's jurisdiction covers all of Contra Costa County as well as the counties of Marin, Sonoma, Napa, Solano, Alameda, Santa Clara, San Mateo, and San Francisco. The BAAQMD works with other districts to maintain the region's portion of the State Implementation Plan, which is an air quality control plan containing regional emissions inventories, planning documents, and rules and regulations of the air basins as reported by their jurisdictional agencies.

In the Bay Area, as in the entire state of California, a certain amount of air pollution comes from stationary industrial sources, such as refineries and power plants; however, a greater percentage of harmful air emissions comes from cars and trucks, construction equipment, and other mobile sources (BAAQMD 2014a).

Currently, the San Francisco Bay Area Air Basin is designated as in nonattainment for the state 8-hour and 1-hour ozone standard, PM₁₀ (coarse particulate matter) and PM_{2.5} (fine particulate matter) standard (BAAQMD 2014b). Additionally, the basin is designated as in nonattainment for the federal 8-hour ozone standard and the PM_{2.5} standard. The basin is either in attainment or unclassified for all other monitored air pollutants. The presence of inversion layers can augment the ambient air concentrations of pollutants such as carbon monoxide, ozone, and PM₁₀. Pollutants directly emitted have the ability to stay in an inversion profile without mixing or diluting, which causes an increase in pollutant concentration.

The California Clean Air Act of 1988 requires air districts to endeavor to achieve and maintain the state ambient air quality standards by the earliest practicable date and to develop plans for attaining the state ozone, carbon monoxide, sulfur dioxide, and nitrogen dioxide standards.

Discussion/Conclusion

- a) **No Impact.** A project would conflict with or obstruct implementation of the regional air quality attainment plans (AQAP) if it is inconsistent with the growth assumptions, in terms of population, employment, or regional growth in vehicle miles traveled. These population forecasts are developed, in part, on data obtained from local jurisdictions and projected land uses and population projections identified in general plans and community plans. Projects that result in an increase in population growth inconsistent with local general plans and/or community plans would be considered inconsistent with the AQAP.

The policies and measures in the 2015–2023 Housing Element are designed to address the potential future housing needed in the city. Increases in the density for the MHD land use designation are necessary in order to accommodate housing at a specified intensity, resulting in new units which are more affordable to lower-income households. The requirements of Implementation Measure I.1.2 establish a minimum density of 20 units per acre in the MHD land use designation. However, this increase would not trigger the screening thresholds established in the BAAQMD's CEQA Air Quality Guidelines (2010, Table 3.1).

The proposed Housing Element does not identify specific development, nor does it include programs to change land use designations in the city. Therefore, the 2015–2023 Housing Element would be consistent with any growth projections established in the General Plan and used by the BAAQMD for its air quality attainment plan. All future development would be required to comply with local regulations, including the General Plan and Zoning Ordinance. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, implementation of the 2015–2023 Housing Element would have no impact associated with obstructing implementation of the regional air quality attainment plan.

- b, c) **No Impact.** Future development of housing units facilitated by the implementation of the proposed Housing Element could result in an increase in criteria pollutants during both construction and operational activities and could also contribute substantially to the existing nonattainment status of the San Francisco Bay Area Air Basin. Construction activities such as excavation and grading operations, construction vehicle traffic, and wind blowing over exposed earth could generate exhaust emissions and fugitive particulate matter emissions that would affect local air quality. This effect is variable depending on the weather, soil conditions, and the amount of activity taking place, as well as the nature of dust control efforts. Likewise, operational air quality impacts are dependent on the types of land uses and mitigation.

The proposed Housing Element does not include any specific development designs or development proposals, nor does it grant any entitlements for development. All future development would be required to comply with local regulations. Environmental impacts of subsequent development projects would also be considered, pursuant to CEQA, on a case-by-case basis following submittal of a specific development proposal. Therefore, implementation of the proposed Housing Element would have no impact associated with contributing substantially to an existing or projected air quality violation and increasing criteria pollutants during both construction and operational activities.

- d) **No Impact.** Housing units facilitated by the proposed Housing Element are sensitive receptors that could be exposed to pollutant concentrations. However, as discussed previously, the proposed Housing Element does not include any specific development designs or development proposals, nor does it grant any entitlements for development. Future residential development would be required to comply with General Plan policies related to air quality, conform to the AQAP, and meet national ambient air quality standards (NAAQS) and BAAQMD thresholds during both construction and operation activities. Therefore, the proposed Housing Element would have no impact associated with exposing sensitive receptors to pollutant concentrations.
- e) **No Impact.** Residential developments are not considered an emission source that would result in objectionable odors. No impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.), through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

According to the California Department of Fish and Wildlife's (2014) California Natural Diversity Database (CNDDDB), special-status or sensitive plant species occurring in the city include large-flowered fiddleneck, soft bird's-beak, Mt. Diablo bird's-beak, Contra Costa wallflower, Contra Costa goldfields, Mason's lilaeopsis, Antioch Dunes evening-primrose, rock sancicle, and Keck's checkerbloom. Additionally, according to the CNDDDB, 14 sensitive or special-status wildlife species have been known to occur in Clayton, such as the California tiger salamander, California red-legged frog, giant garter snake, and vernal pool tadpole shrimp.

Discussion/Conclusion

a) **No Impact.** Future residential development projects consistent with the 2015–2023 Housing Element may result in impacts to biological resources. The proposed Housing

Element is a policy-level document. While it encourages the provision of a range of housing types and affordability levels, it does not include any specific development designs or development proposals, nor does it grant any entitlements for development. The 2015–2023 Housing Element does not propose any policies or programs that would conflict with existing General Plan policies regarding the protection of biological resources. All future residential development occurring as a result of implementation of the proposed Housing Element would be required to comply with local regulations, including General Plan goals, policies, and implementation measures regarding the protection of biological resources. Future subsequent development projects would also be required to comply with the environmental reporting requirements of CEQA following submittal of a specific development proposal.

Therefore, implementation of the 2015–2023 Housing Element would not cause adverse impacts to special-status plant and animal species, as well as their habitats, and as such, would have no impact to these biological resources.

- b, c) **No Impact.** Future residential development resulting from implementation of the 2015–2023 Housing Element may result in adverse impacts to sensitive natural communities such as riparian habitat and federally protected wetlands. As discussed previously, the proposed Housing Element does not include any specific development designs or development proposals, nor does it grant any entitlements for development. The 2015–2023 Housing Element does not propose any policies or programs that would conflict with existing General Plan policies regarding the protection of biological resources. Future residential development projects will be required to comply with the environmental reporting requirements of CEQA, which will identify the presence of special-status species and provide project-specific mitigation if necessary. Therefore, implementation of the 2015–2023 Housing Element would have no impact to federally protected wetlands and riparian resources.
- d) **No Impact.** As discussed under a) above, the proposed Housing Element is a policy-level document. It does not include any site-specific designs or development proposals, nor does it grant any entitlements for development. The 2015–2023 Housing Element does not propose any policies or programs that would conflict with existing General Plan policies regarding the protection of biological resources. The potential for the proposed Housing Element to impede native resident or migratory wildlife corridors or the uses of wildlife nursery sites, in and of itself, is nonexistent. While additional impacts may result from the implementation of future individual residential projects in the city, environmental review would be required per CEQA and City requirements and would identify and provide mitigation for any impacts to native wildlife corridors and nursery sites. Therefore, implementation of the 2015–2023 Housing Element would have no impact regarding the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, nor would it impede the use of native wildlife nursery sites.
- e) **No Impact.** The proposed Housing Element does not include any specific development proposals, nor does it grant any entitlements for development that would affect biological resources. Future residential development would be required to comply with CEQA, as well as with the City of Clayton Municipal Code. Therefore, the proposed Housing Element would not conflict with any local policies or ordinances protecting biological resources.

- f) **Less Than Significant Impact.** The city is located in an area covered by the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP). However, the proposed Housing Element is a policy-level document. It does not include any site-specific designs or development proposals, nor does it grant any entitlements for development. The 2015–2023 Housing Element does not propose any policies or programs that would conflict with the East Contra Costa County HCP/NCCP. Any future residential units developed as an indirect result of implementation of the Housing Element would be required to comply with regulations of the East Contra Costa County HCP/NCCP. As such, implementation of the 2015–2023 Housing Element would have a less than significant impact for this issue.

INITIAL STUDY

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Clayton was founded in 1857 by Joel Clayton. With the discovery of coal deposits in the vicinity two years later, Clayton became a prosperous mining supply town and one of the largest towns in the county. At the height of the mining activity in 1886, the town's population was estimated at 900 (Clayton 2012, p. I-9). The mining boom lasted into the 1870s. From an economy based primarily on the production of coal and wheat, Clayton shifted to more diversified agricultural activities, including cattle ranching and orchard farming. Viticulture became a dominant activity for several years, and there were several local wineries. In succeeding decades, Clayton was supported by its remaining agricultural activity, some sporadic mining and quarrying operations, and the industry of surrounding towns and cities. As the commercial base declined, the town also declined in population. Despite rapid growth in the county, Clayton failed to attract new population or business activity during the late 1800s and early 1900s. This trend, however, was reversed as improved transportation and post-war urban expansion transformed much of the surrounding countryside to the north and west into residential subdivisions and associated commercial development. The wave of urbanization advanced eastward to the borders of Clayton, and in 1962 the City of Concord annexed a subdivision adjacent to Clayton. Clayton residents concerned with annexations and potential strip zoning to commercial designations, and anxious to preserve the rural-residential character of their community, banded together to oppose annexation of the community by other jurisdictions. The city was incorporated in 1964 (Clayton 2012, p. I-10).

Clayton has 15 buildings and 9 sites that are considered to be of historical significance, as identified in the Community Design Element.

Discussion/Conclusion

a-d) **No Impact.** Future residential development in the city would not conflict with existing known cultural and historical resources in Clayton. In addition to "known" resource areas, the potential exists for undiscovered paleontological and archeological resources that would be encountered and potentially impacted by future construction activities. These resources could include human remains located outside of cemeteries. The proposed Housing Element is a policy-level document. While the Housing Element encourages the

provision of a range of housing types and affordability levels, it does not include any specific development designs or proposals, nor does it grant any entitlements for development that would adversely affect archaeological, paleontological, or historic resources. All future residential development occurring in the city must comply with local regulations, including General Plan policies regarding cultural resources in Clayton.

Environmental impacts of subsequent development projects would also be evaluated pursuant to CEQA on a case-by-case basis for each specific development proposal. Therefore, implementation of the 2015–2023 Housing Element is considered to have no impact on cultural resources.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

According to the California Department of Conservation (2014a), Clayton is affected by a number of earthquake fault zones. The closest fault is the Concord fault approximately 3 miles from the city center. The Concord fault is an active fault, and small to moderate earthquakes are possible along the fault with a capability of a 7+ magnitude earthquake (Clayton 2012, p. VII-10). The most critical faults locally, according to the Clayton General Plan, are the San Andreas, Calaveras, and Hayward faults (Clayton 2012, p. VII-10). Prominent faults of undetermined status include the Pinole, Bollinger, Las Trampas, Franklin, South Hampton, Clayton-Marsh Creek, Midland, and Mt. Diablo faults. These faults have shown inconclusive signs of activity or are associated with geologic processes and features that could result in earthquakes (Clayton 2012, p. VII-10).

The undeveloped regions of Clayton contain a number of potential geological hazards. These include slopes with unstable expansive soil, high erosion potential, evidence of springs, mudflow potential, rockslide potential, and evidence of significant creep (Clayton 2012, p. VII-7).

The General Plan includes policies that reduce the hazards related to seismic disturbances to the extent possible. For instance, Safety Element Policy 1b restricts development on slopes over 26 percent, and Policy 2c requires soils/geologic studies for any areas with potential risk of ground failure prior to development. In addition, Policy 7a requires the City to maintain seismic standards at a level of construction commensurate with the risk.

Discussion/Conclusion

a)i-iv) **No Impact.** The Housing Element includes policies and programs designed to facilitate the construction and conservation of housing, which could increase exposure of people and structures to seismic hazards, including rupture of a fault, strong seismic shaking, and seismic-related ground failure. However, the proposed Housing Element is a policy-level document that encourages the provision of a range of housing types and affordability levels rather than identifying any specific designs or development proposals. The Housing Element does not involve the construction or expansion of any residential land uses. All future residential development occurring in the city would be required to comply with local regulations, including the General Plan and Zoning Ordinance. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal.

In addition, future residential development projects would be required to comply with General Plan Safety Element Policies 1b, 2c, and 7a related to geologic and seismic hazards. Therefore, implementation of the 2015–2023 Housing Element would have no impact related to seismic hazards.

b) **No Impact.** Future construction in the city would result in the moving and grading of topsoil, which would lead to disturbed soils that are more likely to suffer from erosion from a variety of sources, such as wind and water. As discussed under a)i-iv) above, the proposed Housing Element is a policy-level document that does not propose any specific development and does not directly result in adverse impacts associated with substantial loss of topsoil or erosion. All future residential development would be subject to the environmental analysis requirements of CEQA, including the identification of erosion impacts. Therefore, implementation of the proposed Housing Element would have no impact regarding this issue.

c, d) **No Impact.** Future residential development on unstable or expansive soils could create substantial risks to life or property and result in adverse impacts such as on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse. As discussed under a)i-iv) above, the proposed Housing Element is a policy-level document that does not propose any specific development. All future residential development occurring in the city would be required to comply with local regulations, including the General Plan and Zoning Ordinance. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, implementation of the proposed Housing Element would have no impact regarding this issue.

- e) **No Impact.** The Housing Element includes policies and programs designed to facilitate the construction and conservation of housing. The majority of the potential housing sites identified in the 2015–2023 Housing Element are located in an area in which the existing city wastewater system is in place. However, for those areas that may require individual sewage systems, Municipal Code Section 13.08.070 requires that these systems be approved by the City's health officer based on the requirements of Municipal Code Chapter 13.08. All septic systems developed as a result of implementation of the Housing Element would be required to comply with the City's septic system regulations. Implementation of the proposed Housing Element would have no impact regarding this issue.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

State Assembly Bill (AB) 32 (2006), the Global Warming Solutions Act, directs public agencies in California to support the statewide goal of reducing greenhouse gas (GHG) emissions to 1990 levels by 2020.

The BAAQMD (2010) CEQA Air Quality Guidelines include a project-level GHG threshold for land use projects including residential projects. The thresholds are in compliance with a qualified GHG reduction strategy of annual emissions of less than 1,100 metric tons per year (MT/yr) of carbon dioxide equivalents (CO₂e). The project thresholds are presented in Table 3-1 of the BAAQMD CEQA Air Quality Guidelines. The residential land use types in Table 3-1 include multi-family uses such as apartments and condos/townhouses. The lowest screening level for multi-family projects is 78 units in the apartment, low-rise, and condo/townhouse general categories. In other words, if a low-rise apartment complex project has more than 78 units, this project will surpass the screening threshold and therefore would require an analysis and mitigations to reduce GHG impacts.

Discussion/Conclusion

a, b) **No Impact.** Future development of housing units could result in an increase in GHG emissions during both construction and operational activities. However, the proposed Housing Element does not include any specific development designs or development proposals, nor does it grant any entitlements for development.

The policies and measures in the 2015–2023 Housing Element are designed to address potential future housing needed in the city. An increase in the minimum density for the MHD land use designation is necessary in order to accommodate housing at a specified intensity, resulting in new units which are more affordable to lower-income households. Based on the requirements of Implementation Measure 1.1.2 establishing a minimum density of 20 units per acre, a 5-acre site would accommodate at least 80 new dwelling units and on a cumulative basis surpass the 78-unit screening threshold for low-rise apartments. However, as stated previously, the proposed Housing Element does not include any specific development designs or development proposals, nor does it grant any entitlements for development. Further, environmental impacts of subsequent development projects would be considered, pursuant to CEQA, on a case-by-case basis following submittal of a specific development proposal. There is no impact.

INITIAL STUDY

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. According to California Health and Safety Code Section 25501(o), "hazardous material" means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. Hazardous materials include, but are not limited to, hazardous substances, hazardous waste, and any material that a handler or the administering agency has a reasonable basis for believing would be injurious to the health and safety of persons or harmful to the environment if released into the

workplace or the environment. Searches of the California Department of Toxic Substance Control's (2014) EnviroStor database and the State Water Resources Control Board's (2014) GeoTracker database identified no open case hazardous material sites in Clayton that are associated with a hazardous material-related release or occurrence.

There are no airports in the city. The nearest airport is Buchanan Field Airport located at 550 Sally Ride Drive in Concord, approximately 6 miles from Clayton. The nearest large airport is Oakland International Airport approximately 34 miles from Clayton.

Discussion/Conclusion

a–d) **No Impact.** The Housing Element, in and of itself, does not propose the construction of new housing units. However, future development of residential housing units constructed as a result of implementation of the 2015–2023 Housing Element could create a significant hazard to future residents via exposure to the routine transport, use, or disposal of hazardous materials, through exposure to reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, through exposure to the handling or emission of hazardous materials, or by locating residential development on a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. However, impacts associated with hazardous materials would be dependent on the location of future residential development and the nature of surrounding land uses. As stated previously, the proposed Housing Element is a policy-level document that encourages the provision of a range of housing types and affordability levels, but it does not include any specific development designs or development proposals, nor does it grant any entitlements for development.

For those future housing developments located near a business handling hazardous materials, all businesses in the city are subject to the hazardous materials regulations of the Contra Costa County Health Services Department. The department, which is the Certified Unified Program Agency (CUPA) for all cities and unincorporated areas in the county, issues permits to and conducts inspections of businesses that use, store, or handle quantities of hazardous materials and/or waste greater than or equal to 55 gallons, 500 pounds, or 200 cubic feet of a compressed gas at any time. The department also implements the Hazardous Materials Business Plans that include an inventory of hazardous materials used, handled, or stored at any business in the county. The department issues permits to and inspects businesses that handle acutely hazardous materials.

The City of Clayton regulates hazardous materials in coordination with other state and local agencies (e.g., California Department of Toxic Substances Control and Contra Costa County Health Services Department). The City enforces Title 26, Division 6, of the California Code of Regulations (CCR) to reduce impacts associated with accidental release from transportation of hazardous materials on roads in the city and the potential for an increased demand for incident emergency response. In addition, pursuant to CCR Title 8, the City enforces workplace regulations applicable to businesses and public facilities addressing the use, storage, and disposal of flammable and hazardous materials. Additionally, Clayton Municipal Code Chapter 8.05 provides regulations regarding hazardous waste compliance with the Contra Costa County Hazardous Waste Management Plan.

Residential developments do not generally include the routine transportation, use, or disposal of hazardous materials that could create a significant hazard to the public. Businesses that handle hazardous materials must comply with the regulations of the Contra Costa County Health Services Department. Therefore, the proposed Housing Element would not create a significant hazard to the public or the environment regarding the transport, storage, use, and disposal of hazardous materials and would result in no impact to these issue areas.

- e, f) **No Impact.** Airport-related hazards are generally associated with aircraft accidents, particularly during takeoffs and landings. Airport operation hazards include incompatible land uses, power transmission lines, wildlife hazards (e.g., bird strikes), and tall structures that penetrate the imaginary surfaces surrounding an airport. As discussed under a–d) above, the proposed Housing Element is a policy-level document that does not propose any specific development. While the proposed Housing Element identifies the need for additional housing in the city, it does not provide specific details regarding future development. Due to the distance of the nearest airport (Buchanan Field Airport) from the city of approximately 6 miles, it is not anticipated that there would be any land use conflicts. However, all new housing developed as a result of implementation of the Housing Element will be required to comply with the land use regulations and safety standards of Buchanan Field Airport. Therefore, implementation of the 2015–2023 Housing Element would have no impact associated with airport-related hazards.
- g) **No Impact.** The City's Local Hazard Mitigation Plan was designed to develop a disaster-resistant region by implementing strategies region-wide that will reduce the potential loss of life, property damage, and environmental degradation caused by natural disasters while speeding economic recovery as much as possible (Clayton 2013). As discussed previously, the proposed Housing Element is a policy-level document that does not propose any specific development. All future residential development occurring in the city would be required to comply with local regulations, including the General Plan and Zoning Ordinance. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, implementation of the 2015–2023 Housing Element would have no impact regarding issues of inconsistency with the Local Hazard Mitigation Plan.
- h) **No Impact.** The California Department of Forestry and Fire Protection, Natural Hazard Disclosure (Fire) map shows that Clayton is a “local responsibility area” and is not identified as High Fire Hazard Severity Zone (Cal Fire 2007). According to the General Plan, because the natural vegetation in the trail system and adjacent parklands is extremely flammable during the summer and fall, wildfire is a serious hazard in the city. Slopes, high winds, and difficulty in access increase the hazards. Traffic congestion in the case of fire can hinder firefighting. Isolated homes set in wooded canyons or on ridgetops with only one narrow, winding, or steep road are subject to a high fire hazard (Clayton 2012, p. VII-24).

General Plan Safety Element Policy 10b requires all new development to be reviewed by the Contra Costa County Fire Protection District so that adequate fire protection can be provided. Policy 10c requires development proposals to meet standards for adequate fire flows appropriate to the fire risk created. California Building Code standards require fire sprinklers in new residential dwelling units, as well as adequate pressure pumps and water storage tanks to serve these fire sprinklers.

As discussed previously, the proposed Housing Element is a policy-level document that does not propose any specific development. All future residential development occurring in the city would be required to comply with local regulations, including the General Plan and Zoning Ordinance, as well as with all regulations established to reduce the potential for wildfire. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, implementation of the 2015–2023 Housing Element would have no impact.

INITIAL STUDY

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of a failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Several natural creeks running through Clayton have been integrated into a greenbelt system of parks. The principal stream running through the city is Mt. Diablo Creek, which drains a watershed of approximately 30 square miles and flows northerly and westerly and empties into Suisun Bay. Mt. Diablo Creek is joined by Donner and Mitchell creeks in the city (Clayton 2012, p. 19). Within the Planning Area, there is negligible hydraulic force to the creeks and there is no

potential for a harbor, fishing, or a marina. The average rainfall in Clayton is 24 inches annually, with an average of 65 days of precipitation yearly (Sperling's 2014).

Clayton is located in the San Francisco Bay Hydrologic Region, which covers approximately 2.88 million acres (4,500 square miles) and includes all of San Francisco County and portions of Marin, Sonoma, Napa, Solano, San Mateo, Santa Clara, Contra Costa, and Alameda counties. Significant geographic features include the Santa Clara, Napa, Sonoma, Petaluma, Suisun-Fairfield, and Livermore valleys; the Marin and San Francisco peninsulas; the San Francisco, Suisun, and San Pablo bays; and the Santa Cruz Mountains, Diablo Range, Bolinas Ridge, and Vaca Mountains of the Coast Range. The region has 28 identified groundwater basins (DWR 2003, p. 131).

The city is located in the Clayton Valley Groundwater Basin, which is connected hydrologically to Suisun Bay (DWR 2004, p. 1). Groundwater levels have shown a slight gradual decline over the period of record. The 1976–1977 and 1987–1992 drought periods showed that the groundwater level dropped during these periods but subsequently recovered as the droughts waned (DWR 2004, p. 1).

Discussion/Conclusion

a, f) **No Impact.** Future residential development in the city could result in both construction and operational impacts to water quality and discharge standards. Potential operational impacts include the use of fertilizers, herbicides, and pesticides to maintain lawns, as well as motor vehicle operation and maintenance. Potential construction impacts include grading and vegetation removal activities that would result in the exposure of raw soil materials to the natural elements (wind, rain, etc.). However, the purpose of the proposed Housing Element is to identify the policies and programs that the City will implement to ensure that housing in Clayton is affordable, safe, and decent. The proposed Housing Element is a policy-level document that does not include any specific design or development proposals, nor does it grant any entitlements for development. All future residential development occurring in the city would be required to comply with local regulations, including the General Plan and Zoning Ordinance.

In addition, all new development projects in the city are subject to the requirements of the National Pollutant Discharge Elimination System (NPDES) Stormwater Permit enforced by the Regional Water Quality Control Board (RWQCB). The permit requires that the City impose water quality and watershed protection measures for all development projects and prohibits discharges from causing violations of applicable water quality standards or from resulting in conditions that create a nuisance or water quality impairment in receiving waters.

All new development constructed as a result of implementation of the 2015–2023 Housing Element would be required to comply with the City's water quality protections, as well as with the environmental review required by CEQA. Environmental impacts of subsequent development projects would be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, implementation of the proposed Housing Element would have no impact on water quality and waste discharge.

b) **No Impact.** Water supply in the city is provided by the Contra Costa Water District (CCWD). The district is almost entirely dependent on the Sacramento-San Joaquin River Delta (Delta) for its untreated water supply. The district's primary source is the US Bureau

of Reclamation's Central Valley Project (CVP). CVP water consists of unregulated flows and regulated flows from storage releases from the Shasta, Folsom, and Clair Engle reservoirs into the Sacramento River (CCWD 2007, p. 2-1). The CCWD does not use groundwater as a part of its water supply. The proposed Housing Element does not identify any specific development or grant any entitlements for development and would not, in and of itself, affect groundwater supply or recharge. Environmental impacts of subsequent development projects would be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, implementation of the 2015–2023 Housing Element would have no impact to groundwater resources in the area.

- c–e) **No Impact.** The proposed Housing Element encourages the development of a range of housing types at varying affordability levels in Clayton. If development of housing units were to occur in previously undeveloped areas, increased impervious surfaces and grading and vegetation removal activities could increase surface runoff. However, the proposed Housing Element is a policy-level document that does not include any specific designs or development proposals, nor does it grant any entitlements for development. All future residential development occurring in the city would be required to comply with local regulations, including the General Plan and Zoning Ordinance.

All new development projects in the city are subject to the requirements of the NPDES Stormwater Permit enforced by the Regional Water Quality Control Board. The permit requires that the City impose water quality and watershed protection measures for all development projects and prohibits discharges from causing violations of applicable water quality standards or from resulting in conditions that create a nuisance or water quality impairment in receiving waters.

Compliance with the provisions of the NPDES and best management practices would reduce the impacts of future development. Therefore, the proposed Housing Element would not result in significant impacts to drainage or runoff, as no development is proposed. In addition, future development envisioned by the proposed Housing Element would be subject to the regulations discussed above.

- g, h) **No Impact.** The proposed Housing Element is a policy-level document that does not include any specific development proposals, nor does it grant any entitlements for development. Future development projects would be subject to Clayton General Plan Safety Element Policy 8b, which requires the submittal of all subdivision and creekside development plans for review by the County Flood Control District. Additionally, Policy 8d requires the prevention of encroachment into the floodplain subject to federal, county, and local standards and requirements. Finally, all development in the city is subject to Clayton Municipal Code Chapter 15.58, which defines the requirements for flood protection in the city. Therefore, the proposed Housing Element would not place structures within a 100-year flood zone without the proper mitigation. As a result, implementation of the 2015–2023 Housing Element would have no impact regarding flooding.
- i) **No Impact.** According to the Association of Bay Area Governments (ABAG) (2014), Clayton is not located in an area at risk of dam inundation. Therefore, the 2015–2023 Housing Element would not expose people or structures to a significant risk of loss, injury, or death as a result of the failure of a dam. No impact would occur.

- j) **No Impact.** Clayton is not located near any ocean or any large bodies of water, so the potential for tsunami or seiche is nonexistent. The potential to expose people or structures to inundation by mudflow does exist because of the hills surrounding the city. However, the proposed Housing Element is a policy-level document that does not include any specific designs or development proposals, nor does it grant any entitlements for development. Additionally, all future residential development occurring in the city would be required to adhere to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, the Housing Element would not expose people or structures to a significant risk of loss, injury, or death as a result of mudflow or seiche. No impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Clayton is characterized by a wide range of existing land uses. Much of the residential development in the city is low-density single-family housing.

Discussion/Conclusion

- a, b) **No Impact.** The Housing Element is consistent with the land uses envisioned in the General Plan and would not remove policies that currently protect environmental resources. The 2015–2023 Housing Element is a policy-level document that encourages the provision of a range of housing types and affordability levels. The proposed Housing Element does not include any specific development proposals, nor does it grant any entitlements for development. The Housing Element anticipates land uses that are consistent with the current land use designations established by the General Plan Land Use Element and Land Use Map. Future residential development projects will require compliance with General Plan policies related to land use and Zoning Ordinance requirements associated with zoning districts, allowable uses, and development standards. While the Housing Element does propose changes to the existing Zoning Ordinance to comply with state law as well as an increase in permissible density in the MHD land use designation, these changes do not alter existing land use designations or the development pattern. All future residential development occurring in the city would be required to comply with local regulations, including the General Plan and Zoning Ordinance. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, implementation of the Housing Element would have no impact related to land use or the potential to physically divide a community.

- c) **Less Than Significant Impact.** As discussed previously in item f) in subsection IV, Biological Resources, the city is located in an area covered by the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan. The 2015–2023 Housing Element does not propose any policies or programs that would conflict with the East Contra Costa County HCP/NCCP. Any future residential units developed as an indirect result of implementation of the Housing Element would be required to comply with the regulations of the East Contra Costa County HCP/NCCP. As such, implementation of the 2015–2023 Housing Element would have a less than significant impact for this topic.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The Clayton General Plan identifies that there are no quarries within the city limits. However, the Lone Star Quarry is located on the southwestern edge of the community and is within the City's Sphere of Influence (SOI) but outside of the Urban Limit Line. Additionally, the DOC (1982) Clayton Quadrangle Special Report 146, Plate 2.62, shows three aggregate resources around the city, although the city's boundaries are not shown.

Discussion/Conclusion

a, b) **No Impact.** The City of Clayton and the California Department of Conservation have identified areas with mineral resources adjacent to the city. These areas are identified with the General Plan land use designation of Quarry and are specifically for mineral extraction. As discussed previously, the Housing Element is a policy-level document that does not include any specific development proposals, nor does it grant any entitlements for development. All future residential development occurring in the city would be required to comply with local regulations, including the General Plan and Zoning Ordinance. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, no impact to mineral resources would occur.

INITIAL STUDY

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or of applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The major noise sources in Clayton are related to vehicular traffic on Clayton Road, Concord Boulevard, and Mitchell Canyon Road. According to the General Plan, the predominant source of vehicular noise is from the gravel trucks serving the Lone Star Quarry (Clayton 2012, p. VIII-4). The major stationary noise sources affecting the city are the Concord Pavilion and the Lone Star Quarry, both outside of the city limits. General Plan Noise Element Policy 2a establishes noise standards in the city requiring mitigation for noise that exceeds 45 L_{dn} for indoor noise levels and 60 L_{dn} for outdoor noise levels.¹ Construction noise is regulated by Municipal Code Sections 9.30.030 and 15.01.101, which limit the hours of construction from 7:00 a.m. to 5:00 p.m., Monday through Friday, in the city.

Discussion/Conclusion

a-d) **Less Than Significant Impact.** The proposed Housing Element encourages the provision of a range of housing types and affordability levels. Housing is not considered a major source of noise in the city, but placing housing adjacent to major sources of noise could

¹ L_{dn} is day-night average sound level, the average noise level over a 24-hour period.

expose people to temporary or permanent noise levels in excess of acceptable standard. However, the Housing Element is a policy-level document that does not include any specific development proposals, nor does it grant any entitlements for development. Future residential development projects will require compliance with General Plan policies related to noise standards and compliance with Municipal Code Sections 9.30.030 and 15.01.101. While the Housing Element does propose changes to the existing Zoning Ordinance to comply with state law as well as an increase in permissible density in the MHD land use designation, it does not involve the construction or expansion of any residential land uses, nor does it change land use designations. All future residential development occurring in the city would be required to comply with local regulations. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, adverse impacts related to a temporary or permanent increase in noise levels would be less than significant.

- e, f) **No Impact.** As discussed under a–d) above, the proposed Housing Element is a policy-level document that does not include any specific development proposals, nor does it grant any entitlements for development that would expose people to excessive noise levels. There are no airports in the vicinity that would expose persons to excessive noise levels, as the nearest airport is approximately 6 miles from Clayton. Therefore, implementation of the 2015–2023 Housing Element would have no impact regarding airport noise issues.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The city's population increased significantly from 7,317 in 1990 to 10,897 in 2010, an increase of 48.9 percent (US Census Bureau 2014). Based on California Department of Finance (2014) population estimates, Clayton's population has increased since 2010, reaching a population of 11,200 in January 2014. The average household size was estimated at 2.78 persons per household in 2014 (DOF 2014).

Discussion/Conclusion

a) **Less Than Significant Impact.** The proposed Housing Element contains housing goals intended to encourage housing to meet Clayton's affordable housing needs and would therefore accommodate growth rather than induce it. Furthermore, the proposed Housing Element is a policy-level document that encourages the provision of a range of housing types and affordability levels. It does not include any specific development proposals, nor does it grant any entitlements for development that would induce population growth. The RHNA for the 2015–2023 Housing Element planning period is 141 units. Based on the average household size in the city of 2.78 persons per household (DOF 2014) and the RHNA of 141 dwellings, implementation of the 2015–2023 Housing Element has the potential to increase the city's population by 392. However as stated previously, Housing Element is a policy-level document that does not include any specific development proposals, nor does it grant any entitlements for development.

All future residential development in the city is required to be developed in compliance with local regulations, including the General Plan and Zoning Ordinance. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, growth-inducing impacts would be less than significant.

b, c) **No Impact.** The proposed Housing Element encourages the provision and preservation of a range of housing types and affordability levels to meet Clayton's housing needs. Implementation of the Housing Element would not displace or decrease housing units in the city. Therefore, no impact would occur.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

Fire protection in Clayton is handled by Contra Costa County Fire Protection District Station 11, located at 6500 Center Avenue. The district provides fire protection and suppression and life safety services in the city. The district responds to structural and wildland fires, emergency medical service needs, and hazardous/toxic material spills in the city.

The Clayton Police Department provides police protection in the city. The department is headquartered at 6000 Heritage Trail.

Clayton is served by the Mt. Diablo Unified School District, which serves the cities and communities of Clayton, Concord, Clyde, Lafayette, Martinez, Pacheco, Pittsburg, Pleasant Hill, and Walnut Creek. The school district operates 31 elementary schools, 9 middle schools, and 5 high schools, as well as 2 adult education centers and 17 alternative schools and programs. The only schools in Clayton are Mt. Diablo Elementary School and Diablo View Middle School.

The City of Clayton's Recreation Department and Maintenance Department are responsible for the administration, maintenance, and construction of park facilities in the city. Clayton has seven parks, including a dog park and an equestrian staging area. Additionally, the Clayton Trail System consists of 27 miles of trails on approximately 515 acres of open space (Clayton 2014).

Discussion/Conclusion

a-e) **No Impact.** The proposed Housing Element includes policies and programs designed to facilitate the construction and conservation of housing to meet Clayton's affordable housing needs. Subsequent residential development projects could result in an increase in demand for public services. However, the Housing Element is a policy-level document that does not include any specific development proposals, nor does it grant any entitlements for development. While the Housing Element proposes changes to the Zoning Ordinance, it does not involve the construction or expansion of any residential land uses and would not result in the need for expanded public services.

Public services generally identify future needs using the projections established in a jurisdiction's general plan. All potential housing sites in the 2015–2023 Housing Element are located on parcels that have been identified as allowing residential uses in the Clayton General Plan and therefore would not create development beyond the potential anticipated in the General Plan. Additionally, future residential development projects will require compliance with General Plan policies related to the provision of public services. Furthermore, environmental impacts of subsequent development projects, including impacts to public services, would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, implementation of the 2015–2023 Housing Element would have no impact regarding public services.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities, or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

As discussed previously, the City's Recreation Department and Maintenance Department are responsible for the administration, maintenance, and construction of park facilities in the city. Clayton has seven parks, including a dog park and an equestrian staging area. Additionally, the Clayton Trail System consists of 27 miles of trails on approximately 515 acres of open space (Clayton 2014).

Discussion/Conclusion

a, b) **No Impact.** Future residential development consistent with the 2015–2023 Housing Element could increase the use of existing neighborhood and regional parks or other recreational facilities and require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment. However, the proposed Housing Element does not change General Plan land use designations or zoning districts in the city. As such, it does not result in growth not already anticipated in the General Plan. The Housing Element is a policy-level document. While it encourages the provision of a range of housing types and affordability levels, it does not include any specific development proposals, nor does it grant any entitlements for development that would result in an increased demand for parks and recreational facilities.

Future residential development projects will require compliance with General Plan policies related to parks. City General Plan Growth Management Element Performance Standards include standards for park facilities in the city. According to this standard, the City requires 3 acres of developed parks per 1,000 residents and 7 acres of maintained open space per 1,000 residents, resulting in a total of 10 acres of active open space per 1,000 residents (Clayton 2012, p. 8). Additionally, Growth Management Element Policy 1c requires all new development to contribute to or participate in the improvement of parks in proportion to the demand generated by the project.

All future residential development occurring in the city would be required to comply with local regulations, including General Plan park standards. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, implementation of the 2015–2023 Housing Element would have no impact regarding park and recreational services.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC. Would the project:				
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highway and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the City congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

In the regional context, the arterials in the Clayton area are Ygnacio Valley Road/Kirker Pass Road and Clayton Road. These roads carry most of the commute traffic from east Concord and the Clayton area to Interstate 680 and State Route 24 for destinations in downtown Concord, Walnut Creek, Martinez, Pittsburg, Antioch, Alameda County, and San Francisco. Concord Boulevard also serves to carry commute traffic, but does so for lower volumes. At present, Concord Boulevard south of Kirker Pass Road undergoes a name change to Oakhurst Drive at Clayton's city limits. This road connects with Clayton Road, which carries traffic to downtown Clayton from State Route 24 in Concord. Marsh Creek Road carries traffic to Clayton from residential developments and ranches to the east between Clayton and Brentwood. Marsh Creek Road is primarily a rural facility. Clayton and Marsh Creek roads meet both in the Town Center (where Marsh Creek Road ends) and adjacent to Diablo View Middle School. Other important roadways in Clayton are Pine Hollow Road and Mitchell Canyon Road.

The General Plan Growth Management Element identifies a level of service (LOS) standard for four intersections in the city: Clayton Road/Washington Boulevard, Clayton Road/Mitchell Canyon Road, Marsh Creek Road/Regency Drive, and Oakhurst Road/Eagle Peak Avenue (south). The lowest acceptable level of service for these intersections is LOS D (Clayton 2012, p. 5).

Discussion/Conclusion

a, b) **No Impact.** The proposed Housing Element includes policies and programs designed to facilitate the construction and conservation of housing to meet Clayton's affordable housing needs. Subsequent residential development projects could result in an increase in traffic on city roadways and a decrease in level of service on those roadways. However, the Housing Element is a policy-level document that does not include any specific development proposals, nor does it grant any entitlements for development. All future residential development occurring in the city would be required to comply with local regulations, including the General Plan and Zoning Ordinance. For instance, Growth Management Element Policy 1d requires that as part of the development review process, all projects expected to generate over 100 peak-hour trips include a traffic impact study. Policy 1e states that the City will not approve development projects expected to generate over 1,000 peak-hour trips in the peak direction unless a finding of consistency can be made with the Reporting Intersection Traffic Level of Service Standards.

Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Therefore, implementation of the 2015–2023 Housing Element would have no impact regarding traffic levels of service.

c) **No Impact.** The RHNA for Clayton is 141 dwelling units. Future residential development under the proposed Housing Element would not dramatically increase the use of airports in the vicinity. Therefore, no impact would occur relative to an increase in air traffic.

d, e) **No Impact.** As discussed above, the proposed Housing Element is a policy-level document that does not include any specific development proposals, nor does it grant any entitlements for development that would affect the site design, emergency access, or parking of any developments. Future residential development projects will require compliance with General Plan policies related to traffic and circulation. Therefore, implementation of the 2015–2023 Housing Element would have no impact regarding roadway hazards or emergency services.

f) **No Impact.** As discussed previously, the proposed Housing Element does not include any specific development proposals, nor does it grant any entitlements for development. Future residential development would be required to comply with General Plan policies related to alternative transportation. For instance, Circulation Element Objective 7 shows the City's desire to support alternative transportation through the enhancement of the city's system of pedestrian, equestrian, and bicycling paths and trails. Additionally, Policy 7a requires the determination of areas where greenbelt paths may need to be designed to separate equestrian, bicycle, and pedestrian use. Therefore, the proposed Housing Element would not conflict with any local policies or ordinances supporting alternative transportation.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Sanitary sewer services in the city are provided by the Central Contra Costa Sanitation District (CCCSD). Septic systems are allowed for large lots in areas considered as transitional areas by the City. However, for those areas that may require individual sewage systems, Municipal Code Section 13.08.070 requires that these systems be approved by the City's health officer based on the requirements of Municipal Code Chapter 13.08. According to the CCCSD's (2012) Sewer System Master Plan, when a new development, such as housing complex, is proposed within the CCCSD boundary, a capacity analysis is performed before project approval is granted. Simulations are performed to determine whether the new development may cause capacity issues. If the hydraulic model suggests the proposed development may cause capacity issues, the developer is required to upsize the capacity-deficient pipes directly connected to the development (CCCSD 2012, p. 8-4). The CCCSD's (2010) Collection System Master Plan Update identifies the average base wastewater flow per single-family and multi-family unit. According to this document, the average wastewater flow for a single-family unit is 195 gallons per day (gpd), while average flow for a multi-family unit is 105 gpd (CCCSD 2010, p. v). The RHNA for Clayton is 141 dwelling units. Assuming that all of the new dwelling units would be single-family, the wastewater flow from these units would be 27,495 gpd.

Water supply in the city is provided by the Contra Costa Water District (CCWD). The CCWD's (2007) Water Master Plan identifies future water demand based on acre-feet per acre per year (AF/ac/yr). For the City of Clayton in the single-family medium land grouping, the future water use was based on a water use factor of 4.5 AF/ac/yr (CCWD 2007, Table A-2). Using this factor and the total number of acres (25.68) to accommodate the RHNA identified in Table 48 of the 2015–2023 Housing Element, the water demand related to the Housing Element can be approximated. Based on these factors, the future water demand would be approximately 115.56 acre-feet per year. Of course, this is just a rough estimate and assumes that all 25.68 acres will be developed for single-family use at medium density.

Stormwater drainage facilities are provided by the City of Clayton. The City's flood control standard requires all development to provide protection from the 100-year flood event, as determined by the Federal Emergency Management Agency (FEMA).

Household garbage, yard waste, and recycling is collected curbside on a weekly basis in the city by Allied Waste Services. The landfills serving Clayton include the Keller Canyon Landfill and the Potrero Hills Landfill. According to the California Department of Resources Recycling and Recovery (CalRecycle), the Keller Canyon Landfill received the majority of the solid waste coming from Clayton (83.5 percent) in 2012. Additionally, the Potrero Hills Landfill received approximately 15.3 percent of the solid waste produced in the city at that time. The Keller Canyon Landfill has a maximum permitted capacity of 75,018,280 cubic yards and a cease operations date of December 31, 2030, while the Potrero Hills Landfill has a maximum capacity of 83,100,000 cubic yards and a cease operations date of February 14, 2048 (CalRecycle 2014).

Discussion/Conclusion

a, b, d, e) **No Impact.** Future residential development in the city would require adequate municipal wastewater service and adequate domestic water service, including water supplies and wastewater treatment capacity or individual wells and septic systems. Increased demand for wastewater and water service can also result in the exceedance of wastewater treatment requirements and the need for new water or wastewater treatment facilities or the expansion of existing facilities. As stated previously, the Housing Element is a policy-level document that does not include any specific development proposals, nor does it grant any entitlements for development. All future residential development occurring in the city would be required to comply with local regulations. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal.

Future development proposals would be reviewed by the appropriate service agencies as part of the development application review process in order to ensure that sufficient capacity in all utilities would be available on time to maintain desired service levels. Therefore, implementation of the 2015–2023 Housing Element would have no impact regarding a significant increase in demand for wastewater and water services.

c) **No Impact.** The future development of housing consistent with the 2015–2023 Housing Element could increase runoff and alter normal drainage patterns on project sites. Any potential residential site identified in the proposed Housing Element that is located in a developed area of the city where stormwater drainage facilities already exist would be required to comply with the storm drainage standards for that area. As discussed above, the Housing Element is a policy-level document that does not include any specific development proposals, nor does it grant any entitlements for development. Any future

residential development in the city would be subject to further CEQA review. Therefore, there would be no impacts associated with the construction of new stormwater drainage facilities or the expansion of existing facilities.

- f, g) **Less Than Significant Impact.** As discussed previously, the proposed Housing Element includes policies and programs designed to facilitate the construction and conservation of housing to meet Clayton's affordable housing needs, but it does not include any specific development proposals, nor does it grant any entitlements for development. Any future residential development would increase the demand for solid waste services in the area and would increase the amount of solid waste generated and sent to local landfills. According to CalRecycle (2014), the city had an average per person solid waste disposal rate of 2.9 pounds per day in 2012. The estimated population residing in the RHNA 141 dwelling units is 392 persons, as discussed previously in subsection XIII, Population and Housing. Based on this number and the average solid waste per person per day in the city, the amount of solid waste produced by persons living in the 141 units would be approximately 1,136.8 pounds per day, or 207.5 tons per year. The landfills serving Clayton include the Keller Canyon Landfill and the Potrero Hills Landfill. The Keller Canyon Landfill has a maximum permitted daily throughput of 3,500 tons, a remaining capacity of 63,408,410 cubic yards (as of November 16, 2004), and an anticipated closure date of December 31, 2030 (CalRecycle 2014). The Potrero Hills Landfill has a maximum permitted daily throughput of 4,330 tons, a remaining capacity of 13,872,000 cubic yards (as of January 1, 2006), and an anticipated closure date of February 2, 2048 (CalRecycle 2014). The addition of 1,136.8 pounds per day of solid waste would not result in the closure of either landfill. Assembly Bill 939, which requires recycling programs that result in a 50 percent diversion away from landfills, would apply to new development. Additionally, all new development in the city is subject to Clayton Municipal Code Chapter 15.80, which regulates construction and demolition recycling. Therefore, implementation of the 2015–2023 Housing Element would have a less than significant impact regarding solid waste.

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wild-life population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion

- a, c) **Less Than Significant Impact.** The Housing Element is a policy-level document. While the Housing Element encourages the provision of a range of housing types and affordability levels, it does not include specific development proposals, nor does it grant any entitlements for development that would have the potential to degrade the quality of the environment to adversely affect human beings. The Housing Element proposes changes to the existing Zoning Ordinance; however, the changes are procedural or designed to comply with state law and do not involve the construction or expansion of any residential land uses, nor does the Housing Element propose any land use designation changes. All future residential development occurring in the city would be required to comply with local regulations, including the General Plan and Zoning Ordinance. Environmental impacts of subsequent development projects would also be considered pursuant to CEQA on a case-by-case basis following submittal of a specific development proposal. Future residential development projects would require compliance with General Plan policies and other City codes and ordinances intended to protect the environment. Therefore, the proposed Housing Element would result in less than significant adverse impacts to the environment or to human beings as a result of environmental degradation.

- b) **Less Than Significant Impact.** As discussed above, the proposed Housing Element is a policy-level document that does not propose any specific development. Therefore, identifying or analyzing cumulative impacts would be speculative at this time. Future residential development projects and/or policies would be subject to environmental review, including a review of cumulative impacts. Therefore, impacts would be less than significant.

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