

Department of
Conservation &
Development

Community Development Division

County Administration Building
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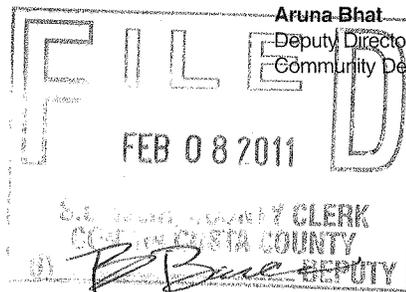
Phone: (925) 335-1290

Contra
Costa
County



Catherine O. Kutsuris
Director

Aruna Bhat
Deputy Director
Community Development Division



DATE: February 8, 2011

**NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A PROPOSED
MITIGATED NEGATIVE DECLARATION**

County File #LP10-2009

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the Department of Conservation & Development for Contra Costa County has prepared an initial study on the following project:

PROJECT NAME: Clayton Regency Mobile Home Park Emergency Water Pipeline
Project, County File #LP10-2009

APPLICANT: Clayton Regency, LLC
16711 Marsh Creek Road
Clayton, CA

OWNER: *Same as Applicant*

LOCATION: Clayton Regency Mobile Home Park
16711 Marsh Creek Road,
Assessor Parcel Numbers: 007-191-002/003/004
(generally southeast of the City of Clayton)

PROJECT DESCRIPTION:

Location & Background: The Clayton Regency Mobile Home Park is a mobile home park that is located in a rural unincorporated area, at 16711 Marsh Creek Road, midway between the City of Clayton and the City of Brentwood. The mobile home park is under the ownership of Clayton Regency, LLC. A Land Use Permit for the mobile home park was originally approved by Contra Costa County in 1962 and construction on the mobile home park was completed in 1970. The mobile home park is permitted for 192 pre-manufactured homes and at the current time there are approximately 280 residents.

Drinking water for the mobile home park was originally provided by an onsite well; however, when the well water became too brackish, a reverse osmosis (RO) water treatment system was installed to produce potable water. After the Central Valley Regional Water Quality Control Board ordered cessation for the onsite disposal of RO brine, and offsite disposal was determined to be too costly, the Contra Costa County Public Health Director allowed the temporary use of water hauled from an approved source, in lieu of closing the mobile home park. The source of the hauled water is currently the City of Brentwood. The Clayton Regency Mobile Home Park owner operates two State-certified potable water trucks to transport up 16 loads of water per day, as needed, to two 63,900 gallon water storage tanks located onsite at the mobile home park. The mobile home park is outside of the service boundaries of any water district.

The water hauling arrangement, initially established as temporary, has continued since 2001. However, due to the potential for contaminating potable water with pathogenic bacteria and viruses during the filling, transport, and delivery of the hauled water, which presents an unacceptable risk of waterborne diseases, the Contra Costa Public Health Director in a June 7, 2007 letter declared a public health emergency existed and concluded that water service from the Contra Costa Water District (CCWD) was the only available option that would resolve the public health hazard and requested CCWD's assistance through extension of water service to the mobile home park.

Purpose of Project: The purpose of the project is to replace the current and temporary water hauling arrangement to the mobile home park by extending a water pipeline approximately three miles from the end of CCWD's existing treated water pipeline on Marsh Creek Road to the entrance of the mobile home park to provide the Clayton Regency Mobile Home Park with a long term water service.

Project Components: The Clayton Regency Mobile Home Park water pipeline extension project consists of the following components:

- Installation of a temporary water filling station for mobile home park during pipeline construction and establishment of a construction staging area.
- Pipeline alignment and design.
- Installation of a chlorine booster station or mobile disinfection unit.
- Installation of a flushing station.
- Installation of a pressure reducing station.
- Construction within the right-of-way of Marsh Creek Road for the extension of a 4-6 inch diameter water pipeline from CCWD's existing water line terminus on Marsh Creek Road and installation of appurtenant features, to the entrance of the mobile home park, and construction for pipeline and related facilities within the mobile home park extending from the entrance to the existing water tanks inside the mobile home park.
- Long-term operations and maintenance of water facilities serving the mobile home park.

Project Approvals: Required approvals and/or actions by the County, Other Public Agencies, and the Applicant that are required for the water pipeline extension project include:

Contra Costa County

- Fulfill the requirements under 10-27-2009 Out of Area Service Agreement between the County, CCWD, and Clayton Regency, LLC.
- Adoption of the MND for the project.
- Approval of an amendment to the mobile home park Land Use Permit by the County Planning Agency (County File: LP#10-2009) which will:
 - Reflect changing the source of drinking water for the mobile home park from the current trucked-in water supply to the water service to be provided by CCWD pursuant to this agreement;
 - Eliminate the 8 temporary recreational vehicle spaces at the mobile home park;
 - Eliminate recreational vehicles being occupied at the mobile home park;
 - Limit the maximum number of mobile home spaces to the current 192;
 - Prohibit 2-story mobile homes, with the exception of the existing 2-story unit, from being located in the spaces adjacent to Marsh Creek Road; and
 - Designate the use of the 1.3 acre property (Assessor parcel No. 007-191-003) within the mobile park for community facilities, park and recreation and office uses; restricting retail business and commercial uses from being established in that location to serve customers other than mobile home park residents.
- Issue a lane closure and encroachment permit for the construction of the emergency water pipeline within the public right-of-way (Contra Costa County Public Works Department).

CCWD

- Fulfill requirements of 10-27-2009 Out of Area Service Agreement between the County, CCWD, and Clayton Regency, LLC.
- Annex the Clayton Regency Mobile Home Park to be included in the CCWD service area for delivery of Central Valley Project (CVP) water by the Bureau of Reclamation, United State Department of Interior (USBR).
- Enter into a Design and Construction Agreement with Clayton Regency, LLC.
- Award contracts for design and construction of the project facilities, and manage the associated construction activities.
- Apply to Contra Costa Local Agency Formation Commission (LAFCO) for approval Out of Area Service, as described in the 10-27-2009 Out of Area Service Agreement between the County, CCWD, and CR-LLC, dated October 27, 2009, to extend water service to the Clayton Regency Mobile Home Park.

Contra Costa Local Agency Formation Commission (LAFCO)

- Approve an Out-of-Agency Service Agreement pursuant California Government Code sections 56100-56133 to extend water service outside CCWD's service district boundary to the Clayton Regency Mobile Home Park.

U.S. Bureau of Reclamation (USBR)

- Approval of interim and long range water service to the mobile home park (to include the Clayton Regency Mobile Home Park in the CCWD service area for delivery of Central Valley Project (CVP) water).

Clayton Regency, LLC

- Fulfill requirements of 10-27-2009 Out of Area Service Agreement between the County, CCWD, and Clayton Regency, LLC.
- Install, operate, and maintain a flushing station at a location along the pipeline extension; obtain California Regional Water Quality Control Board permit for flushing station.
- Install, operate and maintain a pressure reducing station.
- Provide fire protection service to mobile home park residents.
- Implement conditions of approval for an amendment to Land Use Permit for the mobile home park (County File: LP#10-2009).

ENVIRONMENTAL EFFECTS:

The Initial Study for the proposed project identified potentially significant impacts in the environmental areas of Air Quality, Biological Resources, Cultural Resources, Noise, and Traffic. Environmental analysis determined that measures were available to mitigate the potential adverse impacts to insignificant levels. As a result, a Mitigated Negative Declaration (MND) has been prepared pursuant to Public Resources Code Section 21080(c), 21063.5, and Article 6 of the California Environmental Quality Act (CEQA) Guidelines.

Pursuant to the requirements of CEQA (CEQA Guidelines Section 15071) the MND describes the proposed project; identifies, analyzes, and evaluates the potential significant environmental impacts, which may result from the proposed project; and identifies measures to mitigate adverse environmental impacts. The mitigations identified in this document have been designed for the proposed project, and will ensure that the project will not cause a significant impact to the environment.

A copy of the MND and all documents referenced therein may be reviewed during normal business hours in the offices of the Department of Conservation and Development, Community Development Division, and the Application and Permit Center at the McBrien Administration Building, North Wing, Second Floor, 651 Pine Street, Martinez. Additionally, the MND is available online at the home page for the Department of Conservation & Development, under the "What's New" button, which may be accessed from the County's website (<http://www.co.contra-costa.ca.us/>).

Public Comment Period - The period for accepting comments on the adequacy of the Mitigated Negative Declaration extends to **5:00 P.M., Tuesday, March 8, 2011**. Any comments should be in writing and submitted to the following address:

Contra Costa County
Department of Conservation & Development
651 Pine Street, North Wing, 2nd Floor
Martinez, CA 94553
Attn: Patrick Roche

It is anticipated that the proposed Mitigated Negative Declaration will be considered for adoption at a meeting of the Zoning Administrator on Monday, March 21, 2011, or Monday, April 4, 2011, wherein it will be considered in conjunction with the approval of the Land Use Permit Amendment, County File: LP#10-2009. The hearing is anticipated to be held at the McBrien Administration Building, Room 107, Pine and Escobar Streets, Martinez, CA.

Patrick Roche, Project Planner *PR*

Date: 2/8/2011

cc: County Clerk's Office (2 copies)